Vrathyni, a conservative daily, said that as a result of United States policy in the Cyprus crisis, "The Statue of Liberty is dumfounded and its torch extinguished."

Several hundred students demonstrated in downtown Athens tonight, demanding the removal of United States bases from Greece and calling Secretary of State Kissinger a "murderer." Outside the Grand Bretagne Hotel, a large crowd gathered to cheer Premier Caramanlis. After he waved to them they started chanting, "American go home!"

Most Greeks seemed to welcome the decision to withdraw armed forces from the Atlantic Alliance as an assertion of Greek pride, following weeks of humiliation.

"Thank god, at last we are free," a boutique owner said. An auto parts salesman commented: "Now we have people in the Government who can stamp their feet and say, 'This is what we want, dammit.'"

POLITICAL MOTIVATION SPECULATED

Political analysts here noted that Andreas Papandreou, son of former Premier George Papandreou and a bitter critic of the United States and the Atlantic Alliance, planned to return to Greece next week.

By today's action, the analysts said, the Caramanlis Government has undercut one of Mr. Papandreou's key issues and one of the potential rallying points for left-wing opposition to the present leadership.

Mr. Papandreou is likely to call for the removal of all American military installations in Greece. United States tactical nuclear weapons are reportedly concentrated in northern Greece.

A naval facility in Souda Bay, in Crete, serves the Sixth Fleet. Without it, United States ships could not spend as much time in the eastern Mediterranean as they now do. The largest concentration of American personnel in Greece is at an airfield here.

Other American operations include communication networks, reconnaissance flights and home-port facilities for six destroyers. About 4,000 uniformed American personnel and 6,000 dependents live in Greece.

SENATE—*Monday, August 19, 1974*

The Senate met at 10:30 a.m. and was called to order by Hon. JOHN C. STENNIS, a Senator from the State of Mississippi.

PRAYER

Rev. Edward G. Latch, D.D., Chaplain, U.S. House of Representatives, offered the following prayer:

In Thy presence, our Father, we pause for a moment, lifting our hearts unto Thee in prayer. As we pray, do Thou restore our spirits and renew our strength. Make plain to us the path we should take and give us the sturdy spirit to work on it. What we felt we could not do, now we can do; what we thought hopeless, now is full of hope; what seemed impossible, now becomes possible. We are ready, Lord, ready for anything through the grace of Thy Spirit living in our hearts.

Bless our Nation with Thy favor and make her a channel for peace, justice, and good will in our world.

In the spirit of Christ, we pray. Amen.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

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

The second assistant legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, D.C., August 19, 1974.

To the Senate:

Being temporarily absent from the Senate on official duties, I appoint Hon. JOHN C. STENNIS, a Senator from the State of Mississippi, to perform the duties of the Chair during my absence.

JAMES O. EASTLAND,
President pro tempore.

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

THE JOURNAL

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that the reading of the Journal of the proceedings of Friday, August 16, 1974, be dispensed with.

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

WAIVER OF CALL OF THE CALENDAR

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that the call of the legislative calendar, under rule VIII, be dispensed with.

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

COMMITTEE MEETINGS DURING SENATE SESSION

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

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

ORDER OF BUSINESS

The ACTING PRESIDENT pro tempore. The Senator from Pennsylvania (Mr. HUGH SCOTT) is recognized.

Mr. HUGH SCOTT. Mr. President, I yield back my time.

The ACTING PRESIDENT pro tempore. Under the previous order of the Senate, the Senator from Idaho (Mr. CHURCH) is to be recognized at this point. Someone may wish to suggest the absence of a quorum.

Mr. ROBERT C. BYRD. Mr. President, I suggest the absence of a quorum, and I ask that the time be charged against the time allotted to me.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered. The clerk will call the roll.

The second assistant legislative clerk proceeded to call the roll.

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

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

TRANSACTION OF ROUTINE MORNING BUSINESS

Mr. ROBERT C. BYRD. Mr. President, in order that the time of the various Senators under the order previously entered will not be used up in the quorum call, I ask unanimous consent that there now be a period for the transaction of routine morning business of not to exceed 15 minutes, with statements limited therein to 5 minutes each, without prejudice to any of the Senators who had orders for recognition.

The ACTING PRESIDENT pro tempore. Is there objection? The Chair hears none, and it is so ordered.

TRIBUTE TO SENATOR MANSFIELD

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent, at the request of the Senator from Wyoming (Mr. MCGEE), that a statement which he had prepared in recognition of the record for continuous leadership of the Democratic Party in this body by Mr. MANSFIELD be printed in the RECORD and, if there is a bound volume later, that the remarks of Mr. MCGEE may be included.

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

STATEMENT BY SENATOR MCGEE

A landmark has been achieved in the United States Senate as our distinguished colleague, Mike Mansfield, has established a new record for continuous leadership of the Democratic Party in this Body.

Mike has broken the record established in 1937 by Democratic Senator Joseph T. Robinson whose tenure as majority and minority leader of our party spanned 13 years, 244 days.

Mike Mansfield's length of service is a tribute to his many outstanding qualities which all of us appreciate very much. Mike, whom I not only hold in high esteem, but also count as a close personal friend, is the embodiment of a United States Senator. He is this, because he handles the difficult duty of representing his constituency effectively while at the same time devoting close attention to our national interests.

Mike Mansfield is the epitome of fairness in the handling of his duties as majority leader. One never has expectations that are violated, whether you are a Democrat or whether you are a Republican. You expect to be treated fairly. You are treated fairly. You expect to be treated with calmness and dignity. You are treated with calmness and dignity.

As a Wyoming neighbor to his own State of Montana, I can attest to his effectiveness in representing the interests of his constituency. Those of us from the Rocky Mountain West rely upon his wisdom and leadership in protecting those interests critical to the economic and cultural viability of our region of the country. He has always demonstrated a farsightedness in addressing himself to the needs of our region.

In essence, Mr. President, Mike Mansfield has conducted his responsibilities as Majority

Leader with dignity, wisdom, and fairness. He is scrupulous in his devotion to insuring that all interests are treated fairly, whether those interests be Republican or Democrat, Northerner or Southerner, Westerner or Easterner. As a result, he will always have our deep abiding respect.

QUORUM CALL

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

The second assistant legislative clerk proceeded to call the roll.

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

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

PETITIONS

Petitions were laid before the Senate and referred as indicated:

By the ACTING PRESIDENT pro tempore (Mr. STENNIS):

Resolutions from the National Conference on Weights and Measures, National Bureau of Standards, requesting that the Secretary of Agriculture defer action on proposed net weight labeling regulations, and on the adoption and use of a National Sampling Procedure. Referred to the Committee on Agriculture and Forestry.

A joint resolution from the Legislature of the State of Montana. Referred to the Committee on Commerce:

"SENATE JOINT RESOLUTION No. 61

"A joint resolution of the Senate and the House of Representatives of the State of Montana requesting Congress to allow Montana to be on Mountain Standard Time from November first through March first

"Whereas, the recent pre-emption by Congress with regard to arbitrarily reinstituting Daylight Saving Time for all states regardless of geographic location or latitudinal position has caused considerable discomfort in Montana, and

"Whereas, our Lieutenant Governor Bill Christiansen has indicated that Montana's energy conservation due to Montana's directed return to Mountain Daylight Time will be marginal if any at all, and

"Whereas, the youth of Montana are being subjected to increased potential of serious injury due to automobile accidents while on the way to school in virtual total darkness.

"Now, therefore, be it resolved by the Senate and the House of Representatives of the State of Montana:

"That the secretary of state is directed to request that the U.S. Congress reassess its action in pre-empting the state with regard to uniform return to Daylight Saving Time, in that they provide some mechanism for local state option and adoption.

"Be it further resolved, that the secretary of state is requested to send copies of this joint resolution to the U.S. Senate and House of Representatives and the members of Montana's Congressional delegation."

A resolution from the House of Representatives of the State of Montana. Referred to the Committee on Agriculture and Forestry:

"A resolution of the House of Representatives of the State of Montana directing the Montana Department of Agriculture and the Department of Livestock in cooperation with general farm and ranch organizations and commodity groups to prepare and provide data and information to the public concerning the relationship between the amount agriculture received and the final cost to the consumers

"Whereas, the public needs to know what the market basket costs are in relation to farm and ranch expenses in producing the food and fiber, and

"Whereas, farm production expenses will again move up sharply in 1974, fueled by a dramatic rise in prices for petroleum products, fertilizers and farm machinery, and

"Whereas, outlays for feed and seed will show another large increase due to higher prices and a need for more of these inputs, and

"Whereas, continuing inflation will be a large factor, and a rise in total production expenses will be substantially above the 1972–1973 production expense estimates.

"Now, therefore, be it resolved by the House of Representatives of the State of Montana:

"That the House of Representatives of the state of Montana supports the efforts of the Departments of Agriculture and Livestock, general farm and ranch organizations and commodity groups to provide data and inform the public on prices paid and costs incurred to produce the food on farm and ranches in relation to the relative costs of the food in the market baskets.

"Be it further resolved, that additional funding for this effort be sought from outside sources, such as the Montana Committee on the Humanities, general farm and ranch organizations and commodity groups.

"Be it further resolved, that copies of this resolution be sent to the Governor, Secretary of State, general agricultural organizations and commodity groups, the Department of Livestock and the Department of Agriculture.

"Be it further resolved, that the Secretary of State is requested to send copies of this resolution to the United States Senate and House of Representatives and the members of Montana's congressional delegation, and to the National Cost of Living Council."

A resolution from the Senate of the State of Montana. Referred to the Committee on Agriculture and Forestry:

"A resolution of the Senate of the State of Montana directing the Montana department of agriculture and the department of livestock in cooperation with general farm and ranch organizations and commodity groups to prepare and provide data and information to the public concerning the relationship between the amount agriculture received and the final cost to the consumers

"Whereas, the public needs to know what the market basket costs are in relation to farm and ranch expenses in producing the food and fiber, and

"Whereas, farm production expenses will again move up sharply in 1974, fueled by a dramatic rise in prices for petroleum products, fertilizers and farm machinery, and

"Whereas, outlays for feed and seed will show another large increase due to higher prices and a need for more of these inputs, and

"Whereas, continuing inflation will be a large factor, and a rise in total production expenses will be substantially above the 1972–1973 production expense estimates.

"Now, therefore, be it resolved by the Senate of the State of Montana:

"That the Senate of the State of Montana supports the efforts of the Departments of Agriculture and Livestock, general farm and ranch organizations and commodity groups to provide data and inform the public on prices paid and costs incurred to produce the food on farm and ranches in relation to the relative costs of the food in the market baskets.

"Be it further resolved, that additional funding for this effort be sought from outside sources, such as the Montana Committee on the Humanities, general farm and ranch organizations and commodity groups.

"Be it further resolved, that copies of this resolution be sent to the Governor, Secretary of State, general agricultural organizations and commodity groups, the Department of Livestock and the Department of Agriculture.

"Be it further resolved, that the Secretary of State is requested to send copies of this resolution to the United States Senate and House of Representatives and the members of Montana's congressional delegation, and to the National Cost of Living Council."

A resolution from the House of Representatives of the State of Arkansas. Referred to the Committee on Agriculture and Forestry:

"HOUSE RESOLUTION URGING THE CONGRESS OF THE UNITED STATES TO CLOSELY EXAMINE THE CAUSES AND POSSIBLE REMEDIES FOR THE DEPRESSED MARKET FOR BEEF, LIVESTOCK, AND POULTRY

"Whereas, all segments of the United States economy have experienced a high rate of inflation during the past two years; and

"Whereas, inflation has raised disproportionately the cost of all products necessary for the raising and production of beef, livestock, and poultry, such as fuel, labor, grains and feed; and

"Whereas, persons engaged in the raising of beef, livestotck, and poultry have not experienced a proportionate increase in income from the sale of such products because of a depressed market for beef, livestock, and poultry; and

"Whereas, the depressed market situation has reduced drastically the ability of the beef, livestock, and poultry farmers to receive a fair profit for their labor; and

"Whereas, decreased prices for beef, livestock, and poultry have not been reflected at the retail level; and

"Whereas, Congress should closely examine the depressed market situation to determine the causes and possible remedies therefor, and should seek to determine whether middlemen and retailers are making windfall profits as a result of the market situation;

"Now therefore, be it resolved by the House of Representatives of the Sixty-Ninth General Assembly, the first extraordinary session, 1974:

"SECTION 1. That the Congress of the United States is hereby urged to closely examine the causes and possible remedies for the depressed market for beef, livestock, and poultry, including a determination of whether middlemen and retailers are receiving windfall profits as a result of the depressed market.

"SEC. 2. That the Chief Clerk of the House of Representatives shall furnish an appropriate copy of this Resolution to the Speaker of the House of Representatives and President Pro Tempore of the National Congress as well as the Arkansas Congressional Delegation."

A joint resolution from the Senate of the State of California. Referred to the Committee on Appropriations:

"SENATE JOINT RESOLUTION No. 48

"Memorializes President and Congress to restore the full amounts required for the funding of flood control and reclamation projects in California during the 1974–75 fiscal year

"Whereas, The danger of flooding continues to be a critical problem in many areas of California; and

"Whereas, Inflationary factors cause the

costs of flood control projects to increase drastically when needed projects are delayed; and

"Whereas, The President's budget recommends a reduction in the California Water Commission's budget recommendation for the 1974–75 fiscal year from $91,031,000 to $18,762,000, a net reduction of $42,269,000 in the recommended federal flood control program in California during the 1974–75 fiscal year; and

Whereas, A delay in Bureau of Reclamation projects for California would deny to California and the federal government additional revenues which would be generated by completion of the recommended projects on schedule; and

"Whereas, The President's budget recommends a reduction in the California Water Commission's budget recommendation for the 1974–75 fiscal year for Bureau of Reclamation projects from $78,167,500 to $51,326,000, a net reduction of $26,841,500 in the recommended Bureau of Reclamation program in California during the 1974–75 fiscal year; and

"Whereas, The President's budget recommends an elimination or curtailment of funding for a total of 87 flood control and reclamation projects which are located throughout the breadth and depth of California, and valued at $69,110,500 for the 1974–75 fiscal year; and

"Whereas, Total reduction in funding, if the President's recommended budget is adopted by Congress, would eliminate 3,000 jobs directly and would have the multiplier effect of eliminating thousands of additional jobs in supplier-related industries; and

"Whereas, These reclamation projects would benefit millions of people throughout not only the United States, but the entire world, by enabling urgently needed food and fiber to be provided; and

"Whereas, The construction of these flood control projects would result in the saving of many lives and large amounts of property by providing urgently needed flood protection; now, therefore, be it

"Resolved by the Senate and Assembly of the State of California, jointly, That the Legislature of the State of California respectfully memorializes the President and the Congress of the United States to restore the full amounts required for the funding of flood control and reclamation projects in California during the 1974–75 fiscal year; and be it further.

"Resolved, That the Secretary of the Senate transmit copies of this resolution to the President and Vice President of the United States, to the Speaker of the House of Representatives, and to each Senator and Representative from California in the Congress of the United States."

A concurrent resolution from the House of Representatives of the State of South Carolina. Referred to the Committee on Armed Services:

"A CONCURRENT RESOLUTION

"Supporting the acquisition of the Aircraft Carrier "Yorktown" by the Patriot's Point Development Authority, a body politic created by the South Carolina General Assembly, for permanent display and public viewing at the National Naval Museum in Charleston, South Carolina

"Whereas, the State of South Carolina has a long and proud air, naval and maritime heritage; and

"Whereas, the South Carolina General Assembly created a study committee to study the feasibility of establishing a national naval museum in the State; and

"Whereas, the report of the study committee recommended the creating of the Patriot's Point Development Authority to implement a National Naval Museum in historic Charleston Harbor; and

"Whereas, the authority was created by Act 116 of 1973 and signed by the Governor June 30, 1973; and

"Whereas, the National Naval Museum will provide a unique recreational and educational experience for all citizens who visit the museum and will inspire a feeling of pride and patriotism; and

"Whereas, Patriot's Point Development Authority is presently submitting its request and necessary application to the United States Navy to donate the Yorktown to the museum. Now, therefore, be it

"Resolved by the House of Representatives, the Senate concurring:

"That the General Assembly of the State of South Carolina representing its citizens requests the United States Navy, and all who might be concerned, to donate the great aircraft carrier "Yorktown" to the National Naval Museum at Charleston, South Carolina, and make it possible for generations present and future to come visit this unique shrine. Be it further

"Resolved that copies of this resolution be forwarded to the President of the United States, to the Vice President of the United States, to the Secretary of Defense, to the Secretary of the Navy, to each United States Senator from South Carolina, and to each member of the House of Representatives of Congress from South Carolina."

A joint resolution from the Legislature of the State of California. Referred to the Committee on Armed Services:

"ASSEMBLY JOINT RESOLUTION No. 95

"Memorializes the Congress of the United States to retain as a part of the Air National Guard, the 129th Special Operations Group at Hayward, the 163rd Fighter Interceptor Group at Ontario and the 195th Tactical Airlift Group at Van Nuys

"Whereas, The United States Constitution has recognized the need for a state militia; and

"Whereas, The Congress of the United States has seen fit to authorize Air National Guard units within the several states; and

"Whereas, The California Air National Guard has always responded to national emergencies, state civil disturbances and natural disasters; and

"Whereas, The California Air National Guard has met these challenges in a conspicuous and meritorious manner of performance at significantly lower costs as compared to similar active military units, and continues to make distinctive and vital contributions to the national defense posture of the United States; and

"Whereas, It has come to the attention of the Members of the California Legislature that the Department of Defense is programming the inactivation of the 129th Special Operations Group at Hayward, the 163rd Fighter Interceptor Group at Ontario and the consolidation of the 195th Tactical Airlift Group into the 146th Tactical Airlift Group, at Van Nuys; and

"Whereas, The Congress of the United States in 1966, and again in 1967, by congressional mandate, overruled the Department of Defense and directed the retention of the California Air Guard units then programmed for inactiviation; and

"Whereas, Unless positive action is again taken at congressional levels, the State of California will suffer drastic reductions in its ability to respond to emergencies and disasters of a state and local nature, as well as diminishing the Air Guard's prime mission of providing fully trained, ready reserve units to meet any national contingency which arise; and

"Whereas, The President of the United States and the Congress have consistently proclaimed their intentions to maintain a ready, strong, and effective military reserve force available for immediate response when needed; and

"Whereas, All of the units programmed for inactivation or consolidation are currently in a combat-ready C–1 status, fully manned and trained, and available immediately for either their state or federal missions; now, therefore, be it

"Resolved by the Assembly and Senate of the State of California, jointly, That the Legislature of the State of California respectfully memorializes the Congress of the United States to retain as a part of the Air National Guard of the United States, the 129th Special Operations Group at Hayward, the 163rd Fighter Interceptor Group at Ontario and the 195th Tactical Airlift Group at Van Nuys of the California Air National Guard and, recognizing California's continuing and abiding requirement for efficient and responsive aerospace defense and airlift capabilities and the security needs of the United States, to provide more modern aircraft to those organizations or to assign alternate missions to units of the Air National Guard of the United States from the approved military force structure, and to retain in the reserve forces program the already trained and readily available pool of dedicated citizen-soldiers who have unselfishly dedicated part of their lives to the protection of their state and country; and be it further

"Resolved, That the Chief Clerk of the Assembly transmit copies of this resolution to the President and Vice President of the United States, the Speaker of the House of Representatives, the Secretary of Defense, and to each Senator and Representative from California in the Congress of the United States."

A joint resolution from the Legislature of the State of New York. Referred to the Committee on Banking, Housing and Urban Affairs:

"JOINT RESOLUTION No. 109, MAY 3, 1974

"Joint Resolution of the Legislature of the State of New York memorializing Congress and the President of the United States to propose, enact and sign into law, legislation including necessary appropriations that will aid in the development of new housing for the people of the state of New York.

"Whereas, Decent, safe and sanitary housing is one of the greatest needs of millions of Americans today; and

"Whereas, It has been a quarter of a century since the Federal Government pledged itself to provide adequate housing for all Americans; and

"Whereas, Land acquisition, the cost of new housing construction and financing have in many cases made private, unsubsidized housing beyond the means of a portion of the middle and low income families in our state, particularly in our urban areas; and

"Whereas, The massive funds necessary to provide adequate housing subsidy programs are primarily available from the Federal Government; and

"Whereas, The construction of middle and low income housing will provide employment for citizens of this state and contribute to the economic expansion and growth of the state; and

"Whereas, It is essential to the development of more housing that the Congress and the President restore all federal programs which aided the development of housing and that they provide the necessary leadership to initiate new legislation for housing that will begin to alleviate the tremendous crisis in housing which is now confronting New York state communities; now, therefore be it

"*Resolved,* That the legislature of the state of New York memorializes the Congress and President of the United States to propose, enact and sign into law legislation including necessary appropriations that will aid in the development of new housing for the people of the state of New York; and be it further

"*Resolved,* That copies of this resolution be transmitted to the President of the Senate of the United States, the Speaker of the House of Representatives, the President of the United States, and to each member of the Congress of the United States from the State of New York."

A concurrent resolution from the Legislature of the State of South Carolina. Referred to the Committee on Budget:

"CALENDAR No. S. 947

"A concurrent resolution to memorialize the Congress of the United States to enact appropriate legislation to ensure that annual Federal appropriations by the Congress shall not exceed anticipated annual revenues

"Whereas, it has become the habitual practice of the Congress to appropriate Federal funds in excess of anticipated Federal revenues; and

Whereas, this practice has not only created a massive national debt but has been a major factor in the ever increasing inflation with its dire consequences for the economy and the budgets of our citizens; and

"Whereas, the continuation deficit spending can only increase inflationary pressures which most probably will cause more problems than the additional appropriations will solve; and

"Whereas, the State of South Carolina has for many years demonstrated that limiting spending to anticipated revenue is feasible and develops financial stability and public confidence in government. Now, therefore,

"*Be it resolved* by the Senate, the House of Representatives concurring:

"That the Congress of the United States be and hereby is memorialized to enact appropriate legislation to ensure that annual Federal appropriations by the Congress shall not exceed anticipated annual Federal revenues.

"*Be it further resolved* that copies of this resolution be sent to the Vice President, the Speaker of the House of Representatives, and each member of the South Carolina Congressional Delegation in Washington, D.C."

A motion from the Arkansas Legislative Council, State of Arkansas, opposing the implementation of Circular A–70 as proposed by the United States Department of the Treasury and the Office of Management and Budget; and expressing strong opposition to changing the existing federal statutes governing tax-exempt status of State or local bonds by administrative action. Referred to the Committee on Finance.

Resolution from the Legislature of the State of New York. Referred to the Committee on Finance:

"RESOLUTION No. 82, MAY 7, 1974

"Resolution of the Assembly of the State of New York memorializing the Congress of the United States to enact legislation creating a National Health Insurance program

"Whereas, The quality and availability of health care in the United States presents one of the most critical issues facing the Congress; and

"Whereas, Good quality health care is a basic right of all peoples and a basic responsibility of government; and

"Whereas, The benefits of the recent advances in medical science have not reached all the people; and

"Whereas, Adequate hospital and medical care is not available to all those people in need of it; and

"Whereas, Only the highest income groups and the poor who are aided by public and private charity are relieved of ever-present concern over the high and escalating costs of health services; and

"Whereas, The vast middle income and relatively low income groups are left to cope with the shattering costs of catastrophic and prolonged illness; and

"Whereas, The overall quality and availability of health services for families residing in our inner cities and rural areas are inadequate; and

"Whereas, Very few voluntary health insurance plans provide adequate benefits and then at costs beyond the reach of those families most in need of such services; and

"Whereas, Pending National Health Insurance proposals before the Congress provide comprehensive programs for satisfying the public's need for available and high quality health services; now, therefore, be it

"*Resolved,* That the Legislature of the State of New York memorializes the Congress of the United States to enact legislation creating a National Health Insurance program; and be it further

"*Resolved,* That copies of this resolution be transmitted to the President of the United States, the Speaker of the House of Representatives, the President pro tempore of the United States Senate and each member of Congress from the State of New York."

Resolution from the Legislature of the State of California. Referred to the Committee on Finance:

"HOUSE RESOLUTION No. 166

"Relative to the emigration of Soviet Jews.

"Whereas, The United States House of Representatives has already expressed its support for freedom of emigration of all peoples in the Union of Soviet Socialist Republics by passing HR 3910 (Mills-Vanek), which would deny Most Favored Nation Status and United States Credit Concessions to any country denying free emigration to its citizens; and

"Whereas, The United States Senate has shown its support of the Jackson Amendment, co-sponsored by 77 Members, which makes identical demands on the Soviet Union for freedom of emigration; and

"Whereas, There is some indication that the Soviet authorities have offered to guarantee emigration rights to some specific numbers of Soviet Jews in exchange for the United States granting the Soviet Union Most Favored Nation Status and Credit Concessions; and

"Whereas, Reported attempts to arrive at a compromise congressional action to limit the flow of emigration in exchange for trade concessions would destroy the spirit of the principle of free emigration; and

"Whereas, The Union of Soviet Socialist Republics is already a signatory to the Universal Declaration of Human Rights of the United Nations, which includes the guarantee that any person shall have the right to leave his country with the right to return; and

"Whereas, The Assembly of the State of California supports the principle that freedom of emigration is a human right which should not be limited to specific numbers of persons nor to specific ethnic or religious minorities; now, therefore, be it

"*Resolved by the Assembly of the State of California,* That the Members call upon the President of the United States and the Members of the United States Senate and House of Representatives to support the withholding from the Soviet Union of Most Favored Nation Status and Credit Concessions until the human right to emigration is fully restored without any specification of numbers of persons or their ethnic or religious qualifications; and be it further

"*Resolved,* That the Chief Clerk of the Assembly transmit copies of this resolution to the President and Vice President of the United States, the Speaker of the House of Representatives, and each Senator and Representative from California in the Congress of the United States."

A joint resolution from the Senate of the State of California. Referred to the Committee on Finance:

"SENATE JOINT RESOLUTION No. 53

"Communicates to the President and Director of the office of Management and Budget the strong opposition of the Legislature to the implementation of Circular No. A–70 of the Office of Management and Budget, re denial of tax-exempt status for state and local bonds for federally aided projects.

"Whereas, The federal Office of Management and Budget has proposed implementation of Circular No. A–70, entitled "Policies and Guidelines for Federal Credit Programs", which would preclude local governments from issuing tax-exempt bonds to finance programs and facilities receiving federal assistance; and

"Whereas, State and local governments traditionally have employed tax-exempt financing for municipal programs and facilities; and

"Whereas, Local governments rely heavily on federal assistance for financing municipal programs and facilities; and

"Whereas, The implementation of Circular No. A–70 would significantly and adversely affect the ability of the State of California and its political subdivisions to finance higher education facilities, medical care facilities, sewer, water, and pollution control facilities, highway and mass transit facilities, urban renewal and public housing projects, and privately owned low- and moderate-income housing funded by the state and by municipalities; and

"Whereas, Over a year ago, the attempt to implement Circular No. A–70 resulted in immediate and vigorous opposition by state and local governments and national interest groups, such as the National Governors' Conference, the Municipal Finance Officers' Association, and the National League of Cities/ Conference of Mayors; and

"Whereas, Implementation of Circular No. A–70 would constitute direct federal intervention in, and substantial control of, debt management of the State of California and its municipalities, and would result in severe curtailment of the volume of tax-exempt financing, as the state and local governments would be unable to utilize it with respect to projects whose financial feasibility depends upon federal assistance; and

"Whereas, Circular No. A-70 proposes an undesirable means of accomplishing public policy and has massive implications for public finance throughout the country; and

"Whereas, There exist no feasible financial alternatives to replace the combination of tax-exempt municipal financing and federal assistance to provide state and local facilities; and

"Whereas, it has come to the attention of the Legislature that the Office of Management and Budget is planning specific action with respect to implementation of Circular No. A-70 in the near future; now, therefore, be it

"*Resolved by the Senate and Assembly of the State of California, Jointly,* That the Legislature of the State of California communicates its strong opposition to the implementation of Circular No. A-70 of the

President of the United States and to the Director of the Office of Management and Budget; and be it further

"*Resolved*, That the Secretary of the Senate transmit copies of this resolution to the President and Vice President of the United States, to the Director of the Office of Management and Budget, to the Speaker of the House of Representatives, and to each Senator and Representative from California in the Congress of the United States."

A resolution from the Senate of the State of Colorado. Referred to the Committee on Finance:

"SENATE MEMORIAL NO. 3

"Memorializing the Congress of the United States to enact legislation concerning Jewish emigration

"Whereas, There is pending in the United States Congress a bill to prohibit most-favored-nation treatment and commercial and guarantee agreements with respect to any nonmarket economy country which denies to its citizens the right to emigrate or which imposes more than nominal fees upon its citizens as a condition to emigration; and

"Whereas, There are three million Jews in the Union of Soviet Socialist Republics; and

"Whereas, There are many thousands of Jews in the USSR applying for visas to Israel and other countries; and

"Whereas, It has been the policy of the USSR by fees and other red-tape matters to discourage and prohibit those people from migrating; and

"Whereas, These people have the desire to leave the USSR and migrate to Israel and other countries; now, therefore,

"*Be It Resolved by the Senate of the Forty-ninth General Assembly of the State of Colorado:*

"(1) That the Congress of the United States is hereby memorialized to enact legislation whereby:

"(a) Products from any nonmarket economy country shall not be eligible to receive most-favored-nation treatment, such country shall not participate in any program of the Government of the United States which extends credits, credit guarantees, or investment guarantees, directly or indirectly, and the President of the United States shall not conclude any commercial agreement with any such country during the period beginning with the date on which the President determines that such country:

"(I) Denies its citizens the right or opportunity to emigrate;

"(II) Imposes more than a nominal tax on emigration or on the visas or other documents required for emigration for any purpose or cause whatsoever; or

"(III) Imposes more than a nominal tax, levy, fine, fee, or other charge on any citizen as a consequence of the desire of such citizen to emigrate to the country of his choice; and

"(b) The period of such sanctions shall end on the date on which the President determines that such country is no longer in violation of subparagraph (I), (II), or (III) of paragraph (a) of this subsection (1).

"(2) That in the event such legislation is enacted, the President is urged to find that the Union of Soviet Socialist Republics is in violation of the conditions set forth in subsection (1)(a) of this Memorial.

"*Be It Further Resolved*, That copies of this Memorial be transmitted to the President of the Senate and the Speaker of the House of Representatives of the Congress of the United States, to each member of Congress from the State of Colorado, and to the President of the United States."

A concurrent resolution from the Legislature of the State of South Carolina. Referred to the Committee on Finance:

"A CONCURRENT RESOLUTION

"To memorialize the Congress of the United States to continue the Federal revenue sharing program and commend the effectiveness of that program

"Whereas, the Federal revenue sharing program has been one of the most effective programs enacted by the Congress in recent years because of its recognition that local government can, in most cases, best assess and solve local government problems; and

"Whereas, Federal revenue sharing has resulted in numerous worthwhile improvements in government service and facilities; and

"Whereas, the program enables local government to more accurately plan for future improvements; and

"Whereas, the program has resulted in improvements in the often strained relationship between State and Federal governments because it offers visible evidence that Federal tax money does flow back to the sources from which it came; and

"Whereas, any reduction or abolition of this program would be a backward step which would be most discouraging to State, county and municipal governments and would do grave damage to programs inaugurated pursuant to and funded by Federal revenue sharing. Now, therefore,

"Be it resolved by the Senate, the House of Representatives concurring: That the Congress of the United States be and hereby is memorialized to continue and, if possible, expand the Federal revenue sharing program which has contributed most effectively to the solution of local government problems.

"Be it further resolved that a copy of this resolution be forwarded to the Vice President, the Speaker of the House of Representatives and each member of the South Carolina Congressional Delegation in Washington, D.C."

A resolution from the Senate of the State of Massachusetts. Referred to the Committee on Finance:

"RESOLUTIONS

"Memorializing the Congress of the United States to enact legislation to permit an exemption of retirement income for persons 65 years of age or older

"Whereas, There was a 9.4 per cent rise in the cost of living for calendar year 1973; and

"Whereas, Inflation has been rising at the rate of 11½ per cent for the first three months of 1974; and

"Whereas, Persons on fixed incomes are the individuals most greatly affected by this skyrocketing inflation; and

"Whereas, There are 600,000 elderly persons in Massachusetts, many of whom live on fixed incomes; and

"Whereas, The Congress of the United States is presently considering HR5117 which would permit an exemption of the first $5,000 of retirement income received by a taxpayer under a public retirement system or any other system if the taxpayer is at least 65 years of age; now, therefore, be it

"*Resolved*, That the Massachusetts Senate memorializes the Congress of the United States to enact legislation in the form of HR5117 to relieve the mounting burden of inflation from our elderly citizenry; and be it further

"*Resolved*, That copies of these resolutions be sent forthwith by the Clerk of the Senate to the presiding officer of each branch of Congress of the United States and to each member thereof from the Commonwealth."

A concurrent resolution from the Senate of the State of West Virginia. Referred to the Committee on Finance:

"SENATE CONCURRENT RESOLUTION NO. 2

"Petitioning the President and Director of the Office of Management and Budget to refuse to implement the provisions of Circular No. A-70 of the Office of Management and Budget relating to denial of tax-exempt status for state and local bonds for federally aided projects

"Whereas, The federal Office of Management and Budget has proposed implementation of Circular No. A-70, entitled "Policies and Guidelines for Federal Credit Programs", which would preclude local governments from issuing tax-exempt bonds to finance programs and facilities receiving federal assistance; and

"Whereas, State and local governments have traditionally employed tax-exempt financing for municipal programs and facilities and the implementation of the provisions of Circular No. A-70 would significantly and adversely affect the ability of the State of West Virginia and its political subdivisions to finance higher education facilities, medical care facilities, sewer, water and pollution control facilities, highway and mass transit facilities, urban renewal and public housing funded by the state and privately owned low and moderate income housing funded by the state and by its municipalities; and

"Whereas, Implementation of Circular No. A-70 would constitute direct federal intervention in, and substantial control of, debt management of the State of West Virginia and its municipalities, and would result in severe curtailment of the volume of tax-exempt financing, as the state and local governments would be unable to utilize it with respect to projects whose financial feasibility depends upon federal assistance because there exist no feasible financial alternatives to replace the combination of tax-exempt municipal financing and federal assistance to provide state and local facilities; therefore, be it

"*Resolved by the Legislature of West Virginia:*

"That the Legislature of West Virginia communicate its strong opposition to the implementation of the provisions of Circular No. A-70 to the President of the United States and to the Director of the Office of Management and Budget; and, be it

"*Resolved further*, That the Clerk of the Senate transmit copies of this resolution to the President and Vice President of the United States, to the Director of the Office of Management and Budget, to the Speaker of the House of Representatives and to each Senator and Representative from West Virginia in the Congress of the United States."

A resolution from the House of Representatives of the State of Massachusetts. Referred to the Committee on Foreign Relations:

"RESOLUTIONS

"Urging the President of the United States, Congress and the United States Ambassador to the United Nations to condemn the action of terrorists in Israel

"Whereas, Acts of terror and murder can never be accepted by the people of the Commonwealth; and

"Whereas, For the second time in two months terrorists have killed innocent children in Israel; and

"Whereas, The world has kept silent as these acts of barbarism have continued; and

"Whereas, The United Nations has practiced hypocrisy by condemning Israeli destruction of inanimate objects while condoning in silence the Arab terrorists' murder of civilians; and

"Whereas, Such silence encourages further acts of terror; therefore be it

"*Resolved*, That the Massachusetts House of Representatives condemns and finds abhorrent these inhuman and barbaric acts of terrorism; and be it further

"*Resolved*, That we call upon the President of the United States, the Congress and the United States Ambassador to the United Na-

tions to condemn these actions; and be it further

"*Resolved,* That copies of these resolutions be forwarded by the Clerk of the House of Representatives to the President of the United States, to the presiding officer of each branch of Congress and to the members thereof from the Commonwealth and the United States Ambassador to the United Nations."

A concurrent resolution from the Legislature of the State of Michigan. Referred to the Committee on Foreign Relations:

"HOUSE CONCURRENT RESOLUTION No. 429

"A concurrent resolution memorializing Congress to allocate appropriate resources to the international effort to stave off the impeding calamity of drought in west Africa

"Whereas, The countries of Senegal, Mauritania, Mali, Upper Volta, Niger, and Chad in West Africa have been suffering their worst drought in sixty years, and the United Nations has declared these countries a disaster area; and

"Whereas, If the drought in this region continues, the population in these countries will suffer unimaginable disaster. Already the drought is crippling the economy of this region, and in many areas agricultural production is only twenty percent of the normal level; and

"Whereas, It is imperative that the world community come to the aid of these countries of West Africa for without a monumental world effort, the famine and disease will be catastrophic and recovery a long and desperate process; and

"Whereas, Grain is urgently needed both to feed the population and maintain cattle herds which are the basis of future nutritional self-sufficiency; now therefore be it

"Resolved by the House of Representatives (the Senate concurring), That the Michigan Legislature memorialize Congress to furnish the necessary material and transport in conjunction with the United Nations Food and Agriculture Organization to assure the physical and economic survival of these countries of West Africa suffering the disastrous effects of drought; and be it further

"*Resolved,* That a copy of this resolution be transmitted to the President of the United States Senate, the Speaker of the House of Representatives, and to each member of the Michigan delegation to the United States Congress.

"Adopted by the House of Representatives, April 26, 1974.

"Adopted by the Senate, May 22, 1974."

A joint resolution from the Legislature of the State of California. Referred to the Committee on Interior and Insular Affairs:

"ASSEMBLY JOINT RESOLUTION No. 108

"Memorializes the President and Congress to support and adopt such laws and regulations as will permit the state to participate in decisionmaking relating to the leasing of federal submerged lands off the California coast for oil or gas production. Requests that federal laws and regulations relating to such leases be at least as comprehensive and stringent as state laws and regulations governing oil or gas development under lease on state tidelands and submerged lands, and that the federal staff assigned to carry out such federal laws and regulations be at least as competent and at a comparable manpower level as the staff employed by the state for such purposes. Requests that the state be compensated by an adequate portion of the revenue derived from such federal leases, or by a share of the crude oil production itself, for expenses incurred by the state in providing support functions.

"Whereas, The President of the United States has indicated that the leasing of offshore waters for oil or gas production in coastal areas under federal control may be increased by 10 million acres in the next year; and

"Whereas, The Council on Environmental Quality has informed the President recently that drilling for oil and gas in the Atlantic Ocean offshore from the States of Virginia, Maryland, Delaware, and other East Coast states is acceptable; and

"Whereas, Expert testimony on known crude oil reserves off the California coast has estimated proven and potential reserves of crude oil in the billions of barrels; and

"Whereas, Federal authorization for oil or gas drilling off the California coast is imminent and, in fact, the United States Bureau of Land Management has taken initial steps to authorize the leasing of more than seven million acres off the southern California coast, with tracts to be announced for lease in July 1974; and

"Whereas, At the present time the State of California has no control or voice in the decisionmaking process for the leasing of offshore waters under federal jurisdiction, even though the state has a primary interest in the safety, pollution prevention, economics, and aesthetics of such operations; and

"Whereas, The state has itself leased more than 175,000 acres of tidelands and submerged lands along the coast, and permitted, under state control, the drilling of more than 4,000 wells and core holes with no significant pollution incidents; and

"Whereas, The state is known to have superior expertise in this area, with more stringent controls and safeguards than are required by the federal government; now, therefore, be it

"*Resolved by the Assembly and Senate of the State of California, jointly,* That the Legislature of the State of California respectfully memorializes the President and the Congress of the United States to support and adopt such laws and regulations as will permit the State of California to participate in all decisionmaking relating to the leasing of federal submerged lands off the California coast for oil or gas production, including granting to California the right to recommend denial of any proposal which endangers the state's coastline or life or property in the state, constitutes an immediate or potential geologic hazard, or is environmentally incompatible on an aesthetic or total use basis; and be it further

"*Resolved,* That the Legislature of the State of California respectfully requests that federal laws and regulations relating to the leasing of offshore lands for oil or gas production be at least as comprehensive and stringent as laws and regulations governing oil and gas development under leases by the state on state tidelands and submerged lands, and that the federal staff assigned to carry out and enforce the federal laws and regulations be at least as competent and at a comparable manpower level as the staff employed by the State of California for these purposes; and be it further

"*Resolved,* That the Legislature of the State of California respectfully requests that the state be compensated by an adequate portion of the revenue derived from oil or gas production on federal submerged lands off the coast of California or by a share of the crude oil production itself, inasmuch as the various jurisdictions within the state, and the state itself, will be required to supply, and bear the cost of supplying, many support functions, including but not limited to, police, fire protection, and community services; and be it further

"*Resolved,* That the Chief Clerk of the Assembly transmit copies of this resolution to the President and Vice President of the United States, to the Secretary of the Interior, to the Speaker of the House of Representatives, and to each Senator and Representative from California in the Congress of the United States."

A concurrent resolution from the Senate of the State of Louisiana. Referred to the Committee on Interior and Insular Affairs:

"SENATE CONCURRENT RESOLUTION No. 60

"A concurrent resolution to recognize the Choctaw Indian community of Louisiana and to request federal recognition thereof

"Whereas, an indentifiable Choctow Indian community has existed in the vicinity of Jena, Louisiana, since prior to the acquisition of Louisiana by the United States, as evidenced by the fact that this area was known as the "Choctaw District" in colonial times; and

"Whereas, the Choctaw of Louisiana were a constituent part of the Choctaw Nation which was recognized by and entered into treaty relationships with Spain, France, and the United States, and in particular, the Treaty of January 3, 1786 (7 Stat. 21) with the United States; and

"Whereas, federal officials in the first years after the Louisiana Purchase recognized the Choctaw Indians of Louisiana as a distinct self-governing Choctaw community; and

"Whereas, the Congress of the United States has heretofore appropriated federal funds which were earmarked for the education of the Choctaws at Jena, Louisiana, thus recognizing the Jena Choctaws as Indians eligible for special federal services for Indians; and

"Whereas, it is the policy of the state of Louisiana to recognize the Indian Tribes within the borders of the state, and to support their aspirations for the preservation of their cultural heritage and the improvement of their economic conditions, and to assist them in achieving their just rights.

"Therefore, be it resolved by the Senate of the Legislature of Louisiana, the House of Representatives thereof concurring, that the state of Louisiana formally recognizes the Choctaw Indian community at Jena, Louisiana, as an Indian Tribe.

"Be it further resolved that the Government of the United States of America, and particularly the Bureau of Indian Affairs, is hereby memorialized, requested and urged to take such steps as are necessary to effect in the near future formal recognition of the Choctaw Indian community at Jena, Louisiana, and to acknowledge that the rights of the Choctaws are no less, if not indeed greater, than that of other Indian Tribes in the United States, and thereupon to take appropriate executive and/or congressional action.

"Be it further resolved that copies of this Resolution shall be transmitted to the President of the United States, the presiding officers of the Senate and the House of Representatives of Congress of the United States, and the Director of the Bureau of Indian Affairs, United States Department of the Interior."

A joint resolution from the Legislature of the State of California. Referred to the Committee on Interior and Insular Affairs:

"ASSEMBLY JOINT RESOLUTION No. 91

"Memorializes the President and the Congress to authorize the Bureau of Reclamation to provide an additional 195,000 acre-feet of water annually for fishery preservation purposes in the Trinity River and to negotiate directly with the California Department of Fish and Game regarding ultimate amounts and schedules by which such water shall be released for fishery preservation purposes

"Whereas, The United States Bureau of Reclamation in 1963 completed construction

of the Trinity River Division of the Central Valley Project, and began the export of Trinity River water to the Sacramento Valley; and

"Whereas, Since 1960, when Trinity Lake began to fill, extensive habitat modification (sedimentation and riparian vegetation encroachment) has occurred in the Trinity River downstream from Lewiston Dam; and

"Whereas, These changes are largely the result of alterations in the Trinity River's historic flow patterns, most notably a major reduction in annual flow past Lewiston and the elimination of peak spring flows, caused by the export of Trinity River water to the Sacramento Valley by the project; and

"Whereas, The numbers of adult steelhead entering the Trinity River in recent years have declined dramatically; and

"Whereas, The Federal Fish and Wildlife Coordination Act requires preservation of fish and wildlife at federal projects; and

"Whereas, The California Department of Fish and Game has requested significant additional water releases into the Trinity River in order to experimentally determine the amounts necessary to preserve the river's historic steelhead trout resource; and

"Whereas, The United States Bureau of Reclamation lacks authority to provide such releases into the Trinity River; now, therefore, be it

"Resolved by the Assembly and Senate of the State of California, jointly, That the Legislature of the State of California respectfully memorializes the President and the Congress of the United States to authorize the United States Bureau of Reclamation to provide an additional 195,000 acre-feet of water annually for fishery preservation purposes in the Trinity River; and be it further

"Resolved, That the Bureau of Reclamation be authorized to negotiate directly with the California Department of Fish and Game regarding ultimate amounts and schedules by which such water shall be released for fishery preservation purposes; and be it further

"Resolved, That the Chief Clerk of the Assembly transmit copies of this resolution to the President and Vice President of the United States, to the Speaker of the House of Representatives, and to each Senator and Representative from California in the Congress of the United States."

A joint resolution from the Legislature of the State of New York. Referred to the Committee on Interior and Insular Affairs:

"JOINT RESOLUTION No 91, APRIL 30, 1974

"Joint Resolution of the Legislature of the State of New York memorializing Congress to enact legislation granting legal recognition by the United States government to the Poospatuck and Shinnecock Indian Tribes

"Whereas, The Poospatuck and Shinnecock Indian Tribes, presently residing on reservations in New York State, have never been recognized by the federal government and thereby denied eligibility under programs offered by the Federal Bureau of Indian Affairs; and

"Whereas, These tribes, being among the first to seek an honoroble peace with their European brothers, executed peace treaties with King of England prior to the formation of a colonial government, and are thereby denied recognition by the United States; and

"Whereas, In fairness and justice this nation must recognize all its residents in an equal manner, and offer the same aid to these tribes as it has to others; now, therefore, be it

"Resolved, That the Congress of the United States be and hereby is respectfully memorialized to enact legislation granting legal recognition by the United States government to the Poospatuck and Shinnecock Indian Tribes, and that such tribes be made eligible for Federal Bureau of Indian Affairs programs; and be it further

"Resolved, That copies of this resolution be transmitted to the President of the Senate of the United States, the Speaker of the House of Representatives, and to each member of the Congress of the United States from the State of New York."

A resolution from the Senate of the State of Massachusetts. Referred to the Committee on the Judiciary:

"RESOLUTIONS

"Memorializing the Congress of the United States to enact legislation to provide assistance in improving the welfare of children in South Vietnam and to facilitate the adoption of orphaned or abandoned Vietnamese children, particularly children of United States' fathers

"Whereas, Due to the many years of war in South Vietnam there are countless orphaned or abandoned children; and

"Whereas, The United States has a moral responsibility to assist the government of South Vietnam in the care and protection of all South Vietnamese children, particularly those orphaned or abandoned; and

"Whereas, The United States has a special responsibility to assist in facilitating the care or adoption of children in Vietnam whose fathers are United States citizens and who are not living with their Vietnamese families; now, therefore, be it

"Resolved, That the Massachusetts Senate respectfully urges the Congress of the United States to enact legislation currently before the Congress assisting orphaned or abandoned Vietnamese children; and be it further

"Resolved, That copies of these resolutions be transmitted forthwith by the Clerk of the Senate to the presiding officer of each branch of the Congress of the United States and to each member thereof from the Commonwealth."

A joint resolution from the Legislature of the State of New York. Referred to the Committee on Labor and Public Welfare:

"JOINT RESOLUTION No. 42, APRIL 10, 1974

"Joint Resolution of the Legislature of the State of New York memorializing the President of the United States to release funds previously allocated to the Office of Economic Opportunity and memorializing Congress to enact legislation continuing funding of community action programs comparable to those funded through the Office of Economic Opportunity.

"Whereas, The basic wants and needs of the economically disadvantaged have best been met, with the preservation of human dignity, by local community action programs of people helping people to help themselves; and

"Whereas, Meaningful progress has been made in disadvantaged areas where community people, most aware of the problems of day to day survival, have been able to establish self-help programs with the use of federal funds; and

"Whereas, The Community Action Program in the State of New York and in particular the urban centers of our State, as a case in point, the Model Cities Program and Multi-Service Centers concept, has been able with federal funds to establish 350 delegate agencies that have provided essential support activities, and more important, hope, to the economically disadvantaged people of state and local communities; and

"Whereas, These are examples of many programs which would not come into being without federal funds, and the continuation of such programs and funds are vital to the preservation of this nation as a land of opportunity and equality for all its peoples; and

"Whereas, There is an absolute necessity for the continuing enactment of legislation of a federal level; now, therefore, be it

"Resolved, That the Legislature of the State of New York respectfully, yet firmly, urge, memorialize and petition the President of the United States to release funds previously allocated to the Office of Economic Opportunity, and continue funding of established programs of community action; and be it further

"Resolved, That the Legislature of the State of New York respectfully, yet firmly, urge, memorialize and petition the Congress of the United States to enact legislation continuing funding of community action programs; and be it further

"Resolved, That copies of this resolution be transmitted to the President of the United States, the President of the Senate of the United States, the Speaker of the House of Representatives, and to each member of the Congress of the United States from the State of New York."

A joint resolution from the Legislature of the State of California. Referred to the Committee on Post Office and Civil Service:

"ASSEMBLY JOINT RESOLUTION No. 76

"Memoralizes the U.S. Congress to authorize issuance of a postage stamp commemorating 'Snowshoe' Thompson

"Whereas, The centenary of the death of John A. Thompson will shortly be observed on May 15, 1976; and

"Whereas, Born Jon Thorsen Rue on April 30, 1827, at Telemark, Norway, the birthplace of skiing, and emigrating with his family to Illinois and then Wisconsin, Thompson was drawn to California in 1851 by the lure of the Gold Rush; and

"Whereas, Commencing with the winter of 1856, 'Snowshoe' Thompson offered his services to the U.S. Post Office and the people of California to carry the mail across the Sierra Nevada on the 'snow skates' of his boyhood; and

"Whereas, During the succeeding six winters he closed the mountain break in the Pony Express route, making twice monthly trips across the Sierras over the 90 miles from the Carson Valley to 'Hangtown' (Placerville), California, often carrying 100 pounds of mail and parcels and usually completing his round trip traverse of virtually trackless mountains in an incredible five days; and

"Whereas, 'Snowshoe' Thompson's feats of courage and endurance have earned him a permanent place among the heroes of the West; he is also to be commended for his high sense of public duty, for not only did he participate in the making of history by carrying the first ore samples from the Comstock Lode to be assayed, but from month to month he carried the ordinary mail as well, bringing news and letters that were of inestimable value to the isolated settlers and miners of California; and

"Whereas, The measure of 'Snowshoe' Thompson's stature is that his ski tracks were displaced only by the tracks of steel of the Central Pacific Railroad Company; now, therefore, be it

"Resolved by the Assembly and Senate of the State of California, jointly, That the Legislature of the State of California respectfully memorializes the Congress of the United States to authorize the issuance of a commemorative postage stamp in honor of 'Snowshoe' Thompson; and be it further

"Resolved, That the Chief Clerk of the Assembly transmit copies of this resolution to the President and Vice President of the United States, to the Speaker of the House of Representatives, and to each Senator and Representative from California in the Congress of the United States."

A concurrent resolution from the Senate of the State of Louisiana. Laid on the table:

"SENATE CONCURRENT RESOLUTION No. 1

"A concurrent resolution to invite the Honorable Gerald R. Ford, Vice-President of the United States, to address a joint session of the Legislature of Louisiana

"Whereas, the Honorable Gerald R. Ford has loyally and faithfully served the people of the United States for more than a quarter

of a century as a Congressman from the Fifth District of the state of Michigan and has untiringly served his party as its Minority Leader in the House of Representatives for over eight years; and

"Whereas, the Honorable Gerald R. Ford is serving with honor and distinction as this nation's fortieth Vice-President, its first such officer to be appointed to the high post; and

"Whereas, the people of Louisiana are honored by the presence within this state of this outstanding statesman, who by hard work and dedication has exhibited goals and standards in the conduct of his public life that serves to inspire other elected officials and the American people as a whole; and

"Whereas, the Legislature of Louisiana is keenly aware of the benefits which would derive to its members, as the 1974 legislative session commences, by taking advantage of the opportunity to have the Vice-President of the United States speak to it in joint session assembled.

"Therefore, *be it resolved* by the Senate of the Legislature of Louisiana, the House of Representatives thereof concurring, that the Honorable Gerald R. Ford, Vice-President of the United States, is hereby invited to address a joint session of the Louisiana Legislature on Monday, the thirteenth day of May, 1974, at 12:30 p.m. in the Chamber of the House of Representatives.

"Be it further resolved that a copy of this resolution shall be transmitted to the Honorable Gerald R. Ford, Vice-President of the United States."

Speaker of the House of Representatives.

A resolution from the Christian Woman's Club, Opelika, Ala., praying for a National Day of Humiliation, Fasting, and Prayer. Laid on the table.

A resolution from the United Negro College Fund, Inc., urging that Federal officials use their influence to see that the Second Morrill Act is not repealed or made inoperative. Referred to the Committee on Agriculture and Forestry.

A resolution from the Toledo Board of Education, Toledo, Ohio, in support of continuing Federal funds to support community action agencies. Referred to the Committee on Appropriations.

A resolution from the city of Toledo, Ohio, requesting the Congress of the United States to appropriate the necessary funds for the continuation of community action programs. Referred to the Committee on Appropriations

A letter from the Michigan Asphalt Paving Association, Inc., Lansing, Mich., requesting assistance in obtaining a mandatory allocation program in asphalt cement. Referred to the Committee on Banking, Housing and Urban Affairs.

A resolution from the city of San Diego, Calif., opposing the enactment of Senate bill 1988, to establish a 200-mile fishery zone. Referred to the Committee on Commerce.

A resolution from the Western Conference of the Council of State Governments, endorsing revision of the Federal Highway Act provisions relating to axle and weight standards. Referred to the Committee on Public Works.

A resolution from the Western Conference of the Council of State Governments, urging the Western States to take necessary action to release impounded Federal Highway-Aid funds. Referred to the Committee on Public Works.

A resolution from the Western Conference of the Council of State Governments, urging the Congress to provide a program for the rehabilitation of present substandard primary and secondary highways and structures. Referred to the Committee on Public Works.

A resolution from the Western Conference of the Council of State Governments, urging the Congress of the United States to establish a formula for the distribution of highway trust funds which would reduce the States' matching ratio and a repayment schedule. Referred to Committee on Finance.

A resolution from the Western Conference of the Council of State Governments, urging Congress to formulate provisions in the national energy policy providing financial assistance to States beyond normal Federal-aid apportionments. Referred to the Committee on Finance.

A resolution from the Western Conference of the Council of State Governments, urging the Congress of the United States to permit and support flexibility to enable the several States to transfer highway funds between categorical grants. Referred to the Committee on Public Works.

A letter from the Western Conference of the Council of State Governments, urging the Congress of the United States to conduct public hearings in the Western States prior to finalization of Federal programs affecting transportation. Referred to the Committee on Public Works.

A resolution from the Western Conference of the Council of State Governments, urging the Congress of the United States to revise Federal Highway Safety Standard one in order to permit the several States to revise Federal Highway Safety Standard one in order to permit the several States to adopt a vehicle inspection program consistent with the needs and resources of the several States. Referred to the Committee on Commerce.

A resolution from the Western Conference of the Council of State Governments, recommending that the U.S. Congress take action in the areas of criminal justice. Referred to the Committee on the Judiciary.

A resolution from the Legislature of Broome County, N.Y., urging the adoption of Federal legislation authorizing completion of certain highway projects in New York State. Referred to the Committee on Public Works.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

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

S. 3615. A bill to authorize the Secretary of the Interior to transfer certain lands in the State of Colorado to the Secretary of Agriculture for inclusion in the boundaries of the Arapaho National Forest, Colorado (Rept. No. 93-1105).

By Mr. HUDDLESTON, from the Committee on Agriculture and Forestry, without amendment:

H.R. 6485. An Act to amend the tobacco marketing quota provisions of the Agricultural Adjustment Act of 1938 (Rept. No. 93-1106).

By Mr. BIBLE, from the Committee on Interior and Insular Affairs, with amendments:

S. 3518. A bill to remove the cloud on title with respect to certain lands in the State of Nevada (Rept. No. 93-1108).

VIETNAM ERA VETERANS' READJUSTMENT ASSISTANCE ACT OF 1974—SUBMISSION OF A CONFERENCE REPORT (REPT. NO. 93-1107)

Mr. TALMADGE (for Mr. HARTKE), from the committee of conference, submitted a report on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 12628) to amend title 38, United States Code, to increase the rates of vocational rehabilitation, educational assistance, and special training allowances paid to eligible veterans and other persons; to make improvements in the educational assistance programs; and for other purposes, which was ordered to be printed, and which, at the request of the Senator from Georgia (Mr. TALMADGE), and by unanimous consent, was ordered to be printed in the RECORD, as follows:

The conference report is printed in the House proceedings of today's RECORD.

EXECUTIVE REPORTS OF COMMITTEES

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

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

Roger West Sant, of California, to be an Assistant Administrator of the Federal Energy Administration.

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

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

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

By Mr. HOLLINGS:

S. 3922. A bill to amend the Coastal Zone Management Act of 1972 to provide more flexibility in the allocation of administrative grants to coastal States, and for other purposes. Referred to the Commitee on Commerce.

By Mr. SPARKMAN:

S. 3923. A bill for the relief of Loo Sing Woon. Referred to the Committee on the Judiciary.

By Mr. RANDOLPH:

S. 3924. A bill for the relief of Gonzalo Rodriguez and his family. Referred to the Committee on the Judiciary.

By Mr. ABOUREZK:

S. 3925. A bill to amend section 5532 of title 5, United States Code, relating to reduction of retired or retirement pay of retired officers of the uniformed services who are employed by the Federal Government. Referred to the Committee on Post Office and Civil Service.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. HOLLINGS:

S. 3922. A bill to amend the Coastal Zone Management Act of 1972 to provide more flexibility in the allocation of administrative grants to coastal States, and for other purposes. Referred to the Committee on Commerce.

COASTAL ZONE MANAGEMENT ACT AMENDMENTS OF 1974

Mr. HOLLINGS. Mr. President, today I am introducing a bill which will make several technical amendments to the

provisions of the Coastal Zone Management Act of 1972. While funding for the Coastal Zone Management Act was held up by the Office of Management and Budget until almost a year after its enactment, the National Oceanic and Atmospheric Administration has moved quickly in recent months to parcel out coastal zone development grants to the States. At this point in time, the development of State coastal zone management programs pursuant to the act is now well on the way to reality in all but two of our coastal States.

In this first year of the act's implementation, several technical problems have arisen which I hope can be dealt with adequately by this bill. These amendments have been identified by the staffs of the House Merchant Marine and Fisheries Committee and the Senate Subcommittee on Oceans and Atmosphere, the National Advisory Committee on Oceans and Atmosphere and by NOAA's Office of Coastal Zone Management, which is responsible for administering the program.

The coastal zone management program provides for three State grant programs. The first makes grants available to States under section 305 to be used in developing their individual coastal zone management programs. Then, once a State has developed an approved coastal zone management program, it may apply for and receive management grants under section 306 of the act. Finally, the act provides grants under section 312 to be used toward the development of estuarine sanctuaries.

My bill would amend the act in four ways. First, it would increase the appropriation for section 305 grants from $9 to $12 million. The successful participation of 28 to 30 coastal States and one territory in the coastal zone management program has emphasized the inadequacy of the present maximum authorized limit for this section. Indeed, $9 million just does not stretch very far when it must be parceled out between all of the coastal States. In the first year of the act's existence, States applying to the Office of Coastal Zone Management for grants under section 305 received, on the average, 37 percent less than the amount requested. This is even more significant when we realize that States were prepared to fully fund from their own revenues the one-third matching amount required by the act. In terms of dollars, this represents approximately $3 million in unmet State needs. This fact, coupled with the anticipated 40-percent increase in State requests for fiscal year 1975, more than substantiates the need for an increase in this area.

Second, the bill would amend the act to remove the present 10-percent limitation on the amount any one State may receive out of the total appropriated amount for section 306 management grants and replaces it with specific dollar limitations for specified yearly intervals. This amendment is designed to deal with an unusual situation that is expected to occur only in the first and last years of the implementation of section 306. States will not all complete their coastal zone management programs at the same time; in fact only four are expected to be eligible for coastal zone program management grants in fiscal year 1975. The present 10-percent limitation places those States that complete their program early at a disadvantage by limiting the amount of section 306 funds that they can receive. With only four applicants and each funded at up to a minimum of 10 percent of the funds available, only 40 percent of the funds available could be expended, shutting off the possibility of additional assistance for those States.

The act clearly visualizes grants to vary according to the length of a State's coastline or the size of its population. The 10-percent limitation was added to the act in anticipation that the entire $30 million authorized for section 306 grants would indeed be appropriated. If OMB's past record on funding the Coastal Zone Management Act is any guide to its future actions, considerably less than $30 million can be expected for grants under section 306 in fiscal year 1976 and fiscal year 1977. So, in order for the Office of Coastal Zone Management to make a more equitable and complete allocation of its grant assistance for management of coastal zone programs, the 10-percent limitation should be dropped and dollar limitations substituted in its place.

The recent annual report of the National Advisory Committee on Oceans and Atmosphere addressed the authorization limitation problem and recommended that the section 306 limitation be revised. The report states:

> We recommend that the allocation restrictions in Section 306 Administrative Grants Program be revised so as to allow more realistic assignment of funds according to need and readiness of individual participating States, especially during the build-up and phase-down periods of program development. With these actions the Coastal Zone Management Program envisioned by the Act will, in our opinion, be well under way.

Mr. President, this bill would correct this problem by setting a limit of $2 million per State for fiscal year 1975, $2.5 million for fiscal year 1976, and $3 million for fiscal year 1977.

The third amendment to the act proposed by the bill would extend grant assistance for the creation of estuarine sanctuaries for 3 more years. As it now reads, the act authorizes appropriations for fiscal year 1974 only at an amount not to exceed $6 million, with no State being allowed to receive in excess of $2 million.

It is clear from the legislative history of the Coastal Zone Management Act that the estuarine sanctuaries program was intended to serve as an integral part of the State coastal zone management efforts. Section 312 was designed to provide States with assistance in acquiring and operating natural field laboratories in which techniques and approaches for coastal zone management could be tested and perfected. The Commerce Committee intended that the system of estuarine sanctuaries be representative of the principal types of estuarines found in the United States, of which 11 broad types have been identified.

So far at least 20 coastal States have indicated a desire to establish an estuarine sanctuary. For fiscal year 1974, a total of $4 million was made available for estuarine sanctuary grants to the States. Although the $4 million is to remain available until expended, it will not be adequate to fund even half the estimated estuarine sanctuaries needed. To correct this situation, my bill would extend the authorization for section 312 grants to June 30, 1977. This should give NOAA the flexibility it needs to assure that State demands for estuarine sanctuary assistance are adequately met.

This amendment is also in line with recommendations included in the NACOA report, which recommends that—and I quote from the report:

> The Estuarine Sanctuaries Program should be extended in time, and the funding provided by Section 315 of the Act should be increased to a level sufficient to comply with the clear Congressional intent, namely, at least one estuarine sanctuary in each of the identifiable zoogeographic regions. We note specially that funds are now available on a one-time-only basis for purchase of a limited number of sanctuaries, but no support is available for planning and management of these areas on a continuing basis. It seems obvious that adequate monies to provide support for these Federal/State sanctuaries should also be added in this section. We do not know how much it will take and, hence, must leave it to the legislative amendment process to determine.

Finally, Mr. President, the bill would extend the availability of coastal zone management grants for an additional 2 years. Under present language both the program development and administrative grant programs would expire on June 30, 1977. This deadline would have probably been adequate for all States to develop coastal zone management programs had not the administration neglected to fund the program for almost a year after its passage, and had not the energy crisis been thrust upon us. Unfortunately, the former had caused an unnecesary delay of grant assistance not anticipated by the Congress when it enacted the Coastal Zone Management Act, while the latter has thrust new planning responsibilities upon many coastal States that neither they, nor the Congress, had anticipated back in the fall of 1972. A 2-year extension of both grant programs will provide coastal States with the extra time they need to develop coastal zone management programs that can cope with the land-side impacts of energy-related offshore development.

Mr. President, many of those who doubted the need for a Federal Coastal Zone Management Act when it passed in 1972 have become believers in 1974. The energy crisis has dramatically increased the need for coastal States to develop planning mechanisms to deal with deepwater ports, offshore oil and gas development, refinery construction, and other ramifications of increased offshore and onshore development. Everyone—

environmental groups, oil companies, and even the Department of the Interior—is now pointing to the Coastal Zone Management Act as the solution to controlling secondary impacts of offshore development so as to minimize environmental damage. It is a widely recognized fact that the land-side effects of offshore development are the greatest danger to the environment, not oil spills.

The amendments I propose today will insure that the Coastal Zone Management Act continues to serve the interest of the States and the Nation in the best possible way.

Mr. President, because of time constraints under which most coastal States are working to develop their coastal zone plans, I anticipate that the Senate and the House will act on this bill before the adjournment of the 93d Congress.

Mr. President, I ask unanimous consent that a breakdown of how the $7.4 million in section 305 program development grants for fiscal year 1974 were allocated to the various States, along with the names and addresses of participating State agencies, be printed at this point in the RECORD. I also ask that the text of the bill be printed in the RECORD.

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

S. 3922

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Coastal Zone Management Act of 1972 (86 Stat. 1280) is amended as follows:

(1) Subsection (h) of section 305 is amended by deleting "1977" and by inserting in lieu thereof "1979".

(2) Subsection (b) of section 306 is amended by deleting all after "relevant factors:" and by inserting in lieu thereof "Provided, That no annual grant made under this section shall be in excess of $2,000,000 for fiscal year 1975, in excess of $2,500,000 for fiscal year 1976, nor in excess of $3,000,000 for fiscal year 1977 and succeeding fiscal years: Provided further, That no annual grant made under this section shall be less than 1 per centum of the total amount appropriated to carry out the purposes of this section, unless at the discretion of a State a lesser amount will suffice.".

Section 315 is amended to read as follows:

"AUTHORIZATION OF APPROPRIATIONS

"SEC. 315. (a) There are authorized to be appropriated—

(1) the sums of $9,000,000 for each of the fiscal years ending June 30, 1973, and June 30, 1974, and the sum of $12,000,000 for each of the five succeeding fiscal years, for grants under section 305, to remain available until expended;

(2) such sums, not to exceed $30,000,000, for the fiscal year ending June 30, 1974, and for each of the fiscal years 1975 through 1979, as may be necessary, for grants under section 306 to remain available until expended; and

(3) such sums, not to exceed $6 million for the fiscal year ending June 30, 1974, and for each of the three succeeding fiscal years as may be necessary, for grants under section 312, to remain available until expended.

"(b) There are also authorized to be appropriated such sums, not to exceed $3,000,000 for fiscal year 1973, and for each of the six succeeding fiscal years, as may be necessary for administrative expenses incident to the administration of this title."

COASTAL ZONE MANAGEMENT—SEC. 305, GRANTS AWARDS TO DATE

Number and State	Federal share	Total program	Date
1—Rhode Island	$154,415	$231,623	Mar. 13
2—Maine	230,000	345,000	Do.
3—Oregon	250,132	419,699	Do.
4—Michigan	330,486	534,447	Apr. 23
5—California	720,000	1,648,653	Do.
6—Mississippi	101,564	152,346	Do.
7—South Carolina	198,485	298,500	May 10
8—Maryland	280,000	465,765	Do.
9—Washington	388,820	583,230	May 14
10—Texas	360,000	551,648	May 16
11—Ohio	200,000	366,300	May 21
12—Massachusetts	210,000	315,000	June 4
13—Connecticut	194,285	324,644	June 5
14—New Hampshire	78,000	117,000	June 7
15—Hawaii	250,000	375,000	June 10
16—Georgia	188,000	303,400	June 13
17—Delaware	166,666	250,000	June 14
18—Florida	450,000	686,000	Do.
19—Wisconsin	208,000	354,000	June 20
20—Alabama	100,000	150,000	Do.
21—Pennsylvania	150,000	225,000	Do.
22—North Carolina	300,000	500,009	June 21
23—Minnesota	99,500	149,250	Do.
24—Illinois	206,000	309,000	June 24
25—Louisiana	260,000	394,090	June 26
26—Puerto Rico	250,000	375,000	Do.
27—Alaska	600,000	960,000	Do.
28—New Jersey	275,000	412,500	June 27
29—Virginia	251,044	376,566	Aug. 12

STATE AGENCIES ADMINISTERING COASTAL ZONE MANAGEMENT GRANTS

R. C. "Red" Bamburg, Director, Alabama Development Office, State Office Building, Montgomery, Alabama 36104.

Dr. Y. R. Nayudu, Director, Division of Marine and Coastal Zone Management, Department of Environmental Conservation, Fouch O, Juneau, Alaska 99801.

Donald F. Craf, Executive Secretary, Environmental Quality Commission, Office of the Governor, Pago Pago, American Samoa 96920.

Melvin B. Lane, Chairman, California Coastal Zone Conservation Commission, 1540 Market Street, San Francisco, California 94102.

Douglas T. Costle, Commissioner, Department of Environmental Protection, State Office Building, Rm. 118, Hartford, Connecticut 06115.

David R. Keifer, Director, State Planning Office, Thomas Collins Building, Dover, Delaware 19901.

Bruce Johnson, Coordinator, Coastal Coordinating Council, 309 Magnolia Office Plaza, Tallahassee, Florida 32301.

James McIntyre, Director, Office of Planning and Budget, 270 Washington Street, S. W., Rm. 611, Atlanta, Georgia 30334.

Gerald S. A. Perez, Director, Bureau of Budget & Management, Office of the Governor, Agana, Guam 96910.

Dr. Shelley M. Mark, Director, Department of Planning and Economic Development, Executive Chambers, P. O. Box 2359, Honolulu, Hawaii 96804.

Anthony Dean, Director, Department of Conservation, 400 South Spring Street, Springfield, Illinois 62706.

William J. Andrews, Deputy Director, Department of Natural Resources, 608 State Office Building, Indianapolis, Indiana 46204.* **

Patrick W. Ryan, Executive Director, State Planning Office, P. O. Box 44425, Baton Rouge, Louisiana 70804.

Philip M. Savage, State Planning Director, State Planning Office, 189 State Street, Augusta, Maine 04330.

James B. Coulter, Secretary, Department of Natural Resources, Tawes State Office Building, Annapolis, Maryland 21401.

Charles H. W. Foster, Secretary, Executive Office of Environmental Affairs, 18 Tremont Street, Boston, Massachusetts 02108.

A. Gene Garley, Director, Department of Natural Resources, Stevens T. Mason Building, Lansing, Michigan 48926.

Gerald W. Christianson, Director, State Planning Agency, Capitol Square Building, St. Paul, Minnesota 55155.

Dr. James B. Rucker, Executive Director, Mississippi Marine Resources Council, P.O. Box 497, Long Beach, Mississippi 39560.

Robert B. Monier, Director, Office of Comprehensive Planning, State House Annex, Concord, New Hampshire 03301.

David J. Hardin, Commissioner, Department of Environmental Protection, P.O. Box 1889, Trenton, N.J. 08625.

Richard A. Wiebe, Director, Office of Planning Services, State Capitol, Albany, New York.**

James E. Harrington, Secretary, Department of Natural and Economic Resources, 116 West Jones Street, Raleigh, North Carolina 27611.

Dr. William B. Nye, Director, Department of Natural Resources, 1930 Belcher Drive, Columbus, Ohio 43224.

L. B. Day, Chairman, Department of Land Conservation and Development, 1600 SW Fourth Avenue, Rm. 660, Portland, Oregon 97201.

Name and Address

C. H. McConnell, Deputy Secretary, Resource Management, Department of Environmental Resources, P.O. Box 1467, Harrisburg, Pennsylvania 17120.

Gruz A. Matos, Secretary, Department of Natural Resources, P.O. Box 5887, Puerto de Tierra, Puerto Rico 00906.

Jerome Lessack, Acting Chief Statewide Planning Program, Department of Administration, 265 Melrose Street, Providence, Rhode Island 02907.

Edwin B. Joseph, Director, Marine Resources Division, South Carolina Coastal Zone Planning and Management Council, P.O. Box 12559, Charleston, South Carolina 29412.

Bob Armstrong, State Land Commissioner, General Lands Office, P.O. Box 12428, Capitol Station, Austin, Texas 78711.

Thomas R. Blake, Virgin Island Planning Office, Office of the Governor, P.O. Box 2605, St. Thomas, Virgin Islands 00801.**

Charles A. Christophersen, Director, Department of State Planning and Community Affairs, 1010 James Madison Building, 109 Governor Street, Richmond, Virginia 23219.

John A. Biggs, Director, Department of Ecology, State of Washington, Olympia, Washington 98504.

Joe E. Nusbaum, Secretary, Department of Administration, 1 West Wilson, Madison, Wisconsin 53711.

By Mr. ABOUREZK:

S. 3925. A bill to amend section 5532 of title 5, United States Code, relating to reduction of retired or retirement pay of retired officers of the uniformed services who are employed by the Federal Government. Referred to the Commttee on Armed Services.

Mr. ABOUREZK. Mr. President, there is an element of the Defense spending which I feel merits Senate recognition and debate. It concerns soaring military and civilian payroll and pension costs in the Department of Defense. It specifically involves military retirees now reemployed on the Federal payroll in supergrade or high grade Government

*Did not apply for Coastal Zone Management Grant in fiscal year 1974.

**Has not received a Coastal Zone Management Grant as of August 15, 1974.

positions at $36,000 a year or more. While the National Taxpayers' Union has recently estimated that there are about 100,000 double dippers now on the Federal payroll—military retirees who can collect both their Federal pay and Federal pension at the same time because of the Dual Compensation Act of 1964—I am addressing myself to a special breed of Federal Bureaucrat—the "super dipper"—who has a Federal job with $36,000 a year salary and who also collects dual compensation at taxpayers' expense. Many will soon have combined Federal pay/pension incomes of around $50,000 a year or more. This is a ridiculous situation if we really mean to fight inflation in Government spending.

According to the NTU, the Dual Compensation Act of 1964 has cost the American taxpayer at least $3 billion to date in added Defense manpower or pension costs. Government wide, it is adding about $600 millon to the Federal budget each year. Ironically, this act is usually antiveteran in its result. About 29 million veterans who are unretired now have to pay extra taxes to support about 100,000 professional military "double dippers" on the Federal payroll. This is a subject area which should be addressed later in full scale hearings by the appropriate congressonal committees in reviewing the costs and impact of the Dual Compensation Act.

I strongly feel that dual compensation in Federal jobs at the supergrade and high-grade pay levels is a real area of Pentagon fat that needs immediate attention. According to a recent study by the NTU, the American taxpayer is now in debt or liable for about $5 trillion. One aspect of this is an unfunded liability in the Military Retirement Fund around $140 billion. On top of this, the Civil Service Retirement Fund has an unfunded liability of around $70 billion. These two figures are interrelated. "Double dippers" on the Federal payroll are increasing the deficits in both of these funds.

With this in mind, and with President Ford's recent emphasis on the need for concrete actions to fight inflation, I would like to respectfully introduce the following anti-inflation, antifat, and pro-veteran amendment to the Defense Appropriations Act, which I ask unanimous consent to have printed in the RECORD.

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

S. 3925

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) section 5532(a) of title 5, United States Code, is amended by inserting "or reserve" immediately after "regular".

(b) Section 5532(b) of such title is amended to read as follows:

"(b) In the case of a retired officer of a regular or reserve component of a uniformed service who holds a position with a salary of at least $36,000 annually, an amount equal to his retired or retirement pay allocable to the period for which he receives pay shall be deducted from his pay, except for lump-sum leave payment purposes under section 5551 of this title."

(c) Section 5532(c) of such title is amended by inserting "or reserve" immediately after "regular".

Sec. 2. The amendment made by the first section of this Act shall become effective on January 1, 1975.

Mr. ABOUREZK. This amendment may only affect about 500 supergrade jobs at the $36,000 a year Federal salary level and above. However, it constitutes a very significant start in our efforts to stem inflation and eliminate obvious extravagance and misspending of the American taxpayers' dollar.

Some of these people have had four pay or pension increases in the last year. Pending executive pay increase proposals could put some of these people at the $60,000 a year level, with pension and pay combined. This kind of pay/pension squandering is an insult to millions of American taxpayers—including unretired veterans and social security retirees—who may now be struggling along without one pension or even one retirement income.

This amendment is just a small step toward total fiscal sanity. It should be followed up by full-scale hearings during this session on the Dual Compensation Act as an anti-inflation matter .

In summary, there is a strong connection between double-digit inflation in America today and double-dippers on the Federal payroll.

ADDITIONAL COSPONSORS OF BILLS AND JOINT RESOLUTIONS

S. 2022

At the request of Mr. TUNNEY, the Senator from Idaho (Mr. CHURCH) and the Senator from Oklahoma (Mr. BELLMON) were added as cosponsors of S. 2022, a bill to provide part-time jobs in the Federal Civil Service.

S. 2643

At the request of Mr. KENNEDY, the Senator from Michigan (Mr. HART) was added as a cosponsor of S. 2643, a bill to revise the Immigration and Nationality Act.

S. 3305

At the request of Mr. CLARK, the Senator from Michigan (Mr. HART) and the Senator from New Jersey (Mr. CASE) were added as cosponsors of S. 3305, the National Huntington's Disease Control Act.

S. 3644

At the request of Mr. INOUYE, the Senator from New Mexico (Mr. DOMENICI) was added as a cosponsor of S. 3644, a bill to amend the Social Security Act to provide for inclusion of the services of licensed (registered) nurse practitioners under medicare and medicaid.

S. 3742

At the request of Mr. BENTSEN, the Senator from Texas (Mr. TOWER) was added as a cosponsor of S. 3742, a bill designating San Angelo Dam on the North Concho River as the "O. C. Fisher Dam and Lake."

S. 3873

At the request of Mr. BENTSEN, the Senator from Texas (Mr. TOWER) was added as a cosponsor of S. 3873, a bill for the relief of the city of Arnasas Pass, Tex.

S. 3900

At the request of Mr. BENTSEN, the Senator from Michigan (Mr. HART), the Senator from Wyoming (Mr. MCGEE), and the Senator from South Dakota (Mr. ABOUREZK) were added as cosponsors of S. 3900, to create an independent anti-inflation Task Force with more specific functions and responsibilities.

S. 3919

At the request of Mr. SPARKMAN, the Senator from Oregon (Mr. PACKWOOD) was added as a cosponsor of S. 3919, a bill to authorize the establishment of a Council on Wage and Price Stability.

ADDITIONAL COSPONSORS OF CONCURRENT RESOLUTIONS

SENATE CONCURRENT RESOLUTION 110

At the request of Mr. KENNEDY, the Senator from New Hampshire (Mr. MCINTYRE), the Senators from Connecticut (Mr. RIBICOFF and Mr. WEICKER), the Senator from Indiana (Mr. BAYH), the Senator from Georgia (Mr. TALMADGE), and the Senator from South Carolina (Mr. HOLLINGS) were added as cosponsors of Senate Concurrent Resolution 110, a concurrent resolution relating to the situation in Cyprus.

SENATE CONCURRENT RESOLUTION 113

At the request of Mr. PERCY, the Senator from Kansas (Mr. DOLE) was added as a cosponsor of Senate Concurrent Resolution 113, to express congressional support of the United Nations sponsored World Food Conference and World Population Conference taking place this year.

SENATE RESOLUTION 386—SUBMISSION OF A RESOLUTION EXPRESSING THE SENSE OF THE SENATE REGARDING THE CRISIS ON CYPRUS

Mr. TUNNEY. Mr. President, the unwelcome news this morning of the death of U.S. Ambassador Rodger P. Davies in Nicosia, Cyprus, following an apparently spontaneous attack on the Embassy by Cypriot civilians, further compounds the tragedy which envelops that island.

Ambassador Davies is the latest casualty of the Cyprus crisis, which has caused untold death and destruction over the last several weeks. The American role in this crisis has not been constructive, in my view. The American actions over the past weeks—and going back for many years—are indicative of the sad state of our policy, when humanitarian and political considerations are submerged to a monolithic policy of maintaining military influence at all costs.

As we all know, the communal situation on Cyprus has been unsettled for more than a decade. Even though the Turkish community had been cut out of the government, civic leadership, and economic advances by President Makarios in the early 1960's, there was an end to the communal warfare. Moreover, the concept of complete union with Greece—

enosis—which was total anathema to the Turkish Cypriot population, was effectively suppressed by Makarios. In retrospect, it is obvious that the United States and Britain should have devoted much more effort over the past few years to resolving the communal problems on Cyprus in a manner acceptable to both sides. It was clear that Cyprus represented a continuing irritant to the stability of this area of the world, and a constant threat to NATO's southern flank.

The United States did not pursue this course, and pursued instead a policy of friendship and cooperation with the military junta in Greece after 1967. The junta actively opposed Makarios, who was seen as a left-wing demagogue, and aided the clandestine forces on Cyprus advancing the cause of enosis. The Turkish community on Cyprus, and the Turkish Government, could not have failed to view the junta's policies, and America's support for them, with the gravest alarm. Some crisis was sure to occur—but in the name of NATO stability, we persisted in backing an increasingly ineffective and unpopular regime, and sowed the seeds for a true crisis in NATO.

The Greek junta finally pushed its plans to fruition last month, with the overthrow of President Makarios, and the installation of a virulently proenosis leadership. Without a clear signal from Washington that the Cyprus coup would be opposed, the Turkish Government sent troops into Cyprus, seizing a small area on the north coast. This invasion served its purpose. Within hours, the Sampson government on Cyprus and its military sponsors in Greece had been overturned. Civilian government was restored in Greece, with great popular acclaim. The new government of President Caramanlis was clearly ready to repudiate the proenosis tendencies of the junta, and negotiate reasonably with the Turkish Government, and the parties on the island, to restore peace and communal tolerance.

The Turkish Government, however, was not satisfied. It did not heed repeated cease-fire resolutions passed by the U.N. Security Council. It used its overwhelming superiority in men and weapons to crush the Greek Cypriot national guard, and seize control over a third of the island, including the most valuable agricultural lands and economic facilities.

I was shocked and dismayed at the Turkish actions. They had no justification, once the original provocations of the Greek junta and Sampson coup had been rectified. The way to peaceful negotiation was finally before the parties, but the Turks rejected this path, and chose instead to rely on force. The Turkish Government displayed bad faith at the negotiating table, and callous disregard for human life in its onslaught. Widespread reports of looting and mistreatment of Greek Cypriots in the captured areas have been received. I suspect that the Turkish Government and armed forces have planned this aggression for a long time—almost certainly since the days and hours after the Sampson coup. And yet they misled their allies and made a pretense of negotiating in Geneva.

The force of arms, a concept abhorrent to me and condemned by the United Nations Charter, has sadly been triumphant on Cyprus. America has played an essentially useless role throughout this crisis, especially failing to put pressure on Turkey to be moderate when the prospects for a negotiated settlement became so great after the birth of the Caramanlis government.

We must now turn to the future, and continue our efforts to see justice done. The force of arms must not be allowed to dictate policy. I call on the Secretary of State and the new administration to use every effort to seek a truly negotiated settlement of the Cyprus problem, one that takes into account the legitimate needs of both sides. I also urge the immediate provision of emergency humanitarian assistance to Cyprus, to relieve the suffering of the tens of thousands of refugees who have suddenly been created on that island.

Finally, we must take a hard look at our relations with Turkey. As we are all aware, the Turkish Armed Forces are equipped with American weapons—as are the Greeks. The legislation under which these weapons have been given to Turkey most certainly does not contemplate or authorize this kind of aggression. Our Government should very seriously consider immediate termination of arms assistance to Turkey to prevent further misuse of the taxpayers' funds.

I am pleased to read this morning that the Secretary of Defense, has indeed, stated that an arms embargo might be considered by this Government in reaction to the clearly excessive Turkish military actions of the last week.

Mr. President, I ask unanimous consent to insert in the RECORD at this point a news article reporting the Secretary of Defense's statements yesterday, and the text of the Senate resolution which I hereby submit for the consideration of my colleagues to express this body's opposition to the actions of the Turkish Government.

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

PENTAGON'S CHIEF CAUTIONS TURKEY ON CYPRUS DRIVE—SCHLESINGER, IN AN INTERVIEW, IMPLIES THAT INVADERS HAVE PUSHED TOO FAR—ASSURANCE FOR GREECE—QUESTION OF AID TO ANKARA MAY BE REVIEWED SOON AS MEANS OF PRESSURE

(By Leslie H. Gelb)

WASHINGTON, August 18.—Secretary of Defense James R. Schlesinger, employing Washington's toughest diplomatic language thus far in the Cyprus crisis, warned Turkey today against using her military superiority to drive the new Greek government "into a corner."

Mr. Schlesinger said that Turkey had gone beyond what any of her "friends or sympathizers" were prepared to accept in military advances in Cyprus.

While the Secretary termed it "inappropriate" to discuss what pressures Washington might bring to bear on Ankara, the clear implication was that he believed Turkey had gone too far, and that Washington should now be prepared to reassess its provision of military and economic aid to Turkey.

Mr. Schlesinger's comments on the Cyprus situation—on the CBS program "Face the Nation"—also seemed designed to undercut widespread accusations that the United States was "tilting" toward Turkey. In recent days, anger over what was perceived to be such a tilt has led to anti-American demonstrations in Greece and to Athens' decision to withdraw its armed forces from the military command of the North Atlantic Treaty Organization.

SUPPORT FOR CARAMANLIS

According to one well-placed aide, Mr. Schlesinger is seeking to do everything possible to strengthen the new Greek Government of Premier Constantine Caramanlis and to hold the door open for a reentry of Greek forces into the Atlantic alliance. If this means leaning toward Athens now, the aide explained, Mr. Schlesinger is ready to do that, as long as Washington maintains its overall position as an "honest broker."

In regard to Mr. Schlesinger's remarks about Turkey, a State Department spokesman, John F. King, said he did not know whether Mr. Schlesinger had checked his remarks with Secretary of State Kissinger or other State Department officials. The spokesman added that Mr. Schlesinger had his own views on this subject.

A ranking State Department official explained that Mr. Schlesinger had "very strong negative views about the former Greek military junta, feelings that were not reciprocated at the highest levels in this building."

The PRESIDING OFFICER. The resolution will be received and appropriately referred and, without objection, will be printed in the RECORD.

The resolution (S. Res. 386) which was referred to the Committee on Foreign Relations, reads as follows:

S. RES. 386

Whereas a peaceful settlement of the present crisis on Cyprus must be found, which provides for the legitimate aspirations and needs of both the Greek and Turkish communities;

Whereas the immediate irritants to the present crisis have been removed, with the restoration of civilian government in Greece and constitutional government in Cyprus;

Whereas the new government of President Caramanlis in Greece has shown great restraint, and willingness to negotiate seriously with all parties to achieve a settlement of the Cyprus problem;

Whereas the actions of the Turkish government have been in consistent disregard of the reasonable opportunities for a peaceful settlement, without excessive reliance on force of arms;

Whereas the Turkish government has ignored Security Council Resolution 353, adopted on July 20, 1974, which called for "an immediate end to foreign military intervention in the Republic of Cyprus" and "the withdrawal without delay from the Republic of Cyprus of foreign military personnel present otherwise than under the authority of international agreements."

Resolved, That it is the sense of the Senate that all Security Council Resolutions should be obeyed by the parties to this dispute, and territorial gains accomplished in violation of cease-fire resolutions should be relinquished;

SEC. 2. It is further the sense of the Senate that serious negotiations should be undertaken between the various parties to achieve a long-term settlement of the communal dispute on Cyprus, without taking into account territorial divisions accomplished by the force of arms;

SEC. 3. It is further the sense of the Senate that the United States shall use its good

offices to seek these negotiations, and immediately send humanitarian assistance to Cyprus to relieve the suffering caused by the recent warfare on the island.

SEC. 4. It is further the sense of the Senate that the Secretary of State and the Secretary of Defense should give immediate consideration to suspension of arms sales and assistance to Turkey so long as Turkey is in violation of Security Council resolutions.

DEFENSE APPROPRIATIONS, 1975—AMENDMENTS

AMENDMENT NO. 1810

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

MILITARY ASSISTANCE TO SOUTH VIETNAM
AMENDMENT NO. 1810

Mr. PROXMIRE. Mr. President, when the fiscal year 1975 defense appropriations bill (H.R. 16243) comes before the Senate later this week, I intend to offer an amendment to that bill reducing the amount of military aid provided for South Vietnam.

The bill currently provides $700,000,000 for military assistance, South Vietnamese forces under a new title VII.

My amendment would reduce this total to $550 million. The $700 million level is the same amount approved by the Senate for Vietnam in the fiscal year 1974 budget. The total that year was $650 million but $100 million of this went to Laos. Since Laos does not receive any military assistance in the fiscal year 1975 Defense appropriations bill, the dollar equivalent for South Vietnam is last year's $650 million less the $100 million for Laos or $550 million.

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

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

AMENDMENT 1810

On page 28, line 5, strike out "$700,000,000," and insert in lieu thereof, "$550,000,000."

AMENDMENT NO. 1811

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

Mr. PROXMIRE submitted an amendment, intended to be proposed by him, to the bill (H.R. 16243) making appropriations for the Department of Defense for the fiscal year ending June 30, 1975, and for other purposes.

ENERGY TRANSPORTATION SECURITY ACT OF 1974—AMENDMENT

AMENDMENT NO. 1812

(Ordered to be printed and referred to the Committee on Commerce.)

Mr. HOLLINGS submitted an amendment, intended to be proposed by him, to the bill (H.R. 8193) the Energy Transportation Secruity Act of 1974.

EXPORT-IMPORT BANK AMENDMENTS OF 1974—AMENDMENT

AMENDMENT NO. 1813

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

Mr. BARTLETT submitted an amendment, intended to be proposed by him, to the bill (S. 3917) to amend and extend the Export-Import Bank Act of 1945, as amended, and for other purposes.

ENVIRONMENTAL PROTECTION ACT—AMENDMENTS

AMENDMENT NO. 1814

(Ordered to be printed and referred to the Committee on Commerce.)

Mr. NELSON. Mr. President, I will now submit on behalf of myself and the distinguished Senator from Michigan (Mr. HART), an amendment to S. 1104, introduced by Mr. HART on March 6, 1973. The purpose of this amendment is to protect individuals threatened by certain kinds of conduct which cause very serious potential health hazards. It would come under the category of environmental health legislation.

Until recently I would never have thought we need such a law. Until recently, I believed that any court of law or any government administrator, when faced with a real risk of such serious injury to human beings, would have made sure that the danger is removed. But on June 4 of this year the U.S. Court of Appeals for the Eighth Circuit proved we do need such a law. On that date, the Eighth Circuit Court of Appeals lifted an injunction which Judge Lord of Minnesota imposed on the Reserve Mining Co. Reserve had been dumping taconite tailings into Lake Superior and the plaintiffs—which included the States of Wisconsin, Michigan, and Minnesota—proved to Judge Lord that there was a risk of cancer to those living in the Superior-Duluth region who ingested the water from the lake.

Judge Lord refused to "permit the present discharge until such time as it can be established that it has actually resulted in death to a statistically significant number of people. The sanctity of human life is of too great value to this court to permit such a thing," he said. Aware that "any environmental litigation must involve a balancing of economic dislocation with the environmental benefits," Judge Lord based his decision on his view that the defendants "have the engineering and economic capability to obviate the risk and chose not to do so in order to continue (the) profitability of the present operation." He put the whole issue into a few words and said, "This court cannot honor profit over human life and therefore, has no other choice but abate the discharge."

But in a shocking opinion, the appeals court said: "Judge Lord apparently took the position that all uncertainties should be resolved in favor of health safety."

Apparently, this court thought that in a case where tens of thousands of people were threatened with a potentially serious health hazard, all uncertainties should not be involved in favor of health or safety.

The appeals court went on to say that Judge Lord's "determination to resolve all doubts in favor of health safety represents a legislative policy judgment, not a judicial one." In other words, that court has asked us in the Congress to provide specific legislation before it decides this case in favor of the people whose health is threatened. This amendment, therefore, specifically responds to this part of the court's opinion.

I disagree with the eighth circuits' view of the law. I believe that the present law, even without this amendment, clearly protects the plaintiffs in the Reserve Mining case. I say this because I want no one to infer from my introducing this measure that I agree with the eighth circuit's notion that the law without such a bill does not protect the plaintiffs in the Reserve Mining case.

The Reserve Mining case has three key elements: First, there was a course of conduct which created a potentially serious health hazard. Second, the risk of harm was potential—not a certainty or a clear probability. And finally, in both situations it was decided that, since no one could be certain that a tragic result would occur, the course of conduct should not be stopped.

This, I submit, is more than misguided conduct; it is irresponsible in the extreme. To tolerate a serious potential health hazard when it is not absolutely necessary is unacceptable. Mr. President, the amendment I now introduce addresses itself to this very kind of situation.

The amendment is very specific and applies only in certain court proceedings:

First, the amendment is restricted to proceedings brought under one of the statutes administered by the Administrator of the Environmental Protection Agency.

Second, it is triggered only when a party is seeking equitable relief—for example, an injunction, but not monetary damages.

Third, the course of conduct must involve a kind of "discharging or emitting," and those words are defined in the amendment, or "manufacturing."

Fourth, the potential risk created must be real, it cannot be a negligible risk or only a theoretical possibility.

Fifth, the potential health hazard must be a very grave one: Death, serious illness or disease, or irreparable physical harm to humans.

In these highly urgent circumstances, the amendment would shift the burden of proof to the party creating the grave risk to health and require that party to prove either that no threat to health exists, that the threat is negligible, or that other considerations outweigh the health threat.

In other words, this measure is aimed at those situations where some evidence of a serious potential hazard exists, but the evidence is inconclusive. The legislation would prohibit the potentially dangerous conduct until it could be proved to be safe, or until it could be shown that the benefit substantially outweighs the risk.

Mr. President, in order to provide the legal context in which this amendment would operate, I would like to have set forth in the RECORD at this point an analysis of the precedents in this area of law. These precedents make it clear that this amendment reinforces and clarifies the oft-stated principle that environmental health and safety is of utmost importance.

In any proceeding for injunctive relief, the court's decision is discretionary and based upon equitable principles. Initially, the party seeking the injunction against an alleged hazard or nuisance must establish by a preponderance of evidence that without injunctive relief, he, or the interests he represents, is presently or imminently threatened with irreparable harm. In addition, he must carry the burden of proving that there are feasible alternatives to the other party's actions. See generally, J. Moore, Federal Practice, Section 65 (2d ed. 1972); Krier, J., "Environmental Litigation" in Law and the Environment 105 (Baldwin and Page eds. 1970). If the complainant is unable to carry this initial burden of proof, judgment will be rendered against him.

However, where there are judicially or legislatively recognized public interests at stake, courts do have broad discretion and power to protect such interests. In *United States* v. *Nutrition Service Inc.*, 227 F. Supp. 375, 399 (W.D. Pa. 1964), the U.S. district court made it clear that this is a significant power which very much affects just what a plaintiff or complainant must prove when he brings a health hazard to the court's attention:

> There is sufficient showing where as here, the Government presents evidence of violations of the provisions of a statute enacted for the protection of the public. Nor is it necessary to demonstrate the precise way in which violations of the law might result in injury to the public interest. It is sufficient to show only that the threatened act is within the declared prohibition of Congress.

In other words, the court here was satisfied with proof of a technical violation and did not require extensive proof of just how the threatened acts could harm humans.

Environmental health has been stated to be an important, even paramount, public policy by both the Congress and the courts. Congress has in fact repeatedly declared that it is the Nation's policy "to promote efforts that will prevent or eliminate damage to the environment and biosphere and stimulate the health and welfare of man." NEPA, 42 U.S.C. 4321 (1970).

It stated this policy again in the Air Pollution Control Act:

> The purposes of this subchapter are . . . to protect and enhance the quality of the Nation's air resources so as to promote the public health and welfare . . . 42 U.S.C. 1857(b)(1)(1970).

Similar unequvocal statements of public policy were expressed in the Federal Water Pollution Control Act:

> Standards of quality established pursuant to this subsection shall be such as to protect the public health or welfare. 33 U.S.C. 1160 (c)(3)(1970).

Congress has also mandated that where environmental degradation is also causing harm to the public health, such pollution shall be abated.

> The pollution of interstate or navigable waters . . . which endangers the health or welfare of any persons, shall be subject to abatement. . . . 33 U.S.C. 1160(a) (1970).

And with regard to air pollution:

> The pollution of the air in any state or states which endangers the health or welfare of any persons shall be subject to abatement as provided in this section. (42 U.S.C. 1857d (1970).

Courts, as well, have recognized the importance and seriousness of the stakes that are involved in litigation concerning the health and safety of the public. They have, moreover, recognized that these "newer" interests are not only equal to traditional ones but also have declared that environmental health and safety are necessarily of paramount consideraton.

Faced with a problem of having to decide novel, complex issues of scientific fact, the court in *Environmental Defense Fund et al.* v. *Ruckelshaus*, 439 F.2d 584, 594 (D.C. Cir. 1971) remanded the case for further testimony and substantiation noting,

> Courts are increasingly asked to review administrative action that touches on fundamental personal interests in life, health and liberty. These interests have always had a special claim to judicial protection in comparison with the economic interests at stake in a rate-making or licensing proceeding.

The court also made a special point to note that a threat to the public health is the most serious consideration where the standard of proof required is one of "imminent" hazard to the public. Because of the serious implications where the issue at stake is the public's health, a hazard should be considered "imminent" even though its impact will not be apparent for many years.

Noting that there was substantial disagreement between the two parties as to the validity of the evidence present the court, in *Ball* v. *Goddard*, 366 F.2d 177 (7th Cir. 1966), nonetheless, upheld the order withdrawing approval of a new drug application because of the paramount interest in protecting the public health from potentially hazardous drugs.

In *United States* v. *Nutrition Service*, supra at 388, the court weighed the relevance of the different interests represented and determined that:

> Ordinarily where no harm may be accrued by delaying a process in judicial procedure, a delay or postponement should be granted. But where the public health is a matter of concern in such litigation as it is here, no possible delay or obstruction should be permitted.

The court concluded:

> Congress intended that all persons in the national domain be protected against any such injury and this is reason enough for preventing an irreparable injury existing or threatening the public. *United States* v. *Nutrition Service, supra* at 388.

This, then, is not only the law, but it is good commonsense. Not only must courts now respect environmental concerns as important ones, but some interests, like some of those in the category of environmental health and safety, are paramount to others.

This is an important point because in deciding what is generally considered as "environment" or "environmental health" cases, courts virtually always are required to weigh these interests against other legitimate interests. That is, it is not enough simply to say "an environmental asset is being threatened"; we must also consider the value of the enterprise threatening it.

In this weighing process, some courts—like the court of appeals in the Reserve Mining case—have found themselves unable to break away from what the law used to be. The law for a long time gave great protection to economic interests, but rarely considered interests like those we now call environmental health and safety. And now, despite the unequivocal mandates cited above, some courts still fail to give adequate weight to the fact that some environmental resources, once lost, can never be regained or compensated for. Even more imperative are threats to human health. Clearly Judge Lord was correct to value health over profits.

Thus, when the court of appeals in Reserve Mining said that only the legislature could make policy of the sort demanded by plaintiffs, it must not have realized that the legislature has already declared such policy and made it the law of the land.

Another problem faced by plaintiffs in environmental health and safety cases—like Reserve Mining— is that the facts are often very complicated, with highly complex scientific and statistical questions. As a result, a court is tempted to shy away from these difficult issues. This reticence, however, consistently discriminates against plaintiffs—the ones who must rely on such scientific arguments. The ccurt in *Crowther* v. *Seaborg*, 312 F.Supp. 1205, 1232 (7th Cir. 1966), affirmed a refusal to enjoin a nuclear project bemoaning a "lack of knowledge" about atomic radiation and said that such lack of knowledge "is not the product of insufficient scientific inquiry, but rather of the complexity of the problem presented." Under the amendment introduced by Senator Hart and me, such lack of complete scientific knowledge will not prevent a court from enjoining a grave health hazard when it is brought to the court's attention.

GENERAL REVISION OF THE COPYRIGHT LAW—AMENDMENT

AMENDMENT NO. 1815

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

Mr. MATHIAS submitted an amendment, intended to be proposed by him, to the bill (S. 1361) for the general revision of the copyright law, title 17 of the United States Code, and for other purposes.

ADDITIONAL STATEMENTS

A PRAYER FOR OUR COUNTRY

Mr. GRIFFIN. Mr. President, after taking the oath of office, President Gerald R. Ford suggested that the American people, who had not selected him to be President by their ballots, could confirm him by their prayers.

In Southfield, Mich., at their Sabbath services on August 10, the members of Congregation Shaarey Zedek responded most appropriately with a beautiful prayer composed by Rabbi Irwin Groner.

I ask unanimous consent that a copy of Rabbi Groner's expression of hope and yearning be printed in the RECORD.

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

A PRAYER FOR OUR COUNTRY

We thank Thee, O Lord, for America our home, a country dedicated to the ideals of freedom, justice and brotherhood. We praise Thee for the liberty, the opportunity, and the abundance we possess. Above all we praise Thee for the traditions which have made our country great and for the inspired leaders of our past who laid the foundations of this republic through faith, courage, and self sacrifice.

We have lived through a dark and painful period in our nation's history. Those entrusted with authority did abuse it. The highest office in the land was darkened by ever lengthening shadows of legal and moral wrongdoing. In the midst of this travail, many of us became disillusioned with our leaders, with ourselves, and with the failure of this government to reflect our national ideals. We have come to recognize with greater comprehension the words of Thy teacher "Righteousness maketh a nation great, but sin is a reproach to any people."

We are grateful to Thee, O Lord, for what this ordeal has taught us. We are a government of laws and not of men. These laws are designed to protect the rights of the weak against the strong, to defend the liberties of the individual against the tyranny of the powerful. We have relearned an old lesson: that the opinion of all the people is wiser than the opinion of any one man, of any small group of men.

Almighty God, we beseech Thee to look with favor upon our land and our people. Heal our wounds, bind us together, let the bitterness be replaced by forbearance and the anger muted by understanding, and the cynicism answered by trust. Justice having been done, let mercy and forgiveness complete the work of reconciliation and unity.

Heavenly Father we ask Thy blessing on Gerald Ford as he becomes the President of the United States. Mayest Thou, O Lord, to whom alone belong the dominion and the power, be his support in the fulfillment of his awesome trust, thrust upon him by unprecedented events in the experience of this people. Enable him to ensure the unfettered, uncompromised implementation of our Constitution for all the inhabitants of our land. Endow him with the spirit of wisdom that he may safeguard the physical and moral integrity of our beloved commonwealth, founded by our faith in Thee. Quicken his heart with the awareness of Thy presence, especially in the lonely moments of fateful decisions which may be his to make for us and the world.

May we, the citizens of this land, express by obedience to Thy law that we are worthy to have been made great among the nations of the earth. Above all, let us so order the affairs of this country that we heed the admonition of Thy prophet—"Let justice well up as the waters, and righteousness as a mighty stream." *Amen.*

THE COUSTEAU SOCIETY

Mr. HOLLINGS. Mr. President, I would like to commend the continuing efforts of Capt. Jacques Yves Cousteau in so effectively deepening our respect and appreciation for the mysteries of the ocean. His understanding of the myriad forms of marine life and the complex interdependence of man and the seas have prompted his great alarm at the forces endangering the oceans today. Recently, he has formed the Cousteau Society, a membership of concerned individuals, to focus on the integral role of the oceans in our life and to bring pressure to bear on those who might turn our oceans into wastelands.

I share Captain Cousteau's distress over the dying marine life and disrupted ecosystems of the sea and I strongly support his efforts to protect this most fragile, essential, and valuable resource.

Mr. President, I ask unanimous consent that a letter I received from Captain Cousteau be printed in the RECORD.

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

JULY, 1974.

DEAR SENATOR HOLLINGS: A friend once told me a curious story I would like to share with you.

Some years ago, it seems, a European aquarium ran short of sea water just as it received a shipment of live salt water invertebrates, such as beautiful anemone, delicate featherduster worms or gorgonians.

Since the formula for sea water is well known, the curators decided to manufacture some. This was soon done. But when the marine creatures were installed in it they soon died.

Then, an inspiration! Some real sea water was added to a tub full of the man-made and the fragile beings that were put in it lived.

Is this not marvelous? It implies that each of the trillions of drops that the great oceans comprise has a life of its own, an invisible spark that we do not understand, but that makes possible the incredible myriads of marine life forms. (It also makes possible our own life on land, as I shall later explain.)

Surely this blessed miracle of life is the greatest treasure on earth. Yet do we humans cherish and guard it? On the contrary. Each month we now pour so many millions of tons of poisonous waste into the living sea that in perhaps twenty years, perhaps sooner the oceans will have received their mortal wound and will start to die.

I do not say this lightly. During the past thirty years my team and I have spent thousands of hours diving in aqualungs and other underwater devices.

During that time I have observed and studied closely, and with my own two eyes I have seen the oceans sicken. Certain reefs that teemed with fish only ten years ago are now almost lifeless. The ocean bottom has been raped by trawlers. Priceless wetlands have been destroyed by land fill.

And everywhere are sticky globs of oil, plastic refuse and unseen clouds of poisonous effluents.

Often, when I describe the symptoms of oceans' sickness, I hear remarks like "they're only fish" or "they're only whales" or "they're only birds."

But I assure you that our destinies are linked with theirs in the most profound and fundamental manner. For if the oceans should die—by which I mean that all life in the sea would finally cease—this would signal the end not only for marine life, but for all other animals and plants of this earth, including man!

With life departed, the ocean would become, in effect, one enormous cesspool. Billions of decaying bodies, large and small, would create such an insupportable stench that man would be forced to leave all the coastal regions. But far worse would follow—

The ocean acts as the earth's buffer. It maintains a fine balance between the many salts and gases which make life possible. But dead seas would have no buffering effect. The carbon dioxide content of the atmosphere would start on a steady and remorseless climb and when it reached a certain level, a "greenhouse effect" would be created. The heat that normally radiates outward from earth to space would be blocked by the CO_2, and sea level temperatures would dramatically increase.

One catastrophic effect of this heat would be melting of the icecaps at both the North and the South Poles. As a result, the oceans would rise by 100 feet or more, enough to flood almost all the world's major cities. These rising waters would drive one-third of the earth's billions inland, creating famine, fighting, chaos and disease on a scale almost impossible to imagine.

Meanwhile, the surface of the ocean would have scummed over with a thick film of decayed matter, and would no longer be able to give water freely to the skies through evaporation. Rain would become a rarity, creating global drought and even more famine.

But the final act is yet to come. The wretched remnant of the human race would now be packed cheek to jowl on the remaining highlands, bewildered, starving, struggling to survive from hour to hour. Then would be visited upon them the final plague, anoxia (lack of oxygen). This would be caused by the extinction of plankton algae and the reduction of land vegetation, the two sources that supply the oxygen you are now breathing.

And so man would finally die, slowly gasping out his life on some barren hill. He would have survived the oceans by perhaps thirty years. And his heirs would be bacteria and few scavenger insects.

I beg you not to dismiss this brief scenario as science fiction. The ocean *can* die, these horrors *can* happen. And there will be no place to hide.

Earth is the only planet we know of where life can exist. That is because it is that rarest of phenomena, a "water planet." Water is a peculiar and precious substance, with many oddities in its physical and chemical composition. This unique nature of water, operating in a dynamic world water system powered by the sun and the moon, provided the cradle in which life originated.

The ocean *is* life.

Yet again I ask, do we humans cherish and guard it? Consider these deadly skirmishes in the enormous assault we have unwittingly mounted against the oceans—

THE POISONED RIVERS

A researcher asked a marine biologist if he could supply a map showing which rivers pollute the ocean. The biologist had a simpler way. He said. "Any river that flows through an urban, industrial area is loaded with pollutants."

THE EXILED SEA OTTERS

An ecosystem of classic simplicity is the sea otter, the kelp and the sea urchin. Years ago the charming sea otter was abundant along the California coast, but now it has been almost wiped out. So the urchins it used to feed upon gnaw at the roots of the kelp, and what were once fecund marine jungles are now scrubby deserts.

GOODBYE WHALES, GOODBYE DOLPHINS

The only creatures on earth that have bigger—and maybe better—brains than humans are the Cetacea, the whales and the dolphins. Perhaps they could one day tell us something important, but it is unlikely that we will hear it. Because we are coldly, efficiently and economically killing them off. Recently my boat Calypso visited the Antarctic, and in every bay we saw piles of whale bones from the enormous kills of the forties and fifties when whales were all but wiped out. Not all of us wept, but we are all extremely upset.

THE COMING ABUNDANCE OF DDT

Every chemical waste or effluent, whether in air, on land, or in water, will eventually end up in the sea. Of all the DDT compounds so far produced over 30% are already in the oceans. We know that eventually all will end up there! (Production of DDT has been stopped in the States. But as always, the producers of pollutants subsidize another research, a counter research, and then, if unsuccessful, a new untested pollutant.)

"DADDY, WHAT'S A CORAL REEF?"

Years ago pollution started damaging coral reefs. In its wake came the famous starfish, doing its immemorial job of removing sick and imperfect coral. To save the reefs, divers worked around the clock injecting formaldehyde into the unfortunate echinoderms. But, alas, they were treating symptoms, not causes. It is our own profligate poisons, not the starfish, that may doom the reefs.

A NEW LOOK AT "THE ENDLESS BOUNTY OF THE SEA"

Remember when the inexhaustible sea, so-called, was going to feed all the world's new billions? Four years ago I knew that the amount of life in the oceans was dwindling at a terrifying rate. Yet I predicted that the fishing tonnage would continue to rise for a few years because of better equipment methods—and I was wrong. The tonnage of fish started down in 1971 and has kept going down ever since, in spite of more fishing vessels and better equipment.

I could add thousands more to these examples, and fill a dozen volumes. But I hope these few will convey my distress and concern at what is happening to our oceans, our planet and ourselves.

To do effective battle against such powerful forces of destruction, our Society must be totally independent. Governments, foundations and corporations, after all, do not have to breathe. We do.

How shall we accomplish our heavy task? We must present our case for the oceans to hundreds of great ones in government and industry. We must educate people around the world in classroom and theater, in television, film and print. We must continue and dramatically augment our basic research into the nature and function of the sea.

Faithfully,

Capt. JACQUES-YVES COUSTEAU.

A MONUMENTAL CRISIS IN PUBLIC SPENDING

Mr. GOLDWATER. Mr. President, for many years I have complained about the consequences of ignorant and irresponsible Government fiscal policies. Now, according to the magazine, Government Executive, the upshot of unrestrained Government spending is rushing this country into "a monumental crisis in public spending."

In about 4 to 6 calendar years, the magazine says, the results of the trend in Government spending will make Watergate "seem like a child's game."

The magazine's opinion was set forth in an editorial written by C. W. Borklund who claims the most frightening "cover-up" in Washington is not in the White House Oval Office over tape recordings. The editorial says:

Rather, it's the smoke screen that has blown up around the fact of how the taxpayer's dwindling supply of resources is being gobbled up by government programs.

Mr. President, because of the extreme importance of this editorial to a Congress confronted with an inflation crisis, I ask permission to have Mr. Borklund's editorial printed in the RECORD.

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

THE RUSH TO A CRISIS IN PUBLIC SPENDING

The Nation's Governments, Federal, State and local, are on trial. But, thanks to such obfuscations as the Watergate—and related—business, it doesn't seem to have been noticed much.

Governments, particularly legislators, for at least the past half-dozen years or so, have been doing things which, added up, can only be labelled, at best, "Ignorant and Irresponsible." Upshot is, they are rushing the country into a monumental crisis in Public spending.

In about four to six calendar years, the results of the trend will make the Watergate inquisition seem like a child's game. The most frightening "cover-up" in Washington, to us, is not in the White House Oval Office over tape recordings.

Rather, it's the smoke screen that has blown up around the facts of how the taxpayer's dwindling supply of resources is being gobbled up by Government programs. We'll have a full-blown documentation of this next month.

In the meantime, consider:

In 1956, Federal spending commanded 12.4 percent of the Gross National Product (GNP); 17.1 percent in 1966; 25.1 percent, probably, for fiscal 1976; and, on present trends, 35–37 percent in 1986.

For comparison's sake, Federal spending at the peak of World War II was about 50 percent of the GNP. What war are we fighting now?

It's not a military one. To the extent that he deserves all the credit, (and he doesn't), President Richard Nixon has outdone former Presidents Kennedy and Johnson when it comes to increased funding for so-called "social programs."

In fiscal 1968, Johnson's last budget year, total obligational authority (TOA) for Defense and military assistance programs was $75.6 billion. Assuming the current Defense budget request is approved, which seems probable, TOA for fiscal 1975 will be $92.6 billion which is, in effect, a decrease in Defense spending since 1968 when inflation's impact on the dollar's buying power is thrown into the equation.

On the other hand, Federal, State and local spending for domestic social and economic programs was $123 billion in 1966. Unless some program already legislated is cancelled or sharply cut back, social and economic program spending will be $402.4 billion in 1976. In sum, for each of the last 10 years, those programs have been increasing in expenditures at an average annual rate of 12.6 percent and currently show no signs of slowing down.

In other words, it's been increasing more than twice as fast, roughly, as the growth of the GNP—and thus of the tax base that's supposed to pay for it. What is more, we can't find any evidence anywhere of any political pundits worrying about what is being done to the taxpayer's pocketbook.

If they fret publicly at all about the issue, their target for cutbacks is routinely the Defense budget. Headlined a recent Washington Post article: "Brookings (Institution) Sees Defense Cost of $142 Billion." (by 1980.) Echoed Business Week: "A new spiral for defense spending."

Baloney. Why don't they talk about a real issue? Where, in 1980, are we going to get the 12.6 percent of additional funds—on top of the 12.6 percent increase in 1979 and 1978 and 1977 and 1976—to pay for social security and for the welfare recipients and Medicare and pollution control and education programs and mass transit and occupational safety and Government employees? (In contrast to the 3.2 million persons on the Pentagon payroll, 14 million work for State and local government—and while the former number is trending down, the latter one is rising about as fast as the number of dollars they're spending.)

We are routinely amazed at the ability of high-level Public figures to ignore these trends. Politicians being voted out of office they blame on "Watergate." The failure of social and economic programs to deliver what they've promised they blame on "lack of financing because of the money being spent in Defense."

"If we could only get another $10 billion out of Defense," they say, "we could clean up the rivers and the air and give every kid in the country a college education and guarantee the poor and the old an adequate income and cure every disease afflicting Man."

Nonsense. What did they do with the $100 billion more a year they've already received? What happened to the $52 billion a year the Feds have been sending back to the grass roots level?

The University of Michigan Institute for Social Research did an opinion survey recently of how well the Public thought 15 public and private institutions were serving the country. At the top of the "Very good" list: "the U.S. military."

At the top of the "very poor" list, in order: "President and Administration;" "Federal Government;" "Labor Unions;" "Local Governments;" "All Courts, Judicial System;" "State Governments;" "U.S. Congress." *Government* has an image problem and flim-flamming the Public out of half its money without giving back noticeable benefits is not the way to a better rating.

But "image" is hardly the most important part of it. At one time, this Nation could afford to suffer and suborn the transgressions of its governments.

But not *today!*

And not at these *prices!*

C. W. BORKLUND.

HIGH COSTS OF ELECTRICAL POWER IN MISSISSIPPI

Mr. STENNIS. Mr. President, shortages of raw material, oil, and other petroleum products continue to plague our Nation and its people. We have hundreds of shortages which are drastically affecting our economy.

Our energy problems are far from being solved. We still allocate our petroleum products. We still have high prices.

Quite frankly, Mr. President, we are not out of the woods yet. We must not let up and go back to our wasteful ways of using energy.

Now, Mr. President, the No. 1 problem facing our Nation today is inflation. No one will argue that fact.

As everyone knows our energy problem is responsible to some extent for our high rate of inflation.

I would like to make the Senate aware of a situation in my State which illustrates the severity of this problem.

For years the utility companies in my State have built their boiler plants to burn natural gas. They did this because gas was clean, cheap, and abundant. For a secondary fuel they relied on residual fuel oil, or diesel, or a special combination.

Now what has happened. Well, we have a natural gas shortage and an oil shortage. The Federal Power Commission, of course, regulates the price of natural gas whereas oil has risen to unprecedented highs.

Recently the Federal Power Commission has told the supplier of natural gas for the utility companies in my State to curtail their sales of natural gas. In effect, they abrogated 30-year contracts in existence between the supplier and the utility company.

Now, of course, many of the utility companies have been forced to switch to

their secondary source—fuel oil—to operate their plants. The fuel oil cost is extremely high. The utility companies are passing along their increased costs to the user or consumer in the form of a fuel adjustment cost which they are allowed to do by our public service commission, as in many States.

Mr. President, people are paying utility bills which equal or surpass their mortgage payments on their homes. Utility bills for many of these people have doubled or worse.

How much more can the people take, Mr. President? How long can they stand it? My answer is—not long. This is a deplorable situation. It has reached a crisis proportion.

What can be done to solve this problem? I am not sure I have a ready answer.

The long-range answer is, of course, increase our production of natural gas and petroleum. We can also use coal which is presently in abundance.

But people do not eat in the long run—they eat every day. These people need immediate relief.

Mr. President, the Federal Power Commission holds a life or death grip on my people. To further allow the withholding of natural gas will cause bankruptcies, foreclosures, and other economic woes.

I have urged the Federal Power Commission to eliminate this curtailment in view of the present fuel situation and the existing inequitable hardships being inflicted on Mississippians. If the Federal Power Commission eliminates the natural gas curtailment, then United Gas will sell natural gas to Mississippi Power & Light and other public utilities in Mississippi with whom they have long-term contracts, thus enabling these utilities to pass along the resulting saving in fuel costs to its customers.

I am hopeful that the Federal Power Commission will take favorable action soon. Also, I have urged the utility companies to determine what action they can take to obtain lower cost fuel. I am continuing to explore all possible avenues for relief.

Mr. President, I am pleased that the Commerce Committee will hold hearings on August 20 regarding this curtailment problem. The distinguished Senator from South Carolina (Mr. HOLLINGS), I understand, will preside and I am sure do his usually fine job of going into all aspects of the problem.

These hearings are very timely, Mr. President, and I commend the Commerce Committee for taking this step so that all the facts can be ascertained and all avenues for possible relief explored. Hopefully, the committee will recommend ways to solve this problem and give some relief to the people in our Nation.

Let us have some relief now and let us commit ourselves to producing more natural gas and other types of energy.

This problem has been or will become acute in every State. We all will suffer.

So, I say, Mr. President, this energy problem is far from being solved. It will continue to plague us if we do not stay on top of it. We cannot let up.

IN MEMORY OF MRS. MARTIN LUTHER KING, SR.

Mr. KENNEDY. Mr. President, the national crisis of gun abuse comes to public attention when a public figure is shot to death or maimed by the bullet of a would-be assassin. Yet, the daily death toll in this country due to guns is enormous. Nearly 25,000 Americans are shot to death each year in the United States. Guns account for nearly 70 deaths each day. The mindless argument that guns do not kill people, people do . . . has for too long, permitted the proliferation of firearms in this country, with totally insufficient restraints upon the distribution of these deadly weapons.

Ebony magazine in its September issue, presents an outstanding editorial on the need to establish a nationwide system of controls to begin reducing the number of guns in our civilian society.

Guns are too easy to obtain by those who are intent upon lawlessness or by those for whom a gun may become the easy way out if they are overcome by emotion.

Ebony magazine is quite articulate on this issue, and also understandably demanding in its call for a national campaign to reduce gun violence in America.

I ask unanimous consent to print in the RECORD the editorial—"In Memory of Mamma King," from Ebony magazine for September 1974.

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

IN MEMORY OF "MAMMA KING"

It was a happy time, one that would delight almost any devout Christian. Mrs. Alberta Christine Williams King had traveled widely, but her tours of Europe's capitals paled by comparison with her visit to the Holy Land last year. It was here, after all, that her Christ had triumphed, had, by the force of his own example, illuminated the human condition. And so, as she neared the end of the three score and ten years promised in her Bible, "Mamma King," as she was affectionately known, rejoiced that she had completed the most important trek of her life. To Mrs. Christine Farris, her only surviving child, she prophesied: "I'll probably never get back here again." Mother and daughter had accompanied the Rev. Martin Luther King Sr. to the Holy Land to share "Daddy King's" reward for being voted Atlanta's Minister of the Year by the National Conference of Christians and Jews.

THAT FATEFUL SUNDAY MORNING

It was also a happy time as Mamma King sat on that hot and fateful Sunday morning playing the organ at Atlanta's Ebenezer Baptist Church. As on many other Sundays, she had arisen, prepared her husband a diet breakfast of one poached egg, a slice of toast, orange juice and coffee, and prepared a cup of coffee for herself. Then she bade him farewell as he left home to attend his ministerial duties for the day. She would be following him a little later. Her own schedule was going to be full. There were two church club meetings to attend and she would preside over the Woman's Day observance at Ebenezer that morning. The day was going to be a busy one perhaps, but not an unusual one from her point of view. After all, for 25 years, Mamma King had served as Ebenezer's choir director, leaving briefly in the 1960s to work behind the scenes in "the movement" with her son, Martin Jr., and then returning as choral director in 1963 and serving until her "retirement" two years ago. Ebenezer, where she was baptized, had dominated her life. She often phoned Martin in the wee hours of the morning, bursting with some wonderful idea for a young people's group or for a special church program. Or else, having succumbed to persistent requests from adoring church members, she would periodically come out of retirement, reassemble her Martin Luther King Senior Choir and once again direct Ebenezer's music from the organ. On that most momentous of Sundays she was playing *The Lord's Prayer*.

THE HYMN NEVER ENDED

The congregation was singing "Forgive us our trespasses as we forgive those who trespass against us" when Marcus Wayne Chenault, a dropout from Ohio State University's graduate school, interrupted. He had entered Ebenezer that morning carrying two .32-caliber pistols in a small bag and had taken a seat in the "Amen Corner" where the most fervent worshippers usually sit. He had come, he later told police, because he had received "orders from God" to kill Rev. King "for worshipping a false idol." Leaping to his feet, he shouted "I'm going to kill every mother ------ here." His first bullet struck Mamma King in the face and she toppled over the organ keyboard. Her husband rushed to her side, crying, "Honey, where are you hurt?" She never answered. Before Chenault's frenzy had spent itself, church deacon Edward Boykin, 69, was also slain and retired school teacher Mrs. Jimmie Mitchell, 66, suffered a neck wound.

At Mamma King's funeral the Rev. Otis Moss of Lockland, Ohio, a former aide to Daddy King, observed that she had no control over the dates that would appear on her tomb: 1904–1974. "But that little dash in between 1904 and 1974, she could control that," he added. "She would not lose it. She would not abuse it. But God only knows she did use it."

This daughter, wife and mother of ministers, who had successfully lived the Christian life, communicating her intense spiritual strength to the entire King clan and to countless others; this woman who by the force of her own example had taught the sense of kindness, the sense of forgiveness, the sense of love; this woman who had given birth to the world's greatest civil rights warrior—to this shy, unpretentious, gentle woman it never occurred that she, too, would meet her death from an assassin's bullet as did her famous son six years ago. Yet, in the midst of lesser adversity, she had always taught her three children that they should not despair since their lot was no more difficult than that of others. "Why should we be spared from a difficult time?" Mamma King would ask. "We are not so special that nothing difficult shouldn't come to us. You must prepare yourself to meet it and live with it."

Or die with it if that, too, was necessary. Yet Mamma King did not contemplate eternity while slighting the here and now. This was the year she was going to have her first garden. She planted it carefully, putting in a row of tomato plants, some collards and turnip greens. A large tree shaded part of her yard and she had it cut down. Near her vegetable plot she planted a flower bed. It was a common sight to see Mamma King out working in the garden, aided by her young grandson, Albert. Today the King clan feasts from that garden.

MAMMA KING'S MEMORIAL

For one who has given so much to the living there can be no more fitting a memorial than a concerted public effort to correct the condition that brought about her tragic demise. That condition is graphically underscored by the ready accessibility of hand guns. The guns keep flowing to children, to madmen, to criminals. No one notices, really, until a Kennedy, a King or

some other public figure is murdered. Then there is a great hue and cry, a wringing of hands and a gnashing of teeth. Some citizens profess not to have an answer to the gun control problem and that frees them of the responsibility of having one. Others contend that the nation must not move too rapidly on the problem and thus avoid the necessity of getting started. Still others claim the gun control problem is inseparable from other problems and therefore cannot be solved until all the other problems are solved. The evasions mount while the orgy of gun use goes on, menacing and murdering the innocent.

Powerful gun lobbyists like the National Rifle Assn. have argued that a gun is an amoral tool which cannot itself be blamed if its users turn out to be careless or violent. But the moral status of tools is hardly at issue. What is at issue is the immorality of making guns easily available to the responsible and the irresponsible alike. While Marcus Chenault's weapons were stolen from the bedroom of his father, a Dayton, Ohio, security guard, most other hand guns can be purchased with little or no difficulty. At least, that has been the experience of another young man in Atlanta who is close to Chenault's 23 years. Although he has a history of psychiatric instability that has alarmed many of his fellow Atlantans, he is allowed to have a gun permit. Curiously, this second young man, who is duplicated manyfold across the nation, claims he is ordained to carry out the non-violent mission of Martin Luther King Jr. Chenault also claimed divine ordination after completing his murderous mission. The ultimate protection against such madness is to take hand guns out of general circulation. Since gun regulations vary drastically from state to state, the nation desperately needs a uniform federal law banning hand gun ownership by private citizens except under special circumstances. Thus, persons with murder in their hearts will be restrained to some extent from acting out their aggression if they cannot readily obtain guns. That, indeed, has been the positive result in England which, by taking lethal weapons out of general circulation, can boast an annual death-from-hand-guns rate some 217 times lower than in the United States. Since we as a nation are afflicted with the disease of violence, effective federal gun control legislation alone will not cure us. But it will surely provide effective relief—perhaps saving the lives of other Mamma Kings—while we gain time to work at the real roots of our national sickness.

ALLEGATIONS REGARDING CONGRESSIONAL EMPLOYMENT PRACTICES

Mr. TAFT. Mr. President, yesterday an article appeared in the Washington Post containing some most disturbing allegations regarding congressional employment practices. As the ranking Senate minority member of the Joint Committee on Congressional Operations, the committee with jurisdiction over the Congressional Placement Office, from which the information came, I was especially concerned about the possibility that the Placement Office could conceivably be involved in a conspiracy to violate individuals' civil rights as a result of certain applicant referral and screening procedures. Accordingly, I have contacted Senator METCALF, chairman of the Joint Committee, who is equally concerned about such allegations, and asked for a complete investigation of this matter. Senator METCALF has assured me such an investigation will be forthcoming. Certainly we should, if we do not already, have standard practices of refusing to process any application with discriminatory conditions violative of our equal opportunity laws.

Whatever the results of our investigation might disclose, I as one committee member, will use every influence I have to see that the Placement Office in the future does not become involved, directly or indirectly, in abetting discrimination in any fashion against individuals seeking employment. Although the 1972 amendments to title VII of the Civil Rights Act of 1964 does contain an exemption for employment procedures in a substantial part of the legislative branch, I believe we in the Congress have an obligation to abide by the spirit and the letter of the law in this area. To do otherwise would not only be extremely hypocritical on the part of the Congress, but would also involve the legislative branch in the suppression of human rights and dignities of individual citizens—a practice which cannot be condoned by any acceptable standard.

TRAGEDY IN CYPRUS

Mr. PELL. Mr. President, the tragedy in Cyprus goes on and the toll of victims continues to mount.

The needless, vengeful, and wasteful murder of Ambassador Rodger P. Davies is an act I deplore and condemn. He was a fine and decent man who had been working tirelessly to find a compromise solution to the present crisis.

Mr. President, there are three actions which the United States should take quickly and decisively to halt the Turkish aggression on Cyprus.

First, we must stop fueling Turkish aggression by halting our military assistance program to Turkey until that nation complies with the dictates of the United Nations Security Council resolution,

Second, we should publicly condemn the excesses of the Turkish military action which has brought tragic suffering and hardship to the Cypriot people.

Third, we should remove our nuclear weapons from the Turkish-Greek tinderbox. Few Americans realize that, from the viewpoint of the number of nuclear weapons on its soil, Turkey has become one of the world's largest nuclear powers.

Mr. President, the United States is now reaping the fruits of its ill-considered policy of 7 years' support of the despotic government of the Greek juntas. From the first coup by a junta in 1967, the United States never once uttered an official public word of condemnation of that ugly regime. My voice and those of a very few of us in the Congress these 7 years were ignored by the administration and denounced by the juntas. I do hope, however, we gave a glimpse of hope to some of the imprisoned Greeks in their tortured travail.

The Greek people, who had come to consider the United States their main ally and patron, never felt able to restore a democratic government in their own land in part because the United States officially acquiesced to a rule of brute force.

Now, the United States is acquiescing to the use of brute force by Turkish forces on Cyprus. Our Nation has always adhered to the principle that force cannot be substituted for political legitimacy and that might cannot replace the need for compromise and negotiation. In Vietnam alone, the United States spilt more than 50,000 of its lives and $100 billion of its treasure defending the right of the Vietnamese people to find a political solution without coercion. Are we now to abandon this principle in Cyprus?

On Cyprus, we see the spectacle of Turkey forcibly changing frontiers and the very structure of government of the sovereign nation of Cyprus by military action.

As the Turkish agression continues, the Greek Government has so far chosen to avoid military confrontation with Turkey. One can only applaud the courage and strength of Mr. Karamanlis who has demonstrated great statesmanship by not yielding to the emotional pressures calling for an armed response.

Realistically, however, how much longer can he hold out if Turkey continues its agression. The United States must do everything in its power to impress the Turks that a military solution is out of the question.

Last Thursday I introduced Senate concurrent resolution 112 to accomplish the first of these goals—an end to all aid to Turkey and Greece until the United Nations cease-fire resolutions are honored. In the wake of Ambassador Davies' murder and the absence of a true cease-fire, it is imperative that the United States act.

Congress, by supporting my resolution, can demonstrate the full extent of our commitment to peace and the rule of law.

THE PROPOSED ENERGY TRANSPORTATION SECURITY ACT OF 1974—"SUPERBOONDOGGLE"

Mr. COTTON. Mr. President, presently pending on the Senate calendar of business is the bill, H.R. 8193, the proposed Energy Transportation Security Act of 1974, which would require increasing percentages of all oil imported into the United States to be transported on U.S.-flag vessels.

My opposition to such oil import cargo preference legislation is based principally on the potential cost of the bill to the American consumer and taxpayer. Not only will such cargo preference legislation increase the cost of oil to consumers, but it also will have an inflationary impact on this Nation's economy.

American shipyards are presently experiencing a record peacetime business boom with a backlog of orders valued at $6.5 billion. Yet, this bill would require a vastly increased tanker construction program. Such a program would be undertaken in the face of an anticipated world surplus of tankers.

Mr. President, because an editorial appearing in today's Wall Street Journal, entitled "Superboondoggle," puts this issue in perspective, I ask unanimous consent to print it in the RECORD.

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

[From the Wall Street Journal, Aug. 19, 1974]

SUPERBOONDOGGLE

When the Energy Transportation Security Act of 1974 arrives on the Senate floor today, Senators who have committed themselves to vote for this superboondoggle would be wise to phone in sick. There's no way they can justify supporting this bill, except if they wish to argue that the rate on inflation in the United States is now too low.

In the name of "national security," proponents of the bill would require that 30% of all petroleum imported into the U.S. be carried in American tankers. By 1977, some 40 supertankers would have to be constructed in American yards at a cost of $4 billion. The U.S. would then presumably be secure against a joint economic attack by the Panamanians, Greeks, Liberians and Swedes.

The dimensions of this boondoggle can not be fully appreciated without an awareness of the superglut of supertankers that's on the way. Fortune magazine finds that "the industry as a whole will have 600 supertankers coming on the market in the next four years," and that some authoritative sources predict one-quarter of the world tanker fleet will be surplus by 1978. The reopening of the Suez Canal will cut the need for supertankers, as will the development of North Sea oil.

The legislation is so bad President Ford should not even threaten to veto it. He might more effectively bring the Senate to its senses by threatening to sign it.

THE GENOCIDE CONVENTION

Mr. PROXMIRE. Mr. President, no human right is more precious than the right to life itself. The International Convention on the Prevention and Punishment of the Crime of Genocide was drafted to protect that right against systematic abuse. This accord, ratified by more than 75 nations, defines genocide as an international crime, and obligates its signatories to act against violators of the treaty.

One of the more controversial aspects of the convention is its prohibition of "direct and public incitement to commit genocide." Critics of the agreement have argued that this provision is subject to loose interpretation, and that it could be applied in a manner that infringes upon Americans first amendment liberties. An unsympathetic international tribunal, these critics assert, could accuse American citizens of genocidal conspiracy for making the sort of outlandish statements our Bill of Rights seeks to guarantee their right to make.

But these fears are unfounded. First, it is clear that the Constitution is supreme; no treaty can override the clear commands of the first amendment. Second, our own Supreme Court has, in the well-known Brandenburg against Ohio decision, established a definition of incitement that former Supreme Court Justice Arthur Goldberg has called "perfectly consistent" with the Genocide Convention's terms. That definition—that incitement is action directed toward, as Justice Goldberg put it, "producing imminent lawless action" and "likely to incite or produce such actions"—would not clash with the convention's more general description.

We must not, as we plod through examinations of the legal intricacies of the genocide accord, lose sight of its real purpose. It is intended to prevent the recurrence of the most heinous of crimes, the bestiality that took millions of lives in World War II. We must take care that we do not, in the name of individual liberty, leave the world more vulnerable to the most drastic abuse of collective power. I urge the immediate reconsideration and ratification of the International Convention on the Prevention and Punishment of the Crime of Genocide.

THE CALIFORNIA COAST: BLUEPRINT FOR PLANNING?

Mr. CRANSTON. Mr. President, the August 18 edition of the Washington Post carried a remarkably perceptive story on "The Fight Over 'Improving' the California Coastline," by Rasa Gustaitis.

The article is one of the most historically accurate features on this important issue I have seen.

Because what is happening in California has implications not only for the rest of coastal America, but for land use planning all over the country, I invite the attention of my Senate colleagues to the story and ask unanimous consent that it be printed in the RECORD.

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

[From the Washington Post, Aug. 18, 1974]

THE FIGHT OVER "IMPROVING" THE CALIFORNIA COASTLINE

(By Rasa Gustaitis)

SAN FRANCISCO.—Sea Ranch is a vacation home subdivision with a national name as an example of design harmonious with nature. Its natural wood dwellings nestle amid waving grasses, fences are barred and open space is required. No wonder its developers have reaped architectural honors.

But among California conservationists, Sea Ranch is under attack as one of the big environmental problems for the Pacific coast. Sprawled along 10 miles of Sonoma County's most beautiful shore, it is the kind of development—despite its quality—that has been sealing off the oceanside as the private domain of a few. Lately, Sea Ranch has become a major testing ground for the effectiveness of the state's two-year-old Coastal Zone Conservation Act, the nation's broadest and most innovative land and marine use experiment.

California's 1,000-mile coast is America's longest and most diverse. Between Oregon and Mexico it includes forested mountains, deserts, sheep ranches, fishing villages, lemon and avocado groves, artichoke fields, overcrowded cities and industrial regions. There are atomic power plants, offshore oil wells, plans for deep-water ports. Abous 85 per cent of California's 20 million residents live within 30 miles of the coast.

Yet, increasingly, private residential development, mostly of second homes, has blocked public access to the ocean, driven out lower-income residents and farmers, destroyed wildlife and prime farming lands.

Then, two years ago, voters passed Proposition 20, an initiative declaring "that the California coastal zone is a distinct and valuable natural resource belonging to all people and existing as a delicately balanced ecosystem." Six regional and one state coastal zone conservation commission were created to develop a plan to "preserve, protect and where possible, restore" that resource "for the enjoyment of the current and succeeding generations."

This plan is to be presented to the legislature by Jan. 1, 1976. It is to cover an area three miles seaward from mean high tide and five miles inland or to the highest peak of the nearest mountain range.

In the interim the commissions have power to control development within 1,000 yards of the coast through issuance of permits. They are charged with preventing any project that would have "substantial adverse environmental and ecological effect" or would be inconsistent with the purposes of the act.

In keeping with that mandate, the state commission has made further building at Sea Ranch contingent on a series of steps to protect the public interest. In so doing, it has angered the developer and Sea Ranch lot owners, who think the requirements unfair, and conservationists, who favor a more comprehensive building moratorium.

ALL NEW PROBLEMS

The Sea Ranch controversy is a vivid example of the complexity of the coastal commissions' task.

Some 20 years ago, when the development was begun, its true public cost and impact were not considered by public agencies. Now Proposition 20 requires confrontation of these great costs.

If Sea Ranch is built, as planned, with 5,200 homes and condominiums, it will be the largest population cluster within many miles of the coast, bringing an array of problems. Septic tanks almost certainly will prove inadequate. Water needs will conflict with the needs of other life forms under the commissions' protection.

The two-lane coastal highway will be jammed by Sea Ranch traffic, at the expense of travelers to parks, camping grounds and nearby towns. Highway 1, snaking at cliff-edge past breathtaking views, is now a recreational asset. Yet pressures for widening it probably will arise.

These "improvements" will come out of the taxpayers' pockets. Is it fair to impose these costs of a luxury private vacation retreat on the general public? Was it fair to permit Sea Ranch to threaten the coastal environment further?

The state commission pondered these questions and decided that Sea Ranch had to be scaled down. But how to do it without injustice to property owners?

The commission ordered the Sea Ranch Association, which represents owners of about 1,760 lots, to meet certain requirements before lot owners could build. The association was told to provide limited public access to the coast, to monitor cumulative effects of septic tanks and provide for sewers and sewage tr. .tment systems if these proved necessary, to monitor effects of water diversion on fish life in the nearby Gualala River, and to thin tree, planted by the developer, which blocked ocean views from Highway 1.

Some Sea Ranchers who wished to build before the association complied, could do so if they posted $1,500 with the local commission to use in reducing environment problems if the association failed to comply within a year.

The order came in response to a permit appeal by 11 lot owners, including Dr. Joseph Picchi of Oakland, who bought two half-acre lots in 1967. He built his family retreat on one and planned to sell the second. When no buyers turned up he decided to build a house on that lot, too, to improve its salability.

By this time the coastal law was in effect, so Dr. Picchi applied for a permit. The regional commission turned him down. * * * Rather than modify his design, Dr. Picchi appealed to the state commission. He disagreed about the view-blocking effect and he saw the commission's ruling as "arbitrary to the point of malfeasance."

He could not reconcile it with the fact that the Sea Ranch developer, with that same commission's consent, was ripping up more land for more half-acre lots just up the road.

The explanation was that Oceanic-California, Inc., was exempt from the law because it had invested substantially in that land before the law went into effect. Dr. Picchi was not moved. He already had paid for his two half-acres.

When the state commission responded with even more complex requirements, Dr. Picchi and the other 10 lot owners went to court.

Oceanic-California, likewise, is suing the coastal commission, claiming an exemption for all of Sea Ranch. As long as Dr. Picchi can't build as he wishes, lot sales are understandably slow.

Warren Height, president of Oceanic-California, sees Sea Ranch as the victim of people who want to stop all coastal building. "We're the best," he said. "If you can stop the good ones, you can stop anyone."

A SUBTLE CHANGE

In the view of Celia von der Muehl, a Sierra Club expert on coastal issues, however, "Sea Ranch is a test of whether the Coastal Conservation Act is capable of dealing effectively with existing subdivisions in remote areas." In her opinion, the commission could have stopped all further development until the long-range plan is finished, but rejected it as too harsh.

It was, in part, the development of Sea Ranch that sparked the movement that was to lead to Proposition 20. Angered by its denial of public access to so much of the coast, William Kortum, a Sonoma County veterinarian, organized opposition to the necessary zoning change from sheep farm to second-home intensity. When that failed, he led a move for a county initiative that would require access every mile to the tidelands that, under the state constitution, are public.

The initiative failed. Kortum blamed a large infusion of funds by the developer into the opposition. Height said the firm paid for ads but denied it had spent nearly as much as Kortum alleged.

A bill providing reasonable access subsequently passed the state legislature. Together with the Bay Conservation and Development Act, which set up a commission to prevent further filling of San Francisco Bay, it became a stepping stone for further coastal regulation.

When the legislature defeated even the weakest of these bills for three years in a row, a coalition of environmental groups, the Coastal Alliance, turned to the initiative process which, in California, allows voters to adopt legislation by popular ballot.

The big question now is whether the commissions can come up with a plan that reflects the will of the voters in Proposition 20 and, if they do, whether the legislature will pass it.

"A year ago I wouldn't have given it a chance," said Kortum. "But now, after Watergate, there have been changes. The markup of the legislature will be more favorable in 1976."

The commissions, at first, seemed to be dominated by developer friends. Not one leader in the fight for Proposition 20 was appointed.

One half of the 84 commissioners are locally elected officials. The other half are public representatives appointed one-third by the governor, one-third by the Senate Rules Committee, one-third by the Speaker of the Assembly.

One conservationist believes that this conservative makeup of the commission was beneficial in gaining public acceptance for innovative measures. He says it "limited the fear that all development would be stopped and forced citizens groups to come out and fight. Also, developer-oriented types for the first time began to see regional implications of decisions on local issues. A subtle change has taken place with many of the commissioners: a move toward a moderate, fairly progressive point of view."

LACK OF FUNDS

The program's major weakness is lack of funds. The initiative provided $5 million for three years. The federal Coastal Zone Management Act of 1972 brought $720,000 more. But requests for further money were repeatedly rejected by the state legislature or vetoed by Gov. Ronald Reagan, according to state commission counsel Joseph Petrillo.

Consequently, the state commission cannot hire adequate staff nor the consultants it needs for the gigantic task of writing the coastal plan, and deal with the overwhelming flow of permit applications.

"The permit element has become much larger, more debilitating and worrisome than anyone anticipated," said state commissioner Richard A. Wilson, a Round Valley sheep rancher and a Republican. He noted that commissioners and staff have to take time off from planning to deal with permits. In addition, some permits involve planning decisions which will set precedents.

By far the most controversial permit application so far was the proposed expansion of the nuclear power plant at San Onofre, three miles south of San Clemente. The Southern California Edison Co. and San Diego Gas and Electric Co. wanted two more reactors.

The utilities had approval from the Atomic Energy Commission, the Environmental Protection Agency, the California Public Utilities Commission, the state and regional water control boards, and the Southern California Regional Coastal Commission. Last December, the state commission took up an appeal by environmentalists, who argued that the new reactors would harm the bluffs, beaches and marine life through their cooling system.

Wilson added an economic argument: He foresaw trouble because "only a huge rate acceleration" could lead private industry to develop reactors to match AEC quality. He foresaw breakdowns, poor performance and a financial morass.

The commission, to nearly everyone's astonishment, rejected the utilities' application.

This was at the height of last winter's gas crisis. Angry protests poured in from legislators, the governor and the media. The commission was accused of putting fish ahead of people, of threatening Californian's prospects for light, heat and jobs.

On Feb. 20, the commission reversed itself and approved the project, with some stipulations.

"The experience showed that this commission, like others, is subject to pressure," said Wilson, who cast one of the votes against the proposal.

But Joseph E. Bodovitz, executive director of the state commission, said the reversal was "absolutely not" a collapse before political pressure. He said the utilities agreed to take steps to monitor effects on marine environment and to prevent damage if it occurs. They would protect "the most scenic area," he said, and provide public access. "With these conditions, the plant meets standards of environmental law," he said.

"The basic objection was to nuclear power in the area, which is rapidly urbanizing" according to Bodovitz. The attorney general advised that only the federal government has jurisdiction on that basis. So the commission had to decide on an environmental basis."

Like the Sea Ranch case, the San Onofre issue showed the commission to be moderate, if not lenient, in its interpretation of the coastal act.

The overall record is unspectacular. So far, more than 90 per cent of all permit applications have been granted. Many, to be sure, have been for additions to existing structures or replacement building. Many have been for new constructibon, but in areas not suitable for conservation.

However, even elsewhere, the commissions are highly reluctant to turn down applications from single-lot owners, partly out of political prudence—fearing voter ire in 1976—and partly out of a sense of fairness. After all, not much can be done with a house-sized lot except build a house on it.

THE MORRO BAY CASE

But so much of the cost is already subdivided that the cumulative effect of this attitude is to permit rapid development in many areas.

In Morro Bay, for instance, a commercial fishing center about half-way between Los Angeles and San Francisco, the coastal control act may actually have accelerated growth. At the edge of a 2,000-acre lagoon where as many as 25,000 birds have been counted in one day, Morro Bay is largely residential. The coastal act has made homes in the community more desirable. A lenient commission has been approving almost every application for a permit. Some structures have been built without permits. There has been no enforcement.

In that region, the coastal commission has functioned more as a zoning appeals aboard than as the broad planning body envisioned in the act.

Elsewhere, however, particularly in areas where development has been minimal, it has made some important decisions.

At Bodega Bay, 60 miles north of San Francisco, for instance, a permit for a 1,600-home condominium was denied because the area, primarily agricultural, would have been significantly affected.

Southward, in Carpinteria, a project for 116 single-family homes was denied because it would encourage the further urbanization of land ideal for growing lemons and avocados. A further reason for denial was the absence of local public parks.

The long-range effects of commission actions so far are hard to gauge, partly because "very few of the approved projects have been built," said Petrillo. "Those that have been built are almost invariably the worst. Where sensitive modifications were required by the commissions, the projects became too expensive by builder standards in some cases."

SMALLER PLANS

Another development the size of Sea Ranch in a remote area is not likely. "We're getting projects now that are smaller and better designed and have more environmental controls," Petrillo said.

Also unlikely is another Marina del Ray, the giant high-rise residential complex, mostly for single people, which is rapidly converting Venice from a mixed Los Angeles neighborhood to a high-priced district.

The massive infusion of funds represented by Marina del Ray raised land values, drove out elderly people living on social security and many of the artists and dropouts who have traditionally lived in Venice. It forced inland residents of the only black ghetto within walking distance of a Southern California beach.

Access to a two-mile public beach has been limited to one tip because of the private development. Traffic arteries are strained and there is a plan to build another freeway through Venice, causing further dislocation.

The coastal commissions were created too late to stop the Marina del Ray project. But now, before further development can proceed, various protective measures have to be taken, including provision of adequate public transit.

These decisions reflect evolution of commission policy, which can be expected to become part of the coming plan. There are indications that one primary emphasis will be on preservation of agricultural zones, both the 3½ million acres now in use and other suitable land. Many specialty crops, such as artichokes, avocados and cut flowers, do best on the coast. Despite the profitability of their cultivation, the higher profits available

through urban land uses have in the past proved irresistible without public controls.

An attempt will be made to protect the habitat of salmon and steelhead, which have declined by at least 50 per cent in the past 30 years, largely because of logging, mining, water-diversion, landfills and flood controls.

Commercial development such as marinas, hotels and camping areas probably will be given preference over private residential development because they benefit more people.

There will be an effort to reduce the impact of offshore oil drilling, new tanker facilities and power plants through measures that encourage conservation and efficiency. Public transit will be encouraged.

Just how much will be accomplished will depend, in large part, on citizen involvement. They are, by and large, an unequal match for the powerful private interests with eyes on the coast.

Nevertheless, persistent citizens or groups have used the commission to press their cases, winning some and losing others. Several of those citizens are running for public office and campaigning for proper respect for land and sea.

In many ways the California struggle is being waged in various states—and in Congress itself with land use bills. Throughout the debates the California coastal experiment stands to become a model of how to guard the "delicately balanced ecosystem."

THE SUPERSONIC TRANSPORT PROGRAM

Mr. GOLDWATER. Mr. President, as most Members of the Senate know, I have been and am a strong supporter of the supersonic transport program which the Senate defeated several years ago.

I believe that it is very interesting that anything negative which reflects on the British-French Concorde, which is Western Europe's version of the SST gets immediate and prominent display in publications in this country. However, developments that tend to show what Britain and France may have achieved through the development of the Concorde are invariably relegated to specialized publications.

A fascinating article on the Concorde was written recently by Richard D. Fitzsimmons who is employed by the Douglas Aircraft Co. and who formerly worked as an aeronautics specialist in the National Aeronautics and Space Council. In an article written for the magazine Astronautics and Aeronautics, Mr. Fitzsimmons raised some pertinent questions regarding the future market for aircraft. He described a situation in which the Concorde could place the British and the French far out ahead in this aspect of future international air commerce. In other words, he did not accept the argument that because the Concorde has developed some "bugs" here and there that it is a dead concept. He also went into the subject of air travel costs and how they might affect the future of the European SST. This is the way Mr. Fitzsimmons put part of his arguments:

All kinds of groups, and eventually Congress said "no" to the SST. Only the passenger has not been heard from. When the Concorde goes into service, we think he will say "yes."

If the British and the French continue the present program to measure passenger response, and then step up to an aircraft economically superior to the present Concorde, they stand alone as being able to offer an economical supersonic transport to the Free World, at least for 10 years. Then the U.S. may well find itself standing on the outside as in 1952, but this time with no military development to save its commercial position of world leadership.

Mr. President, this article involving the future of one of our largest industries is of obvious importance. I ask unanimous consent that it be printed in the RECORD.

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

TESTING THE MARKET

(By Richard D. Fitzsimmons)

Two values of air transportation override all others. The first, service for the business traveler, requires schedules with minimum inconvenience. The second, pleasure travel, requires low fare in place of some conveniences, but not regular schedules.

For many years the industry emphasized serving the business air-traveler. His needs dictated air-transportation development up to the time of the jet era when first-class and economy passengers were combined in one scheduled airplane service. Up to 1952 all U.S. air travel was first class. Then economy service was introduced in unpressurized slow aircraft with late-night departures. The public responded overwhelmingly to this new, low-fare service. Some introduction of the jets, air transportation has been strongly influenced by the surge in demand for economy travel.

The trend has been to lower air fares and improved service for the pleasure traveler; and it obviously has spelled success, as evidenced by the high growth rate of air transportation. On the North Atlantic, passengers today split 5% to first class and 95% to economy. This change in market has obscured the fact that first-class passenger travel continues to grow at a good rate in spite of the reduced differences in services offered between it and economy.

Consequently, the air-transportation system now lacks differentiation. Differences in schedules and airplane types between first class and economy no longer exist as they did up through 1958. Lower tourist fares have necessitated larger airplanes in lieu of expansion of frequency or introduction of more point-to-point services. The business traveler lacks the leverage to exact special conveniences in service. At the same time, the vacation traveler must pay more to cover unnecessary (from his point of view) scheduled service, lower load factors, and travel to major cities not necessarily his ultimate destination.

Combining business and tourist traffic in the same airplanes may not be the best answer economically—witness the fact that overseas charters by both scheduled and unscheduled operators have opened pleasure travel to increasingly larger numbers of people. In the short term this expansion of low-cost charter service naturally reduces demand for scheduled service. In the long term it means fares may have to be increased for scheduled service; it probably means smaller average size for airplanes in scheduled service; and it necessitates a reevaluation of the services provided the business traveler, including frequency, time saved, point-point service, and convenience. Should these trends prevail, reemphasizing scheduled services for the business traveler should open up a much greater market for a supersonic airplane like the Concorde than many now are willing to admit.

In 1976, when passengers first have the opportunity to patronize this supersonic aircraft, it will be immediately apparent if new attention must be directed toward satisfying the long-haul business traveler. If he shows up in large numbers to fly on supersonic transports, U.S. aviation may have a new "Sputnik" to face. Our airlines, our industry, and our nation will have been put again into a position of having to catch up.

To grasp what a trailing technical position in aviation can mean, let me take you back in time and place you in the preliminary-design department of a major U.S. airframe manufacturer in the year 1950. For four years your studies had shown jet propulsion could be applied to civil aviation and that civil jet transports could be made economical based upon the technologies developed through military jet bombers. However, your management remains unconvinced and the plant activities remain 99% military.

Meanwhile, North Atlantic traffic has been growing, and a few optimists think that jet service could take over a large share of the sea travel, maybe even generate some new markets as well. One chief executive of a major airline predicts a world market of only 50 to 55 jet aircraft. He also thinks 360 mph fast enough—who needs the extra speed a jet offers?

In England, another attitude prevails. As part of a British national plan, De Havilland moves ahead on the first civil jet transport, the Comet.

Fortunately, a USAF turboprop tanker requirement emerges in 1952; and with six years of preliminary design backed by thousands of hours of military flight experience, it proves straightforward to establish a solid technology case and offer a turbojet tanker proposal instead: the military KC–135 tanker-transport.

Much has been written of the so-called "16-million-dollar gamble" taken by Boeing on the Dash 80 prototype. Many use this as an example of how U.S. industry can step up to high-risk civil airplane development programs when the payoff is big. In reality many people who worked on that program think the gamble was made 99% for the military tanker contract (KC–135) and only 1% for future civil-transport opportunities (707). (In 1952 there was little talk of the advantages of diversification for a military contractor whose past civil-aircraft programs had been bad financial ventures.)

As late as the summer of 1954, after the first flight of the Dash 80 prototype, and after the KC–135 tanker production was underway, there still was no concerted effort to market a civil transport. Boeing's commercial sales staff consisted of only four people. Fortunately, research in civil jet transport technology could not be separated from the military application, and the jet-transport effort continued.

Look at this comparison of information from one of the 1952 jet-transport reports and features being predicted for supersonic commercial flight:

1952: Jets should provide:
Higher speed.
Lower operating cost.
Improved reliability.
Flight above weather.
Reduced vibration.
Improved safety.
This requires:
Longer and stronger runways.
Airport supplies of jet fuel.
Today: Supersonic should provide:
Higher speed.
Compatibility with existing airport system.

For the jet, speed was but one of the new features predicted. Flight above the weather sounds unimportant today, but in 1952 that was truly impressive. Travelers were used to seeing food sent tumbling as turbulent weather buffeted the airplane. Elimination of vibration, reduction of cabin noise, and vastly improved schedule reliability and airplane safety—the jet offered all these important factors. As we look back, the 1952 requirements for new fuel supplies and new airports for the proposed jets make today's Concorde facility requirements seem simple.

Invariably, the first check an airline executive made on his first jet test flight was to balance a nickel on end and see how long it would stand. This smooth ride itself meant a big advantage for the jet over reciprocating-engine transports.

These values of jet propulsion to civil aviation existed only on paper in the U.S. in 1952. The British began Comet services to Johannesburg in May that year.

Andre Priester, chief engineer for PAA, and one of the true pioneers of overseas airline travel, sent out a Christmas card that expressed his concern about the lack of a U.S. civil jet program. Depicting Paul Revere's lantern signals from the Old North Church. "One if by land and two if by sea." Priester added a third light and the statements, "Three if by air. The Comets are coming!"

In nearly two years of service, Johannesburg to London, Comets operated at a load factor of 88%, with almost every seat filled on every flight. Including the services to India, the entire 30,000 hours of Comet operations in the two years averaged a load factor of 86%. Of equal significance, the operators. BOAC and South African Airways (SAA), both reported profits on these operations. Yet the Comet I and its 36 seats was by every acceptable measure of comparative analysis uneconomical. Unfortunately, the economic equations did not cover passenger preference.

Efficient but empty airplanes can not compete with filled inefficient ones. The Comet operators made all the profits, and the competitors lost heavily. The Comet and its derivatives would undoubtedly have captured the lion's share of the world's markets had it not been for the unfortunate accidents ending in the grounding of the fleet in 1954.

The Comet I, with only 36 seats, had to be operated at fare levels based upon 58-seat propeller aircraft. It also consumed three times as much fuel per passenger. It took many years and expansion of the payload from 36 to 78 passengers to make the Comet IV economically competitive at equal load-factors.

The point of this story: The true evaluation of a successful transportation innovation is not how everything goes initially. Rather, it is the traveler by his preference that determines eventual success. In the case of the first civil jet transport, the Comet, the traveling public made its demands known; when the first traffic data were in, it was clear that jet transports would revolutionize air travel. The public made the decision. They wanted jets. *Neither the government, the airlines, nor the manufacturers could deny the consumer his role as the final judge.* Today, jets are the standard for air travel.

Aviation history would have been much different had not the early Comet suffered disasters and the U.S. military not needed a new tanker. Such occurrences will not protect the U.S. aircraft industry again.

Concorde represents the technical output of the best efforts of two major industrial countries, England and France. This is unlike the Comet, which was a product of a relatively small company in one country. We can expect the Concorde to be an excellent airworthy airplane.

Much has been said about the Concorde regarding economics and sociological and environmental issues. These issues are important. They are being addressed and many judgments are being made, some "for" and some "against"—but almost all of them made in isolation from other judgments.

Already we have enough evidence, however, to indicate that the Concorde will be environmentally acceptable in the upper atmosphere, that it will be no noisier than the present 707 and DC–8 aircraft, and that its sonic boom can be restricted to areas where no adverse reaction will exist. Accordingly, the following discussion deals only with the economies of the airplane and their influence upon the airlines.

In a free society profits are necessary for business to endure. Even a government-planned society must make profits on international business or over the long term suffer a drain on the resources of the country.

Air transportation is not an end in itself. It is a service. However, it also expands commerce and aids communications and understanding among people. It provides opportunities for people to live and work in widely separated parts of the world and still be only hours from business headquarters or from family ties. It facilitates national defense. It can contribute to a "presence" abroad, a fact the U.S. has capitalized upon in both the reciprocating-engine and jet transport eras.

Profits can be related to any of those values. But most people want to quantify profits in terms of dollars—profits being the difference between revenue and costs where costs include both direct and indirect accounts. Revenue must account for passenger load factor and erosion of fare, as well as revenue per seat mile.

But if, as with the Comet, passengers heavily patronize the Concorde because of its time savings, a high load factor may well offset high operating costs. Also, as will be shown later, the average fares will be high. Concorde then, could turn a profit, our studies show.

Initially, load factor for the Concorde can be expected to run between 85 and 95%. This high level will decrease, however, as production permits and more supersonic transports come into the market. Eventually, the load factor must return to reasonable levels or the service will be most unsatisfactory to the public. How long this will take depends upon market forces not now predictable.

For evaluation studies at Douglas, an 85:15 coach/first-class split in the SST has been used to match the 85:15 split used for the DC–10–30. This may not be what ends up satisfying the demand, but it does reflect the economic goals set for our Advanced Supersonic Transport design. A 270-passenger SST design proved near the optimum in our design studies, assuming no change to today's policy of both first-class and economy-class passengers in one airplane.

Our market analysis shows that this 270-passenger airplane could capture between 10 and 15% of the overseas air travel by 1990. The bulk of the market would go to subsonic economy-class aircraft. Nonetheless, the SST market, our studies indicate, justifies 350 aircraft by the year 2000 for a 270-passenger Mach 2.2 design.

In comparision, an independent survey of North Atlantic traffic shows that 90% of today's first-class and 40% of today's full-fare paying economy passengers would take the Concorde service if it were offered at present first-class fares. This would mean a 16% penetration of the North Atlatnic market requiring a large number of Concordes.

We predict the North Atlantic will continue to be the single most important overseas route in the world through the year 2000. So the North Atlantic market must be examined very carefully when you assess the impact of the Concorde. U.S. carriers had 90% of the business in 1945. Today the U.S. share is roughly 50%. The surge in charter business, first by foreign carriers, and since 1965 by U.S. carriers, is very obvious.

Through May 1952, only one class of scheduled service existed, first class. Then the 30% reduction in fare for economy service changed the market immediately. In 1958 this same low fare was offered in jet aircraft, and the first-class share dropped again, eventually reaching today's level of 5%.

A look at the history of fares in this market is more revealing. The 1948 one-class air fare ran twice the sea-tourist fare, yet history shows it was more than competitive. The tourist air fare of 1952 became even more attractive and opened up international travel to a large segment of the public. The excursion fares of 1956 introduced air travel to an even larger segment of the population, as evidenced by the huge growth in total travel. A survey by Dr. Gallup showed that one out of every four U.S. adults had taken a trip abroad in 1972.

For 20 years—1952 to 1972—first-class fares have remained relatively constant despite the great inflation over this period.

The percentage of passengers traveling first class proves nowhere near as important as the contribution first-class traffic makes to *total revenue*. First class contributes 11% to total revenue on the North Atlantic. Full-fare economy contributes roughly 20% to total revenue.

The near future should see a continuation of steady growth in first-class travel as no new, lower-cost subsonic competitive offering is envisioned that could enter the market picture. If anything, an increase in first-class share of the market can be expected as all air fares increase and also as Concorde service is introduced.

First-class business has been growing, doubling in about five years, and the revenue increasing even more rapidly. In 1973, compared to charter service, first class provided 10% more revenue from only one-quarter the passenger miles served. First-class business should be good business.

The airlines cannot afford to give up this share of the market—it is too significant. Airlines without supersonic transports will have to exert pricing or other strategies to attempt to mitigate the attractiveness of supersonic travel offered by airlines with Concordes.

There is little question but that a demand exists for first-class travel at even higher fares than today's especially when a real difference in service can be demonstrated. Supersonic speed represents a big difference. The questions are really, "What Price Speed?" and "How much must the fare be to provide a reasonable return?"

When the Concorde enters service in 1976, the consumer will again be the judge. If he comes out firmly for supersonic travel, the U.S. will be the loser. (In 1971 the Senate rejected, 51 to 46, continuation of two research prototypes of supersonic transports.)

To be sure, the long gestation from Concorde program approval by the French and British governments in 1962 to delivery in 1976 will have seen the marketplace change. The Concorde now faces more severe environmental constraints, critical emphasis on fuel costs and supplies, rapidly escalating labor and material costs, airlines heavily in debt with poor earnings, and a travel market dominated by excursion-type low-fare passengers. So the Concorde must now be considered as much commerical experiment as technical development.

Lack of orders at present indicates that the market demand predicted for the Concorde does not offer sufficient profit incentives to justify larger airline commitments. As it is mainly in economics that the Concorde suffers, this deserves special attention. It may take a Concorde II, with higher passenger capacity, to compete in a fare environment dictated by 300-passenger aircraft. If the public wants this form of transportation, such a Concorde II can be built with relatively little risk and probably be in service in 1978.

Studies conducted by Douglas (see F–13) indicate that a U.S. supersonic transport can be economically competitive to present jets, operate over the ranges required for a worldwide network, and satisfy the socio-environment demands of society, though it will take 80% more fuel per passenger. But I see no way to start a U.S. SST program in the face of the financial situation of the U.S. manu-

facturers and airlines, and the apathy in Congress and the Executive Branch. Without a strong national desire for a U.S. supersonic transport, it is not obvious now that a U.S. SST will come. Congressional support of limited research today is inadequate to define a target date for technology readiness. Even given unlimited funding a U.S. SST could not compete before 1986.

All kinds of groups, and eventually Congress, said *no* to the SST. Only the passenger has not been heard from. When the Concorde goes into service, we think he will say *yes*.

If the British and the French continue the present program to measure passenger response, and then step up to an aircraft economically superior to the present Concorde, they stand alone as being able to offer an economical supersonic transport to the Free World, at least for 10 years. Then the U.S. may well find itself standing on the outside as in 1952, but this time with no military development to save its commercial position of world leadership.

RESOLUTIONS OF HARTFORD COURT OF COMMON COUNCIL

Mr. RIBICOFF. Mr. President, recently the Hartford Court of Common Council passed a number of resolutions for consideration by Congress. I ask unanimous consent that they be printed in the RECORD.

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

CITY OF HARTFORD,
COURT OF COMMON COUNCIL,
Hartford, Conn., August 14, 1974.

This is to certify that at a meeting of the Court of Common Council, August 12, 1974, the following Resolution was passed.

Whereas, There has been an increase in reported infectious syphilis for the fourth successive year; and

Whereas, Uncontrolled gonorrhea has continued to increase, although serious attempts at control have begun; and

Whereas, Federal funding which sets up categorical appropriations for Venereal Disease control continues at about the same level but with uncertainties for the future; now, therefore, be it

Resolved, That the Hartford Court of Common Council does hereby vigorously urge that Federal funding under Section 318 of the Public Health Service Act for the control of Venereal Disease be extended at least through FY 1978 to give more stability to program planning and personnel recruitment; and be it further

Resolved, That the Hartford Court of Common Council does hereby direct the City Clerk to forward a copy of this resolution to the Connecticut Congressional delegation in Washington, D.C.

Attest:

ROBERT J. GALLIVAN,
City Clerk.

CITY OF HARTFORD,
COURT OF COMMON COUNCIL,
Hartford, Conn., August 14, 1974.

This is to certify that at a meeting of the Court of Common Council, August 12, 1974, the following Resolution was passed.

Whereas, United States Senator Henry M. Jackson recently introduced an amendment to H.R. 14449, the Economic Opportunity Act Amendments of 1974, calling for the establishment of a National Veterans Outreach Program; and

Whereas, The main objective of this program will be to better provide essential services in the areas of educational counseling, job training and placement, legal and medical assistance, and a variety of other health-welfare related services needed by Vietnam era veterans; and

Whereas, Thousands of young men who served this Country during the longest and most difficult conflict in our history are now facing serious problems of unemployment, lack of education, housing, and legal and medical difficulties; and

Whereas, The GI bill and other existing programs that provide assistance for veterans are in many cases inadequate and in any case underutilized by large and important segments of the veteran population; and

Whereas, In order to assure the better utilization of the intended benefits of the GI bill and Federal, State, local, and private programs offering services to veterans, a comprehensive program encompassing all of the aforementioned services is vital; and

Whereas, The legislation, as proposed by Senator Jackson, would establish a National Veterans Outreach Program designed to provide total services to the Vietnam era veteran; now, therefore, be it

Resolved, That the Hartford Court of Common Council does hereby strongly support the amendment to H.R. 14449, as proposed by Senator Jackson, and urges the immediate passage of this legislation by Congress; and be it further

Resolved, That the Town Clerk is hereby directed to forward a copy of this resolution to the Connecticut Congressional delegation in Washington, D.C., United States Senator Henry M. Jackson, and the Senate Subcommittee on Employment, Poverty and Migratory Labor.

Attest:

ROBERT J. GALLIVAN,
City Clerk.

EQUAL RIGHTS FOR HANDICAPPED CITIZENS

Mr. TAFT. Mr. President, on Thursday, August 15, my distinguished colleague from West Virginia (Mr. RANDOLPH), delivered an excellent speech regarding the handicapped to the Ohio Developmental Disabilities, Inc., and the Ohio Developmental Disabilities Planning and Advisory Council in Columbus, Ohio.

So that my colleagues may have the benefit of Senator RANDOLPH'S remarks, I ask unanimous consent that the text of his speech be printed in the RECORD.

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

EQUAL RIGHTS FOR HANDICAPPED CITIZENS

(By Senator JENNINGS RANDOLPH)

It is a privilege to participate in the Ohio Developmental Disabilities Seminar and to visit with "neighbors" in Ohio.

The Senate Subcommittee on the Handicapped endeavors are directed toward legislation and oversight of issues affecting handicapped persons. However, activities have developed beyond legislative programs. Our goal—which I believe we are achieving—is to have this Subcommittee serve as an advocate for the rights of all handicapped individuals.

When Senator Harrison Williams (Chairman of our Labor and Public Welfare Committee) and I announced the formation of the Subcommittee on the Handicapped, jurisdiction for legislation affecting the well-being of this important segment of our society was spread among several subcommittees of the Committee. It was our belief that legislative jurisdiction should be centralized so that the special needs of handicapped Americans might be met through a specific focal point. Our purpose is to inform the Senate on issues affecting handicapped citizens, to develop legislation, and to help formulate national policy. Again I emphasize my conviction that the Subcommittee's purpose is to act as an advocate for the handicapped—to argue their cause and their rights before the Congress and the American people. I have long believed in equal rights for all handicapped persons. The need to protect the inalienable rights of millions of our citizens is an issue of growing concern to all Americans. Instances of discrimination against handicapped persons are very often brought to my attention. I am amazed at the staggering social and legal obstacles that our handicapped citizens encounter:

Obstacles in educational and health services; obstacles in housing and travel; denial of access to public buildings; serious discrimination in employment which results in limited and underemployment. To help overcome some of these obstacles, the Subcommittee has during this Congress developed the Rehabilitation Act of 1973; the Javits-Wagner-O'Day Act; and legislation calling for a White House Conference on the Handicapped.

The Conference Report on the Elementary and Secondary Education Act Amendments, which contains an extension of the Education of the Handicapped Act, has passed House and Senate is at the White House for President Ford's signature, which he has promised. The Randolph-Sheppard Act extension has passed the Senate and is pending in the House Select Subcommittee on Education. Our Committee is presently considering a measure extending and amending the Developmental Disabilities Program.

In addition to legislation, we are involved in consumer protection issues such as hearing aids, architectural barriers, transportation system barriers, special consideration for disabled persons in the event of another energy crisis, and the right to travel by commercial air carrier. This is just the beginning.

One of the most vital measures coming from our Subcommittee was the Rehabilitation Act of 1973—which was designed as major revision, redirection and expansion of the vocational rehabilitation program. I introduced three bills; the first two were vetoed. To secure enactment of a bill, we eliminated desirable provisions. Our Subcommittee fought to maintain the special projects section, designed to meet special needs; we fought to keep the Architectural and Transportation Barriers Compliance Board, the Federal Interagency Committee on Handicapped Employees, the requirement for an individual written rehabilitation program for each client, the priority for services to those with the most severe handicaps, and anti-discrimination and affirmative action provisions. We also established an Office for the Handicapped within the Office of the Secretary of Health, Education and Welfare. It is my belief that this office will perform a critical function for concerned organizations and act as a clearinghouse for information on merited programs.

Of special concern to this group is the progress on the Developmental Disabilities legislation. Last year, on behalf of our Subcommittee, I requested the General Accounting Office to conduct a full review of the developmental disabilities program. Our bill is based on a thorough study of the GAO report, and the changes proposed to existing law involve definition, priorities, and administration.

On April 24, I introduced S. 3378, the "Developmentally Disabled Assistance and Bill of Rights Act."

This measure will change the title and structure of the National Advisory Council and give the members additional responsibilities. It sets up a specific time schedule for activities. It further stipulates a variety of provisions which Committee members believe will improve and expand programs for

the developmentally disabled. Included are the requirements that the State plan must be goal-oriented. It must include a design for implementation and the plan must designate the State Advisory Council, appointed by the Governor and including a University Affiliated Facility representative. The Council must have its own staff, which must be responsible *solely* to the State Council, and the Council must be able to review and comment on all other state plans affecting the developmentally disabled individual.

In addition, there must be a national evaluation model developed for State evaluation systems for all services delivered within the States to the developmentally disabled; so that the States may adapt this system for their own use. Authorization levels are raised, and a new authority is proposed for renovating University Affiliated Facilities for needed "satellite centers." These centers will be extension of University Affiliated Facilities in States which do not have a University Affiliated Facility, where services only in such a facility are needed.

I anticipate that we may look forward to such a satellite center or extension of your fine Nisogner Center in Columbus in West Virginia.

The new Title II, the Bill of Rights, is concerned specifically with implementing standards for residential institutions and community agencies. It permits an alternative method of reaching the goal aimed at by specific stipulations.

The purpose of the Bill of Rights is to establish standards which assume the humane care, treatment, habilitation, and protection of persons with developmental disabilities. Ninety days after the enactment of this legislation, a National Advisory Council for Residential and Community Facilities will be established. Its 15 members will be appointed by the Secretary from public agencies, professional associations and voluntary associations. Five or more shall be consumers or representatives of consumers.

The duties of this new Council will be to advise the Secretary on regulations; to study and evaluate programs, by site visits and other appropriate methods; to recommend changes, revision, modifications, or improvements in standards or provisions. Assistance will be given to the Secretary in developing performance criteria to evaluate alternate standards.

Any State which desires to receive a grant under Title II shall submit a plan to the Secretary. It shall include a schedule for compliance with the standards for each facility or program requesting assistance; an assurance of reasonable State financial participation; a demonstration of the need for continuing residential services and a detailed plan that residential facilities will complement and augment rather than duplicate or replace other community services for persons with developmental disabilities. The designation of a single State agency would administer the plan with specifications of how the State intends to assess compliance with the standards. There is a provision that the plan be reviewed by the State Planning Council in conformance with the State plan. There would be a schedule for the cost for achieving compliance and procedures assuring the placement of each individual in the least structured program. The Secretary shall approve a plan setting forth a reasonable time for compliance. He can disapprove *only after* reasonable notice and opportunity for a hearing.

Grants under title II may be used to bring facilities and agencies into conformity. After study and site visits by the Council, revisions and modifications can be made to upgrade the institutions.

Title II provides for alternative criteria for compliance, an individualized written rehabilitation plan, detailed performance criteria for measuring each person's progress. A person's progress will be monitored and services for him provided and coordinated by his program coordinator. Protective and personal advocacy services will monitor programs and services and protect legal and human rights. This advocacy system shall be independent of any agency providing direct services.

The main thrust of S. 3378 is toward planning, coordination of efforts and services, elimination of inappropriate institutional placement, support of community programs as alternatives to deinstitutionalization, and improved quality of care and rehabilitation of those in institutions. Vital is the national commitment to deinstitutionalization and normalization. I advocate the policy that our Government help a person to live as normal a life as possible in the community and we should provide normalization in institutions.

The new Senate bill provides for a five-year program. Because this legislation is specifically goal-oriented, I feel that long-term support is needed to phase-in the appropriate components of the state plan. It is only common sense that if we are to achieve a comprehensive program for the developmentally disabled, adequate time and support will be needed to implement the plan designed to meet their needs.

This legislation has had input from the field, the present National Advisory Committee on Developmental Disabilities and many other interested groups.

I am sure Dr. Elsie Helsel, a knowledgeable and frequent visitor to our Subcommittee, will be able to respond to your questions on S. 3378 and other legislation during your conference.

I believe it to be sound legislation and I am convinced that knowledgeable groups like those in attendance at your conference can and must determine and meet the goals we seek for the developmentally disabled.

We have a bill providing more than one pathway to enable the developmentally disabled to follow a normalized pattern and to be guided in their aspirations—if necessary—and protected all the way.

The present bill is one answer at this time to what are urgent needs at this time, an opportunity to exercise rights and protection It is only while enjoying equal rights with the rest of us that the handicapped can expect to be absorbed as an integral part of society.

It is appropriate to recall these words:

"We hold these truths to be sacred and inalienable.
That all men are created equal
That from equal creation
They derive rights inherent and inalienable
Among which are the preservation of life, liberty, and the pursuit of happiness."

A ROTTEN WAY TO RUN A RAILROAD

Mr. SPARKMAN. Mr. President, the Senator from Vermont (Mr. AIKEN) made some very forceful statements a few days ago regarding the present railroad situation in the United States. He was speaking primarily from the standpoint of New England, but what he said is understandable, I dare say, to most of the people of the country—to both those who are denied railway passenger service and to those who have to depend on Amtrak.

One of the leading cities of my State has no passenger service whatsoever. I refer to Mobile. We have tried to get passenger service extended from Jacksonville, Fla., to New Orleans through Mobile, but with no results. The Mobile Register on August 13 had a very good editorial entitled, "A Rotten Way To Run a Railroad." I ask unanimous consent that the editorial be printed in the RECORD.

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

[From the Mobile (Ala.) Register. Aug. 13, 1974]

A ROTTEN WAY TO RUN A RAILROAD

It is not stepchild Mobile alone that has a grievance over the way the government-subsidized Amtrak railroad passenger system is run.

Mobile's grievance—a valid grievance, indeed—is its omission from the operation, even though its taxpayers are not exempt from helping to finance it.

Various other cities are in the same boat, which means in practical effect that Amtrak has shunted them up a creek without a paddle.

In Senate debate the other day on a bill to funnel an additional authorization of $200 million to Amtrak for the 1975 fiscal year and increased its authorized guaranteed loan authority from $500 million to $900 million, Sen. George Aiken of Vermont no longer could restrain his patience over the discriminatory practice of the government-supported project.

He protested sharply against funneling so much of the Amtrak money to the so-called Northeast corridor to the neglect of cities such as Mobile, which receive nothing, not even a way-station treatment.

Senator Aiken said flatly that he does not intend to vote for "any more of these (Amtrak money) bills unless they give consideration to the people who do not live between Washington and Boston.

"Not everybody in the United States lives between Washington and Boston, despite the implication in the Amtrak practice that everybody does."

Mr. Aiken did not cease and desist until he jolted Amtrak all over the place.

"This morning when I turned on the radio at 6 o'clock," he said, "I heard a voice encouraging everybody to travel from Washington to Boston by Amtrak, that there would be nine trains a day.

"What impressed me was the statement which in effect was this, 'you do not have to make any reservations. Just go to the train and get on and go to Boston or New York up the Northeast corridor.'

"That is a sharp contrast to the rules governing the train which goes from Washington to Montreal, the so-called long route. On that route you cannot get on the train unless you have made a reservation and sometimes the reservation should be made two months in advance.

"The other night in one of our stations in Vermont, 35 passengers were waiting and they only permitted 14 to get on the train. That is a common practice, I understand, when you get north of this sacred line running from Washington to Boston. There is not any consideration given to other parts of the country. . . .

"The Northeast corridor gets practically all the money, it gets all the equipment, advertising. 'Do not make any reservations. We will take you anyway, so long as you are just going to Washington, New York or Boston.'

"I think that is a rotten way to run a railroad."

Many other Americans ignored by Amtrak must have the same feeling about the discrimination that reserves for them the role of stepchildren.

The huge concentration of population in the so-called Northeast corridor is a matter of common knowledge. But not everybody lives in the Northeast corridor.

Congress should insist that government-subsidized Amtrak shed its Northeast corridor image and take on an image of fair play for all Americans.

WAR ON ILLITERACY

Mr. KENNEDY. Mr. President, I am pleased to enter in the RECORD an article from the September issue of Ebony magazine about the massive problem of illiteracy in this country. It is alarming to discover that nearly 19 million American citizens are functional illiterates.

In a society like ours that relies so much on the written word, it is critical for all citizens to be in command of the language. Dr. Ruth Holloway, director of the right to read program in the Department of Health, Education, and Welfare, is conducting the most important Federal effort to reduce the crippling effects of this needless affliction. There is no reason that America should allow her citizens to remain illiterate. And Dr. Holloway deserves every commendation for her extraordinary efforts to assist those who are handicapped because they lack adequate reading skills.

I believe the article "Ruth Holloway's War on Illiteracy," by Alex Poinsett deserves to be read by every member of the Senate, because of its importance to those of us involved with legislative measures that might seek to resolve such problems.

For that reason, I request unanimous consent to print the article in the RECORD.

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

RUTH HOLLOWAY'S WAR ON ILLITERACY

(By Alex Poinsett)

RIGHT TO READ PROGRAM TACKLES MASSIVE PROBLEM

If English is your mother tongue and you cannot read these words, you are lumped with the million or more total illiterates in this country. You are totally disconnected from an ever expanding universe of communication, a stranger in a world of printed words. You are trapped like the Minnesota woman who pleaded with a local educator: "Please teach me how to read. Now that my little girl is in school, she has started to bring home books and she asked me to read them to her . . . and I can't. I was never taught how and I don't want her to know her mother can't even read children's books."

If, on the other hand, you can read most of this magazine but cannot digest, analyze and utilize the printed information, you are one of nearly 19 million *functional* illiterates who attend public schools but never really learned how to read well. You probably cannot read well enough to fill out applications for jobs, welfare aid, apartment leases or a driver's license. You are juicy bait for loan sharks and charlatans. Even simple directions, street signs and daily newspapers elude you. You are handicapped like the drill sergeant who was a National Guardsman for nine years, admitting: "How I got by, I will never know, but I did. No one knows I have this trouble. Not even my family or my wife know my problem. I read a little . . . But it isn't enough to do what I want to do . . . It is very embarrassing when someone asks you to read and you have to squirm out of it."

Fortunately, both the Minnesota woman and the sergeant are benefitting from Right to Read, a federally directed program to eliminate illiteracy. Headed by a tall, diet-conscious black educator. Dr. Ruth Love Holloway, in the Office of Education. Right to Read involves state and local agencies, private business, professional associations, and individuals who have joined forces with the federal government to wipe out illiteracy. They seek to salvage the nearly 19 million, adult functional illiterates—a disproportionate number of whom are black, Chicano and Indian—and some seven million elementary and secondary school children burdened with severe reading problems: In large cities between 40 and 50 percent of the children are underachieving in reading and are potential functional illiterates. Each year, between 850,000 and a million students drop out of school largely because of reading disabilities that leave them two or more years behind their peers who remain in school.

This massive illiteracy was underscored as a crippling national problem in 1969 when Dr. James Allen, then the U.S. commissioner of education launched the Right to Read program, rhetorically dubbed "Education's Moonshot." Unfortunately, Allen was unable to generate the support for reading that once existed for moon shots. President Nixon promised $200 million for the reading program, then failed to ask Congress for money to fund it. And Allen's successor, Dr. Sidney P. Marland, later admitted to a congressional subcommittee that Right to Read in its first year and a half continued much rehetoric but no money.

To salvage the program in 1971, Dr. Marland summoned Dr. Holloway to Washington. As director of California's Bureau of Compensatory Education, she had become widely known as an able administrator. Indeed, when Dr. Marland approached her, she had already accepted the deanship of Howard University's School of Education, following appointment of her husband, a neurosurgeon, to Howard's medical faculty. If illiterates represented one extreme, Dr. Holloway personified another. Scholarly, articulate, urbane, her discourse was a model of coherence and orderliness. By contrast with the typical illiterate's shy demeanor, she was, by any standard, aggressive—almost compulsively so. Here was a general who could mastermind the war against illiteracy while at the same time making fundamental changes in the nation's schools.

For three months, Dr. Holloway negotiated with Dr. Marland, persuading him to agree on a $20 million budget for her first year, a 30-man staff and a $30,000 annual salary—tops for the Office of Education. "Although money isn't that important," she says now, her long eyelashes fluttering "I told him that if he wanted me, that's what was it was going to cost." In addition, she insisted on bringing five of her aides with her from California. "When you're starting something like this," she explains, "you need people around you that you know, people that you don't have to watch when you're trying to make certain kinds of changes. You are going to step on enough toes as it is. You really don't need somebody on your staff who isn't with you."

Such caution apparently motivated Dr. Holloway's refusal of bids to have her appointment announced by President Nixon. Reluctant to be type cast as a political appointee, she also did not want Right to Read (abbreviated R2R by insiders) to become a political football. A geninue war on illiteracy was far too important for such partisanship. The campaign would, first of all, be waged in the marketplace of ideas. Unlike many other educators, Dr. Holloway believes that intellectual ability cuts across caste and class, that contrary to some expectations most children are educable whether they are rich or poor, black, brown, or white, whether they live in the suburbs or in the ghettos of the major cities, that reading problems spring from multiple causes and therefore demand multiple approaches and solutions.

The schools had failed to teach children how to read, Dr. Holloway believes, because traditionally they were geared to the middle class and not really able to teach reading to children who varied from this limited "norm." Blacks and other minorities were seen as "culturally deprived" or "culturally disadvantaged," meaning there was something wrong with them and their culture and environment and not with the schools and their educational processes. Thus, the too-frequent educational practice was to adjust learners to schools rather than schools to learners.

Hence no adjustments were made in the colleges and schools of 18 states which allegedly trained teachers, yet required only one three-unit course in the teaching of reading while making mandatory six units in physical education and eight in music. No adjustments were made in 16 states which did not require even one course in the teaching of reading for would-be teachers. And, until very recently, publishers did not produce instructional materials for non-white, non-middle class, non-suburban students. Black, Native American, Hispanic and other cultures were often ignored, omitted or distorted in instructional materials and this neglect had a debilitating impact on the self-concept and achievement of black and other minority students. "If you don't see yourself reflected in what you are about in the classrooms," Dr. Holloway observes, "that has a major impact on reading."

Aggressively, she sought to infuse the Right to Read program with these and other ideas. Quite soon, however, it became clear to her that some of her Office of Education colleagues neither shared her commitment nor her enthusiasm. The $20 million budget which had been promised to her shrank to $12 million and other promises were broken as well. Frustrated, angered, ready "to go into a thing," she dropped a bombshell. After only six months, she resigned her post then called a press conference to explain why. Shock waves oscillated through the Dept. of Health, Education, and Welfare. Distressed at this explosive turn of events, HEW Sec. Elliot Richardson summoned Dr. Holloway to his office. "You can't do this," he pleaded. "You're making a failure out of me." Slowly, meticulously, Richardson responded point by point to the educator's grievances, finally succeeded in talking her out of her resignation, but only after convincing her that he, too, was committed to a full-scale war on illiteracy.

In the wake of this and other battles, the war goes on. Since those early days. R2R has encouraged, coordinated, and facilitated public and private efforts to improve reading instruction for all age groups. Right to Read has produced measurable results in its first three years. It has funded school- and community-based projects to test new combinations of teaching methods and materials. R2R has provided seed money to help 31 state education agencies develop and implement Right to Read programs in 1,227 local school districts serving more than 37 million children, and reading programs for school dropouts, the unemployed, welfare mothers and prison inmates. Some 20 governors have issued proclamations making R2R a statewide educational priority.

Under the Emergency School Aid Act (ESAA) of 1972, Dr. Holloway's office helps establish quality reading programs in newly desegregated schools to achieve gains of 1 to 1.5 years in word recognition, vocabulary and other communication skills among 70 to 80 percent of participating students. One such ESAA project administered under a two-year, $30,000 contract to Michigan State University's College of Urban Development not only

helps children overcome their reading problems but also raises their self-esteem and develops positive attitudes toward the formal learning process. Preliminary findings indicate that when interracial and inter-cultural materials are used to teach reading literacy is enhanced and children interact better with each other.

Right to Read's modest $12 million budget may suggest it is a very small pebble in a very large pond. Actually, R2R has a dramatic ripple effect on some 21 other Office of Education programs that spend more than $500 million a year on educational reforms related to the war on illiteracy. This intra-office coordination is a ticklish business for Dr. Holloway since she is aware that most bureaucrats jealously guard their turf. She is obliged, she believes, "to keep little kings in their kingdoms while telling them what to do." That is, she monitors their programs to insure that they harmonize with R2R. "I know that I have a big stick," says the forceful administrator, "but I use it gently until I have to use it otherwise."

For her style is to get things done at any cost, even if it means locking horns with colleagues. She has been known to make life so miserable for uncooperative staffers that they were forced to resign. In one recent case, a colleague undermined R2R by publicly declaring that a war on illiteracy is futile because certain minority groups are always going to be illiterate. They simply cannot learn, the staffer insisted. When she spurned Dr. Holloway's order to cease and desist, the woman was stripped of her duties, taken off travel status, denied use of telephones and made to report daily to Dr. Holloway. After six weeks of such ego-deflating treatment, the official got the message. She resigned.

Dr. Holloway's power extends far beyond the Office of Education. "We know that the Labor Dept. spends more for adult literacy than the Office of Education," she reveals. "The U.S. Army spends a lot of money on reading literacy. All of the American overseas schools, which together constitute the eighth largest school district in the U.S. have substantial problems of reading and literacy because of the constant moving around of their students. The Bureau of Indian Affairs relates to reading problems on the reservations."

Accordingly, R2R has established cross-bureau coordination to facilitate planning between its office and various other federal agencies (e.g., U.S. Defense Department, Office of Economic Opportunity, Civil Service Commission, Veterans Administration, etc.). "We are helping coordinate the nearly $1 billion spent each year in federal aid from other programs which involve reading—to make sure each dollar is spent wisely," Dr. Holloway reveals.

Scanning the immediate future, her unruly hair springing hither and yon like that of the stereotypical intellectual, she expounds enthusiastically about such proposed new R2R programs as *Sesame Street*-type new teaching for adults and the formation of a volunteer "Peace Corps for Literacy" in which college students, young working adults, retired persons and others would be recruited and trained as volunteer tutors to devote a few hours each week toward helping illiterate adults learn to read. Colleges and universities would be encouraged to grant academic credit to students interested in serving as tutors and business firms would be encouraged to grant release-time to employes to serve. Right to Read academies for adults would operate out of churches, libraries, community centers, factories, office buildings, and volunteer organizations. "We want the literacy programs to be where the action is," Dr. Holloway insists, "where adults traditionally congregate, and most importantly in those places where adults feel comfortable. The academies would operate every day throughout the day. Sessions would be scheduled at times convenient for the trainee and not for administrative convenience. This would give existing community agencies the opportunity to become completely involved in their communities."

In addition to the academies, Dr. Holloway envisions a book ownership program for children. She contends that reading is enhanced in a variety of ways and "book ownership" is a major ingredient. Since costs often prevent children from buying books, Dr. Holloway would eliminate that problem by persuading publishers to make books available for 25 cents at supermarkets and other heavily-traveled locations in the nation's communities.

R2R hopes to phase out by 1980. By then it wants to have so increased functional literacy that 99 percent of 16 year oldsters and 90 percent of those over 16 will possess and use the reading competencies necessary to function effectively as adults. The Office of Education estimates $7 billion will be needed to win the war against illiteracy within ten years. Whatever the cost, it will be far less than keeping families on welfare, paying unemployment compensation, keeping inmates in prisons or solving other severe social ills that are related to reading problems. While totally literate persons would not have to find themselves caught up in these problems, illiterate persons may have no other choice. Right to Read is the nation's official recognition that it must pay for its problems either one way or another, that eliminating illiteracy would be far cheaper than continuing to support the bitter harvest of social ills it reaps. "Our nation is rich in resources—human, technological and financial," Dr. Holloway contends, "and we Americans can solve any problem that we decide is a priority. Our most precious resources are our people. Just imagine the impact if approximately 800,000 young people graduating yearly from our colleges were each to teach one illiterate to read, and if each graduating class between now and 1980 were to take on this mission as their national service. How quickly the battle against illiteracy would be won."

The culmination of R2R's mission is summed up in the case of a 47-year-old Navajo Indian handyman who during the first month of Dr. Holloway's administration, phoned from Arizona to say he had heard of her appointment and wanted her to teach him how to read. Instead, she funded a reading project for his tribe. Several conversations and seven months later the Navajo, a father of eight, phoned to say he had landed a new job as a store clerk and had obtained his first driver's license. "I don't make no more thumbprints," he boasted proudly. "I'm writing and reading now."

MASTER MASONS OF NORTH CAROLINA PROCLAIM WEEK OF PRAYER FOR PRESIDENT GERALD R. FORD

Mr. HELMS. Mr. President, just a few minutes ago I learned that the Grand Lodge of Ancient, Free, and Accepted Masons of North Carolina adopted this afternoon a formal resolution in New Bern, N.C., where the New Bern-Craven County Bicentennial Festival is in progress.

From throughout my State, members of the Masonic craft have gathered in New Bern on this historic occasion. Many Members of this Senate are Master Masons, and the resolution adopted by our brother Masons in North Carolina will be especially meaningful to them, as it is to me. But the thrust of the resolution, Mr. President, should have an impact on every American citizen.

President Gerald R. Ford is a Master Mason, and I have had the pleasure of conveying to him the message of the resolution adopted by his brother Masons in New Bern.

The Masons of North Carolina have proclaimed this week as a special week of prayer for the President of the United States. I wish to quote from the resolution and proclamation:

Now, therefore, the Grand Lodge of Ancient, Free and Accepted Masons of North Carolina does hereby proclaim the week of August 19, 1974, a special week of prayer for the President of the United States of America, Brother Gerald Rudolph Ford, and does hereby beseech every Freemason within the grand jurisdiction of North Carolina to humble himself and fervently and sincerely invoke the blessings of Almighty God upon our President, that he may be filled with divine wisdom and unfaltering courage to lead the United States of America to be the Nation which God Almight would have it be.

Mr. President, I feel that it is evident to most Americans that at this critical moment in our Nation's history, we do certainly need a spiritual rebirth throughout our country. Surely we have now learned that we cannot go it alone, and that we must have the guidance of our Creator if this Nation, born in His name, is to endure.

I ask unanimous consent, Mr. President, that the full text of the resolution and proclamation, as adopted today by the Grand Lodge of North Carolina, be printed in the RECORD at the conclusion of my remarks.

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

RESOLUTION AND PROCLAMATION

The Grand Lodge of Ancient, Free and Accepted Masons of North Carolina. To all and every our worshipful and loving brethren—greetings:

Know ye, that whereas, the people in the several provinces of North Carolina did meet in Congress at New Bern, North Carolina on the twenty-fifth day of August 1774 in defiance of Royal Authority to protest the oppressive acts of the British Crown; and

Whereas, said Provincial Congress was the first public assembly of the Colonists in America which led to the Declaration of Independence and the birth of the United States of America; and

Whereas, one of the most traumatic episodes in the history of our Nation climaxed on the ninth day of August, 1974, with the first resignation of a President of the United States during the one hundred and ninety-eight-year history of our Country and with the installation of Brother Gerald Rudolph Ford as President of the United States of America; and

Whereas, members of the Masonic Craft played a great and important role in all events leading to the Declaration of Independence from the British Crown and the establishment of the government of the United States of America; and

Whereas, the Grand Lodge of Ancient, Free and Accepted Masons of North Carolina is now assembled at New Bern, North Carolina, to join in the bicentennial celebration of the First Provincial Congress; and

Whereas, it is deemed fitting and proper that we reaffirm our belief, faith and trust in Almighty God; that we humble ourselves before Him as individuals and as a Nation and implore the devine blessings of God upon our President that he may be imbued with wisdom and courage to lead us in these

troublesome times to be the Nation which God would have us be.

Now, therefore, the Grand Lodge of Ancient, Free and Accepted Masons of North Carolina, does hereby proclaim the week of August 19, 1974, a special week of prayer for the President of the United States of America, Brother Gerald Rudolph Ford, and does hereby beseech every Freemason within the grand jurisdiction of North Carolina to humble himself and fervently and sincerely invoke the blessings of Almightly God upon our President, that he may be filled with devine wisdom and unfaltering courage to lead the United States of America to be the Nation which God Almighty would have it be.

Entered at New Bern, North Carolina, in the United States of America under the hand of the Most Worshipful Grand Master and the Grand Seal of Masonry this nineteenth day of August 1974 A.D.; 5974 A.L.

Grand Master William L. Mills, Jr.

Grand Secretary Charles A. Harris.

MAJOR OIL COMPANIES MAKE OIL COUNTRY TUBULAR GOODS AVAILABLE TO SMALLER PRODUCERS

Mr. BARTLETT. Mr. President, on August 2, 1974, I commended Exxon, U.S.A. for its effort to cooperate with the Federal Energy Administration during this period of tight supplies of oil country tubular goods.

At the same time, I called upon other major oil companies to join in the effort to ameliorate the supply problems being encountered by small independent producers.

Now, I am pleased to say that in general the response of the major oil companies has been favorable.

The FEA has received letters from Exxon, Amoco, Shell, Gulf, Conoco, Getty, Standard of California, Sun Oil Co., and Tenneco, indicating that they are willing to cooperate voluntarily to help provide some of the needs of smaller independent operators during the oil country tubular goods shortage.

These companies should be commended for their actions, and again I call upon those few straggling major oil companies who have not responded favorably to answer the challenge in the public interest and to assume their share of the burden of making oil country tubular goods available to independent producers who are victims of a sudden failure of the traditional distribution system.

My confidence has been sustained that private enterprise will respond to short term dislocation shortages which might threaten the livelihood of those who provide a most critical function in the discovery and development of our Nation's resources.

REPORT FROM RUSSIA

Mr. SPARKMAN. Mr. President, Starr Smith of Montgomery, Ala., a public relations consultant, writer, and lecturer has recently returned from a visit to the Soviet Union. Mr. Smith, a well-known writer on international subjects, has written a report on his visit for the member newspapers of the Alabama Press Association. This "Report From Russia" was published in a number of Alabama newspapers, including the Mobile Press-Register, of Mobile, Ala., under date of Sunday, June 9, 1974.

I ask unanimous consent that the report may be printed in the RECORD.

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

A REPORT FROM RUSSIA

(By Starr Smith)

EDITOR'S NOTE: Starr Smith is a Montgomery public relations consultant and writer. He has recently returned from a trip to Russia. This report was written exclusively for member newspapers of the Alabama Press Association.

After almost three weeks in Russia, it seems to me that a new wave of hope, friendship and optimism is spreading across that strange and fascinating land. From Leningrad in the north to Kiev in the Ukraine and in Moscow, capital of the Soviet Union, I talked with government officials, journalists, businessmen, educators, students, merchants, taxi drivers, bartenders and the man in the Russian streets. While the essential mystery and motives of the Russian leaders still remains unchanged or, at least, unclear, it is my impression that the people yearn for friendship with the West. The jagged fears of the Cold War have been replaced by the soft and beckoning winds of detente and, this spring, the people of Russia appear to be living better and more fruitful lives than at any time in their long and turbulent history. The country is at peace. There is no discernible tension. The faces on the street are little revealing, perhaps stoical, but they are friendly and smiling to an American visitor who also smiles. The Russian borders and skies are open. Tourists are everywhere. I personally talked with people from at least 25 countries and all parts of the world, some tourists, some businessmen. The Iron Curtain has been lifted, ever so slightly, to foreign trade and commerce. From all indications, the Curtain will raise higher and especially toward the United States. A cynic would say, of course, that the straine relationship between Red China and the Soviet Union is opening up Russian doors and hearts—all in the name of detente. This may be true, all a part of the Soviet mystique and internation.. gamesmanship of easing tensions here and tightening the reins there. Be that as it may. The fact remains that a visit to Russia in the spring of 1974 is an engaging, enlightening and pleasant experience.

I traveled with a small group of journalists and observers from the National Press Club of Washington, D.C. Although we traveled as a group, we were free to move on our own. There were no restrictions. I think it safe to say that none of us became instant Russian experts, but we did have the opportunity to observe, to question, to talk, to see, to analyze—and to draw conclusions and form impressions.

The Russian journey begins and ends with Intourist, a sort of travel agency, hotel booker, and all-around arranger of accommodations in the Soviet Union. To the foreigner, Intourist is personified by a highly intelligent, articulate and attractive young Russian woman. She is a guide, an interpreter, tour lecturer, and information bureau. She opens the doors and paves the way. Our group had a head guide from Moscow who traveled with us for the entire trip. She was joined in each city by a local girl who was an expert on her own region. All the girls are university graduates with degrees, probably, in foreign affairs and diplomacy. Best of the lot was a winsome and beautiful young woman in Leningrad. Her name is Miss Irene Privosheina.

By far the most intriguing of Russian cities is Leningrad. A jewel of a city on the Neva River, it is the birth place of the Revolution of 1917, home of the famous Hermitage Museum and Russia's window to the sea. Built by Peter the Great and called St. Petersburg in his honor, the city has undergone two name changes and a 900-day siege by the Germans in World War II. Although Leningrad's epic defense and survival is classic, today there are few signs of the struggle. By contrast, reminders of the Revolution are everywhere. The Cruiser Aurora, which fired the first shot and set off the attack on the Winter Palace, is enshrined in the Neva. The Winter Palace itself, a great green and white architectural gem, is the key building forming the Hermitage, truly one of the world's most celebrated museums. Statues and pictures of Lenin are everywhere in Leningrad and throughout Russia. It is only truthful to say that Lenin is venerated as a god and his deeds and teachings are worshipped in Russia.

Leningrad is an industrial city of 4 million people. In May, the city's unforgettable white nights were beginning with daylight lasting until 10 and 11 at night. A view across the Neva on a white night from a window in the Leningrad Hotel is memory enough to last a lifetime. St. Isaac's Cathedral, with one of the three tallest domes in the world, behind St. Peter's in Rome and London's St. Paul, is now a museum—as are most churches in Russia. Some say St. Isaac's is the most beautiful church in the world. But there is more to Leningrad than mere aestheticism. Early one morning I watched an entire load of yellow tractors, made in Leningrad, leave for the Ukraine.

At the Moscow Press Club we held a joint news conference with top editors from Tass, Pravda, Izvestia, New Times and Russian Central Television. They asked good questions on Watergate but were extremely careful to cast no reflections, voice no opinions.

They were interested in Watergate and knowledgeable, that's all. On the Alexander Solzhenitsyn affair, they were outspoken and critical. They said he has harshly and unfairly criticized the Soviet Union's system, that he had not been punished in any way, that he was allowed to leave the country with his family—and they were glad to be rid of him.

We were in Moscow on May 9, the anniversary of VE Day. There was a 3-day celebration, centered mostly in Red Square which borders the Kremlin and Lenin's Tomb. The Red Army was everywhere. Veterans paraded. Long red banners and backdrops bearing huge pictures of Lenin hung from the buildings and long double lines of Russian people waited all night for a glimpse of his remains in the black marble Tomb there by the high Kremlin Wall. Between the Tomb and the Wall, Stalin and other fallen Soviet leaders lay buried, along with the American John Reed. At midnight I watched the Changing of the Guard at the Tomb. There in the moonlight, on the anniversary of VE-Day, it seemed incongruous to see the Russian guards using the German goose step. Behind the high red brick Wall, built in the 15th century, is the Kremlin—several square miles of landscaped grounds, palaces, churches (museums), the seat of Soviet government, the modernistic Palace of Congress and numerous other buildings, old and new.

Russians have always liked the theater. Now the ballet, opera, drama and concerts are flourishing as never before. At the Palace of Congress, we saw the Bolshoi Ballet present a brilliant production of Swan Lake and, in Leningrad, a young performer danced the most persuasive and forceful Basil in Don Quixote that I have ever seen. Later, backstage, I learned that his name is Guljalev and he is considered an eventual successor to the departed Rudolf Nureyev.

The Russians have restored many of the former palaces of the Czars in authentic detail and lavish splendor. In the Kremlin, only distinguished foreign visitors and few

Russians see the unbelievable Grand Palace where the royal and Sybaritical life style of the Czars is displayed—jewels, gowns, carriages, crowns, and other trappings and trinkets of power and pleasure. Here is a coat of arms on a carrige door inlaid with emeralds, diamonds, rubies, and gold and the horse's bridle blazing with precious stones. There is a tiny train, solid gold with moving parts, made for the son of royalty. In showing a visitor this endless array of redundant luxury it is as if the Russians are inviting a comparison between bygone royalty and present-day living conditions.

Many visitors shop in the Beryozkas or "dollar stores" where only foreign currency is used. The best buys are amber, jewelry, furs, dolls, perfume, and, of course, caviar and vodka. Russian food is pedestrian at best. Table wines are dry and good. Ice cream is excellent and sold in small stands on the street throughout Russia.

Late on my last night in Russia I left the hotel alone and found a small bar. The language is difficult in Russia but somebody can always speak a little English, French, or German. I visited for an hour or so and as I left one of the Russians made a short speech. Freely translated, he said, "Friendships with United States and Soviet Union will be stronger in future and everywhere and every day and now too."

WILDERNESS OBJECTIVES IN PENNSYLVANIA

Mr. HUGH SCOTT. Mr. President, several weeks ago I received a letter from Mr. Charles E. Hauer, secretary of the Pennsylvania chapter of the Sierra Club. Mr. Hauer relayed to me the body of a resolution adopted by the executive committee of the Sierra Club regarding the efforts of Senator SCHWEIKER and myself on behalf of wilderness objectives in Pennsylvania.

This letter brought to mind several other projects that are currently being conducted in Pennsylvania to protect wilderness areas and improve the quality of the human environment.

TINICUM MARSH

Just last week, for example, the Senate appropriated $1.2 million for the Department of the Interior to acquire land in the Tinicum Marsh outside of Philadelphia. Naturally, I supported this appropriation as another step in a long list of efforts to preserve the only remaining tidal marsh in the Commonwealth of Pennsylvania. On May 12, 1971, following a tour of the area with then Secretary of the Interior, Walter Hickel, I introduced legislation to establish the Tinicum Environmental Center. In June of 1972, my efforts bore fruit and I am hopeful that this appropriation will be the last needed to acquire the remaining portion of the 1,200 acres set aside in the Tinicum Environmental Center.

TOCKS ISLAND DAM

In other action this year, Congress provided $1.2 million for an environmental study of the Tocks Island Dam project.

The study will both determine the region's future needs and provide an environmental, economic, and social impact analysis of alternative for meeting these needs. The proposed study, designed to follow the guidelines adopted by the Delaware River Basin Commission, would thus consider not only Tocks Island, but projects which have been proposed as alternatives to this dam.

EASTERN WILDERNESS AREA

For many years I have been a proponent of setting aside some of the wilderness areas in Pennsylvania, particularly parts of the Allegheny National Forest, for preservation. This is the subject matter of the letter from the Sierra Club and I ask unanimous consent that it be published at the conclusion of my remarks.

PRICE-ANDERSON ACT

A fourth area of concern has been the amount of insurance coverage required for nuclear powerplants. In debate over the amount of insurance coverage required by the Price-Anderson Act, I supported an amendment which would allow individual States to impose higher liability limits than those set by the Federal Government. Although this amendment was defeated, 28 to 60, I continue to support its interest.

I am proud of these accomplishments, Mr. President, and I believe that Congress must lead the way in protecting our environment and conserving our natural resources. Only if we come to grips with this critical problem, can we insure that our children—and their children—will enjoy a healthy and natural environment.

I ask unanimous consent that the letter from Mr. Hauer be printed in the RECORD.

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

SIERRA CLUB,
Johnstown, Pa., July 18, 1974.

HON. HUGH SCOTT,
U.S. Senate, Washington, D.C.

DEAR SENATOR SCOTT: It is a pleasure and an honor to transmit to you the following resolution adopted by the Executive Committee of the Pennsylvania Chapter of the Sierra Club on July 13, 1974:

Whereas, The Pennsylvania Chapter of the Sierra Club considers the Eastern Wilderness Bill before Congress to be a most important environmental conservation proposal; and

Whereas, The study of potential wilderness areas in the Allegheny National Forest is one of the Chapter's high priorities; and

Whereas, We are deeply gratified at the successful passage in the U.S. Senate of the Eastern Wilderness Areas Act, which includes provision for three areas in the Allegheny National Forest, Hickory Creek, Tracy Ridge, and Allegheny Front, as study areas; and

Whereas, The persistent and vigorous support of Senators Hugh Scott and Richard S. Schweiker was crucial in the successful effort to secure study status for the three Allegheny National Forest areas;

Therefore, *Be It Resolved,* That the Pennsylvania Chapter of the Sierra Club records its gratitude and deep appreciation to Senators Scott and Schweiker for their efforts in behalf of wilderness objectives in Pennsylvania and directs that a copy of this resolution be sent to each of them and to the Club's members throughout the State.

Sincerely yours,

CHARLES E. HAUER,
Secretary.

CANADIAN WHEAT HARVEST DOWN

Mr. HUMPHREY. Mr. President, the New York Times today included a compelling article, "Canadian Farmers' Hopes Dashed for Peak Wheat Sales."

The article points out that the Canadian wheat harvest will be down by about 80 million bushels because of the wet spring planting season. This will place further pressure on world food supplies, particularly in light of reduced U.S. crop forecasts.

The Department of Agriculture has been unwilling to recognize the critical importance of the weather as a determining factor in the size of our crops. We must remember that an early frost or heavy late season rainfall could cause further reductions in our anticipated harvest.

In an era where food supplies are tight and livestock producers are expected to reduce their herds because of decreased grain availabilities, we must monitor our supplies more carefully and give greater attention to the weather.

We also must learn from these reduced crop estimates and begin to develop a sound program to cushion the impact of such shocks.

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

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

CANADIAN FARMERS' HOPES DASHED FOR PEAK WHEAT SALES

(By William Borders)

WINNIPEG, ALBERTA, Aug. 16.—As the farmers across Canada's broad, golden prairies begin their annual wheat harvest, they have disappointing news for eager buyers around the world:

At a time when Canada, one of the world's major wheat exporters, could be making record sales to a hungry world, the harvest will be no better—and quite possibly worse—than average.

WORLD MARKET IS TIGHT

Moreover, labor problems are slowing the distribution of wheat, and grain ships from China and Japan are waiting empty in Canadian waters, as scheduled sailing dates slip by.

"This was the year everyone was counting on to be the really good one," said a spokesman for the Canadian Wheat Board, the Government marketing agency here. "But now those hopes are pretty well gone."

This latest assessment from Winnipeg adds pressure to an international food market that is already tight because of rising populations, droughts, worldwide shortages and reduced crops in some of the other major producing countries, including the United States.

Largely because of a late, wet spring here, Canada now expects to harvest only about 550 million bushels of wheat, which would be a decline of 80 million bushels from last year's average sized crop. Earlier in 1974 the Government planners had expected a sharp improvement.

The Canadian wheat harvest would thus be about one-third the size of the American one. The United States is now forecasting a total of 1.8 billion bushels of wheat for 1974, which would be a record, even though it is down from estimates being made a few months ago.

Corn, not wheat, is causing most of the current anguish on American farms, where the drought has sharply reduced crop estimates. Corn, the United States' largest crop by far, is not nearly so important to Canada, where wheat is undisputed king.

Although the two are not directly comparable—because most wheat is used in products eaten by people and most corn is eaten

by animals—pressure on any of the major grains can tend to tighten the international market for the others, and so Canadians are closely following American crop reports.

Because the world market price of wheat has doubled in the last two years, to more than $4 a bushel, the farmers out here in the rich, flat Big-Sky country are more prosperous now than they have been for some time.

MARKET GLUT RECALLED

After a number of lean years, they are suddenly fixing up their farms and buying new equipment at a vigorous pace and they had been expected to use a lot of their land for wheat this year.

In the nineteen-sixties it was not unusual for the Canadian prairie farmers to plant 29 million acres of wheat. But then came the market glut of 1970, when the country had the equivalent of nearly two years' harvests in storage.

"It scared us when they couldn't sell our wheat; it's a time we won't soon forget," said a farmer northwest of here, explaining that even though the market situation has reversed again since then—with customers all over the world now eager to buy—some individuals still hesitate about planting wheat.

This year, the Government had suggested the planting of 28 million acres of wheat in Canada's prairies, and a survey of farmers' intentions last winter indicated a wheat acreage of 26 million, which still would have been a substantial increase over last year.

But, as often happens here, the weather changed people's plans, the spring rains were unusually late and heavy, and by the time the land was dry enough for planting it was too late in a number of areas, and so the prairie land in wheat about to be cut now totals only 23 million acres.

With a population only one-tenth the size of the United States, Canada exports four bushels of wheat for every one it keeps, and for years Japan and China have been among the major customers. But this spring and summer, exports to the Pacific have been stalled by a work slowdown staged by grain handlers. * * *

FORESTRY BILL SIGNED

Mr. HUMPHREY. Mr. President, this past Saturday President Ford signed the forestry bill, S. 2296 into law.

This bill should give us a much needed tool in improving the management of our Nation's forests and rangelands.

Everyone who is familiar with the subject knows that there is a great potential for increased productivity from our forests and rangeland. This legislation will encourage the long-range planning necessary to maximize the utilization of these resources.

I would like to call to the Senate's attention a letter sent to me by the former Chief of the Forest Service, Dr. Richard McArdle. In his letter, he points out the importance and some of the background of this legislation.

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

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

WASHINGTON, D.C.,
August 15, 1974.

Senator HUBERT HUMPHREY,
U.S. Senate,
Washington, D.C.

DEAR SENATOR HUMPHREY: I have only just today seen the Congressional Record for August 2 (your discussion of the Forest and Rangeland Renewable Resources Planning Act—pages S14174–79).

It is typically thoughtful and generous of you to credit me with influence in design of this very significant legislation. I do indeed appreciate your remarks and wish that I were fully worthy of them.

This is landmark forestry legislation. It does what I tried to do fifteen years ago and does it far better than I believed possible. It is another of your achievements that will result in substantial progress in resource conservation. Someday I am going to make a list of these conservation achievements, those I have personal knowledge of at any rate, and let you see what you have done over the years.

Reading these pages of the Record I was reminded of June 6, 1960 when you attended the dedication of the new forest research center at Grand Rapids, Minnesota and you asked me if I were having any legislation worries. I said the proposed multiple use-sustained yield bill was hung up in the Senate after committee approval and for some reason couldn't be brought to the floor for a vote. On your return to Washington you and Spencer Smith went to see Lyndon Johnson, then majority leader, and it was entirely through your efforts that this piece of legislation was blasted loose, voted on and signed June 12. I am convinced that had it not been for your interest and effective action there would be no multiple use-sustained yield law. That Act is one of the most important of all our forestry laws. I'm sure you've long since forgotten your part in this but I haven't and neither have many others.

My apologies for so long a letter. I wanted only to thank you for your references to me and began wandering.

Sincerely,

RICHARD E. MCARDLE.

GEORGIA'S FIRST SUPERSALESMAN PROBABLY WORE SKIRTS

Mr. TALMADGE. Mr. President, Georgia has an extremely proud history of outstanding people who served their fellow citizens beyond their lifetimes.

Our people have contributed to the health, scientific advances, government, business, and educational fields in ways which have been felt worldwide. One of the most interesting and phenomenal Georgians ever, one who has practically become a folk hero, was Martha Berry. She founded schools in the mountains of north Georgia at a time when education was widely regarded as a frill for city people and the rich. Berry Academy and Berry College today still provide quality education in a beautiful setting.

"Miss Martha" was energetic, strong-willed, and resourceful. She got things done. A very good article on her work, which was admired throughout America and Europe, appeared in the August issue of Spirit magazine. I ask that it be printed in the RECORD.

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

SUPERSALESMAN—GEORGIA'S FIRST SUPERSALESMAN PROBABLY WORE SKIRTS

Once upon a time, two young boys were leaning out of a dormitory window watching the sunset. "You see that road down there?" one of the boys said to the other. "Yeah, I see it," came the response. "Well you better look at it while you can, 'cause more'n likely it won't be there tomorrow." "Why not?" he was asked. "Cause I seen Miss Betty pokin' around here this afternoon, and she'll probably have us move it tomorrow!"

Anytime Martha Berry went "pokin' around it usually meant more work for the students of the Boys' Industrial School, forerunner of Rome, Georgia's Berry College. It wasn't that they minded the work exactly, it was just that to them the work seemed mighty pointless at times. They didn't understand why she had them planting saplings right across the middle of good farm land in long, straight rows. And they didn't understand why they had to go out in the forests and clear away underbrush and bushes. Who ever heard of "cleaning up" a forest? And to make matters worse. Miss Martha never seemed to tire of this; always adding new land to the campus, planting new trees, arranging—and "re-arranging—roads. And what for? The students couldn't farm all that land, and if she planted anything besides trees it was soybeans instead of cotton. Who in their right mind would plant anything but cotton on land that had never been used for anything else? There was no explaining it, that was just Miss Martha's way; you didn't ask questions, you just did what she said. In fact, few people refused to do what Miss Martha said, including Henry Ford, Andrew Carnegie, Calvin Coolidge, Hoke Smith, Teddy Roosevelt, Franklin Roosevelt and others of like stature.

Martha Berry was a latter day supersaleswoman; an entrepreneur in every sense who applied her substantial energies to education rather than profit. Some of the greatest industrialists of her-or anyone else's-time stood in awe of her accomplishments. Standing on 33,000 acres of beautiful *tree-lined* compus, Berry College, today, is a living monument to the sheer determination of this North Georgia pioneer. Berry's physical plant is currently valued at $19 million; the school is endowed with over $28 million; and those rows of trees she planted across the pastures now line roads leading to beautiful buildings. The land she bought and the forests she cleaned up comprise the largest campus in the world and one of the largest pine timberlands in the country.

In a one room log cabin, Martha Berry went into business at the turn of the century with a product to sell; education, and a needy market: the mountain people of North Georgia.

If she had been selling plows it would have been easier. Take the plow to the people, show them how it works, explain the benefits . . . and take the orders. But plows are one thing, education is another. Education was not a commodity easily sold to the mountain people of North Georgia in those days. They barely eked out a living from the land and saw no point in "decipherin' and 'cal'clating figers and sech". Martha Berry was intent, however, on bringing education to the people who needed it most, and had the least opportunities for it. She succeeded by pushing herself, her friends, her employees and her students to their limits. Domineering she was, but anything less and the Berry School would never have survived.

When Martha Berry started the Boys Industrial School at Mount Berry in 1902 a "boarding school" was unheard of in the Georgia mountains. It was hard enough to take time away from farming to attend one of the "day schools" she had instigated at Possum Trot, Mount Alto, Pleasant Valley and Foster's Bend a few years before, but to let their sons take months away from their farms to attend school was unrealistic thinking in the eyes of many.

Believing that "anybody can sell anyone something they want, but only a true salesman can sell someone something they *don't* want" Martha Berry started out to do just that. Knowing that education could not be presented in the same light as a plow or a mule, she was not above a respectable amount of scheming and plotting to get what she wanted. Once Mrs. Thomas Edison, wife of the great inventor and close friend of Martha

Berry, introduced Martha to Mrs. Henry Ford. Martha later met Ford when his private train stopped over in Muscle Shoals, Alabama. After a long talk with Mr. Ford Martha invited him to the schools to see for himself that "everyone works at Berry."

Martha carefully laid the groundwork for his visit. Everything had to be perfect. When he arrived he was delighted to find a portrait of himself hanging in the main administration building. Later he saw another one in a dormitory, and still another in his guest cottage. What he didn't know was that there was only one picture and Martha was simply moving it around to flatter him. It must have done the trick, for Ford, known as an industrialist, not a philanthropist, was so impressed with Berry that he returned at least once a year for the next twenty-five. Today the Ford Buildings stand in tribute to his faith in Berry and the wily ways of the founder.

"ANNA BARBARA"

Dr. Inez Wooten Henry, Miss Berry's closest companion and private secretary, adds further testimony to Martha's unflapable style and grit. The Andrew Carnegie's had rented some space for the Berry Schools at an exhibit in New York City. Martha sent word from New York for Inez to catch the next train and bring a spinning wheel with her to demonstrate the textile work done at Berry. Dr. Henry, only 14 at the time, and just a few months removed from Ty-Ty Creek says, "Only my ignorance saved me from being scared to death!" At the exhibit, Miss Berry called Inez over to meet some women.

"Inez, these women are our friends. Sing a song for them dear." Turning to the women Martha said, "All the girls at Berry sing while they spin and weave." Mortified, Dr. Henry whispered to Martha, "Miss Berry, I can't sing. I've never sung before."

"Of course you can, my dear. Just sing 'Anna Barbara'. Anybody can sing 'Anna Barbara'," Martha told her.

"Well I had never sung before." recalls Dr. Henry, "and I have never sung since, but I sang that day. Later I found out that I had sung to Mrs. Andrew Carnegie, Mrs. Henry Ford, and Mrs. John Vanderbilt Hammond!"

There were times when Martha Berry could be downright "pushy"—like the occasion of the very first commencement exercises of the Boys Industrial School in 1904. Martha had talked the Honorable Hoke Smith, President Cleveland's Secretary of the Interior and later Governor of Georgia, into delivering the commencement address. At the last minute, Smith telephoned and said he would be unable to attend. Martha paid no attention to his regrets but told him that she couldn't believe a man with his reputation would go back on his word; make himself and the school look bad; and, possibly do irreparable damage to the school's reputation. Over-whelmed, he reconsidered and arrived sleepless and exhausted.

"Where is the school?" he asked, looking around.

"Right here," Martha answered, pointing to the one dormitory and the recitation hall.

Smith stood silent for a moment, then asked, "Miss Berry, how many students receive their diplomas tonight?"

"One," she replied.

"Clayton is a fine boy," Miss Berry said, "Class valedictorian and honor graduate as well!"

Later, after shouts, whistles, tears and standing ovations from the mountain people who had spent days getting to the exercises. Hoke Smith admitted that he had never experienced anything to match that evening and donated a dormitory to Berry and served as a member of the Board of Trustees.

BIBLE STORIES

"Challenge is what makes you grow" Martha Berry often said. She was a fascinating example of that philosophy. From the very beginning when she started telling Bible stories to a handful of children in her log cabin playhouse, Martha met nothing but opposition from her family, her friends, her neighbors and her fiance. The mountain people she sought to help gave her the least opposition and the most encouragement. At her first "day school" at Possum Trot, she taught a 94 year old man how to read and write. With such encouragement she gradually opened other day schools at Mount Alto, Pleasant Valley and Foster's Bend. In 1901 she further committed herself by deeding 83 acres of her land near Oak Hill, the family home, to the Boys' Industrial School against the advice of her attorney. On this property she and the students built the first schoolhouse and dormitory. The entrance to the school was christened the "Gate of Opportunity." BIS students received a high school diploma, something very rare in 1902 and indeed rare in the Georgia mountains. Martha Berry's attitude was, "that if more people would go around encouraging people to work, the South wouldn't have the poorest farms in America!; (And) wouldn't be crawling with sickness; and with decent farms, taxes could be collected so schools could be built." Education and work went hand and hand.

MIXED CLASSES

Lack of finances was always a problem. At first, the school was not known and received no endowments. "Before we give our money, we need to know how well the school is going to work," people would tell Martha. (How many entrepreneurs have heard that through the years?) Then a "Godsend" came from Andrew Carnegie ... a $25,000 endowment if she could match it with the same amount from others. She did.

Over this initial hump, it became evident that there was a great need for a girls branch of the BIS. (Martha said years later, "I started off thinking of all the work the boys could do. I should have thought about all the food they could eat".) In 1908, she opened the girls branch, emphasizing domestic skills. There was much opposition to this. The boys and girls could not "mix", and there had to be separate campuses which again brought up the question of finances. This time Theodore Roosevelt intervened and the problem was solved. Then World War I reared its ugly head.

The War took many Berry boys from the campuses and Berry Alumni from their jobs. Several hundred eventually served and 11 died. But everywhere the Berry boys fought, they were recognized as being able to cope with difficult situations. They could cook, sew, wash and build—a result of their work-study education at Berry. Back in Rome, money was a problem. All available funds were going to the war effort. Only by shrewd "politics" and business management did Miss Berry keep her schools in operation. After the war, the schools were flooded with applicants and most could not afford to pay their way. By spending "both sides of the dollar"—attending classes four days and working two days—the schools continued to operate.

During the Twenties it began to look like the worst was over at Berry. Henry Ford had given the girls' school a complex of buildings, but, paradoxically, this wonderful gift nearly drove the schools to bankruptcy. To the outside world it appeared that the Berry schools got everything they needed from the Fords and endowments dried up. Construction of the Ford buildings took four years, 1927–1931, and Ford provided no money for their upkeep. The timing was bad. The U.S. was in the throes of the Great Depression and money was tight everywhere. Efficient use of the school's farmland and timberland saved the day.

QUEEN OF ENGLAND

By the 30's, the Berry Schools had received international attention and on a visit to Europe, Martha was invited to be presented in the Court of Saint James to the King and Queen of England. In London, a dress was purchased for the occasion. Martha rationalized the expense of the dress with the thought that it would be worn when she "gave away" her girls at campus weddings. The train was another matter, however. She could not rationalize spending $300 on something she would not wear again, no matter how important the occasion. When told that she could not be presented without a train, she simply decided to forego the affair. Told that "one does not send 'regrets' to the King and Queen of the British Empire", she arranged to rent the train for one night. This, too, was unheard of and she had to solemnly promise not to reveal such financial arrangements. Today, the dress is on display at the Martha Berry Museum and the British government is trying to locate that famous train.

After 39 years of dedicated service, Martha Berry died in 1942, having never received a day's pay for her energies. She once said, "The returns I get on that property are far more rewarding than I could get from cotton or cattle." Her land had been utilized to the fullest in her eyes. While other small colleges and private schools are folding from lack of funds, Berry College and Berry Academy are still spending "both sides of the dollar" and still encourage students to participate in the "work-study" program Martha Berry first instigated in 1902 long before it was heard of anywhere else in the country.

"Education through practical application" is still the philosophy of the schools.

The Sunday Lady of Possum Trot, as she was called by the mountain people knew what she was doing after all.

CONGRESSIONAL RESPONSIBILITY FOR EXECUTIVE APPOINTMENT "ADVISE AND CONSENT"

Mr. MOSS. Mr. President, events have been taking place today in the Federal Government which dramatically emphasize the delicate balance of the separation of power established by our great Constitution. The separation of Government into three branches was a matter of careful and extensive debate by the brilliant drafters of our highest and most honored document of law. The system of checks and balances has served us well and will continue to do so only as long as each branch of this Government will stand steadfast in asserting its mandate for responsibility under the Constitution.

We in Congress, of course, have just been made painfully aware of the awesome reaches of responsibility which the Constitution has placed on our shoulders, awareness caused by the proceedings of impeachment and subsequent events which have taken place. But I do not rise today to address you on our responsibility to remove from office those who, as individuals, are unable to abide their public trust to lawfully obey their oath of office. Rather, I address that check of power which we in this body encounter almost routinely, the constitutional mandate to the Senate to "advise and consent" to Executive nomination.

During every session of Congress, there are referred to this body by the President several hundred nominations to positions in the Federal Government. Many of these include positions in the judiciary, the Cabinet, the independent agencies, and the Department of State, positions of great importance to our Government.

On occasion the Senate has entered into considerable deliberation over such nominations and in some instances we have refused consent to an appointment, but it has been seldom that consent was not forthcoming, possibly too seldom. Until very recently, except for our early history, the record shows intensive examination of nominees to be the exception rather than the rule. Even recent attention has been relatively scarce.

Advise and consent is our mandate to actively participate in the Executive process of appointment just as the veto is the Executve mandate to participate in the legislative process. One need only look at the physical location of the "advise and consent" clause within the Constitution to confirm that mandate. It is not set out in article I which details the Legslative powers, it is in article II, the Executive powers article. Just as it is the duty of the President to veto legislation he considers unwise, it is our duty to refuse to confirm those we consider unqualified.

Had the framers of the Constitution intended the Senate should not partcipate fully in appointing persons to public office, they could have worded the Constitution to direct the Senate only to approve or disapprove.

The debates of the Constitutional Convention indicate a fear existed that a strong President, if given the sole power of appointment, would create a monarchy. To insure the stability of a Republic, the States were given an equal voice in the appointment process. It is through the Senate that the voice is heard. As Governor Morris said when recalling his support in the Convention for advise and consent:

> As the President was to nominate, there would be responsibility, and as the Senate was to concur, there would be security . . .

It is our responsibility to make certain the Government of this Nation will not become insecure through Federal appointments.

We cannot continue to act passively. We must review nominations with great scrutiny. On our shoulders rests the final responsibility for Executive appointment.

I do not suggest that we should now reject all nominees because of party or philosophical differences. I do, however, propose that we begin to examine with extreme care the qualifications of these nominees. It is far better that we take the time to exercise a measure of preventive caution than suffer the burdens of correcting our oversight or neglect.

It is often said that the President should be allowed to choose with whom he will work. I am not fully advocating otherwise. Certainly we should not act to tie the hands of the executive branch, but we must act, within our bounds, to assure the quality and integrity of that branch.

It is seldom that we rise in debate to oppose appointment of a nominee to a Cabinet post. It has been a rare occurrence to withhold our consent to the appointment of an Ambassador. Members of the Cabinet are the personal advisers to the President, and members of the diplomatic corps are his representatives of foreign policy. Each appointee is responsible to the President, who is ultimately accountable for their performance. However, I suggest that the persons in these positions, though they must have the confidence of the President, should surely and deeply have national interests at heart.

A Cabinet member can be cooperative but remain an individual.

We have legislated great power to his trust. We must be certain he will observe that trust.

A Cabinet working in concert with the President is essential, but so is it essential that the Cabinet work with the Congress. Most important is the absolute necessity that Cabinet members work for the interests of the people of this great Nation, as should those who represent our foreign policy.

Certainly deference should be given to the President's choice whenever possible, but we cannot and must not consent to the appointment of any Cabinet or ambassadorial post nominee until we are certain consent should be given. We have a responsibility which we cannot avoid. Presidential discretion cannot be turned into Presidential license. We have to examine every quality of a nominee along with his ability and vote against those we do not consider fully qualified for the position.

Even more important are the deliberations to be made before the consent of this body is given for the appointment of nominees to the independent commissions. Cabinet and diplomatic offices may be referred to as "extensions of the Executive," but the independent agencies are "extensions of the Congress," created to carry out congressional policy. The deference given to the President in his Cabinet selections should not be carried over to the selection of those who will be appointed to the commissions.

The agencies were created by the legislative branch to be "independent," not subordinate to the Executive. They were given quasi-legislative powers to perform extended functions of Congress. The nominee, if appointed, is responsible to the Congress. He must show a feeling of that responsibility.

As our distinguished former colleague from Ohio, Mr. Bricker, so aptly stated, when this body was considering a nominee for appointment to the Atomic Energy Commission:

> [The Commission] is essentially an arm of the Congress, the Legislative Branch, and in our consent we have a responsibility rising almost to the level of original appointing authority.

We are all aware of the intent behind creation of the regulatory commissions, but the passive nature of this body when acting to advise and consent has allowed that intent to become distorted. Prof. Kenneth Culp Davis, a well-recognized scholar of the administrative process, has stated that there is now little difference between "independent" agencies and administrative departments. It is time for us to recognize the reality of that statement. The lines of agency responsibility which have been allowed to deteriorate must be reestablished. The grants of constitutional power are to be defended. We can reverse the process only by actively assuming the Senate role as a coequal in the appointment process.

I have risen before in this Congress to defend the role of the Senate in agency appointments. Just about 1 year ago, I stood before this body to assert the position that we cannot give deference to the President when considering nominations for independent commissions. I now reaffirm that position. The Senate, when considering nominees for positions with independent agencies, has not the right—but the duty—to consent to appointment of only those who feel their responsibility to Congress.

Even more compelling is the coequal nature of the Senate when acting to consent to a Judicial appointment. We all recognize the absolute need for an independent Judiciary, the third branch of our constitutional government. Judges are not the President's men nor are they the Senate's men. An independent and impartial Judiciary is essential to the presumption of equal justice to all. A respected member of the bar, Mr. Luis Kutner stated it very well when he wrote:

> A court whose decisions would be exactly what a President demanded would be neither just nor impartial. The independence of the Judiciary is unique—but then the—Constitution is unique—a written constitution definitely limiting the powers of government as they have not been limited in other countries.

It remains the responsibility of the Senate to preserve the unique character of the independent Judiciary as prescribed by the Constitution.

It should always be remembered, when considering a judicial nominee, that a vote of consent to an appointment should be a vote to insure the continuing administration of equal justice and due process of law to all the people of this Nation. We should not be concerned for the ability of a nominee to heed the desires of the Executive or the Congress. A Federal judge must be an independent person, accountable only to the law.

During recent debate in this body when considering a nominee to the Supreme Court, our distinguished colleague, the junior Senator from Massachusetts, stated:

> [We] must never view the nomination and confirmation process, as the Constitution has prescribed, as anything less than a joint responsibility, and one which we must take most seriously. . . . Separation of powers does not mean the domination of one branch over another, but rather—in this case in particular—a shared, co-equal responsibility.

This is a position to which I prescribe.

We often speak today of a usurpation of power by the executive. I propose that the Senate has in part acquiesced in that usurpation through a passive record of advise and consent. We must assert our mandate to participate in the appointment process. The assumption of an active and coequal position does not represent an intrusion of the Senate into executive powers, rather it is a regeneration of the constitutional responsibility of the Senate to check the appointment power of the President, a position for which there exists substantial historic precedent.

The record will show that I have in the

past followed the mandate of active participation in the appointment process. However, I am convinced that my role of the past shall not be indicative of my participation in the future. I intend to be severely critical of all major nominations which, hence forth, are presented to this body. The events of the day indicate to me that we have fallen short of our responsibility, our responsibility to act to prevent crisis in Federal administration rather than waiting to correct it. The committees must take great care when reporting to this body the quality of a nominee.

We are today in the throes of economic crisis and will consider shortly on this floor the nomination of Mr. Greenspan to the position of Chairman of the Council of Economic Advisers. I do not know if I will or will not consent to his appointment, but I do know that I intend to give his nomination my most critical examination, and I urge each Member of this body to do the same, to begin now, a role of active participation in the appointment process.

Much of this Nation's direction comes from these appointments. It is our ultimate responsibility to make certain that it is the right direction.

TRAGEDY IN CYPRUS

Mr. KENNEDY. Mr. President, the continuing crisis in Cyprus has today brought further tragedy and sorrow, now shared by the American people. In the death of Ambassador Roger Davies, we have lost a fine and gallant man, who served his country faithfully and well, and died while trying to bring peace to a troubled nation.

Ambassador Davies was greatly admired by all who worked with him during more than two and a half decades in the Foreign Service. He had a reputation for giving sound advice, and for making patient efforts on behalf of peace in the Middle East through that region's years of turmoil. My heart goes out to his family, whose loss we all share.

Mr. President, in Ambassador Davies' death, I hope we will gain new dedication to work for an end to fighting on Cyprus, and for a reconciliation of the Greek and Turkish communities.

TOMORROW'S AUTOMATED BATTLEFIELD

Mr. ABOUREZK. Mr. President, one of the problems encountered by Congress and the public in debating military policy and spending is the lack of information about the weapons being developed and the uses for which they are designed.

The following article, written by Paul Dickson, former editor of Electronics magazine, was published in the August issue of Progressive magazine; it describes and discusses the "'automated battlefield" which is nurtured by the Pentagon with about $5 or $6 billion a year, according to the article.

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

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

TOMORROW'S AUTOMATED BATTLEFIELD

(By Paul Dickson)

Ranging from the nation's morale to its morality to its economic strength, there is no aspect of the American involvement in Southeast Asia that was not affected adversely.

The one dubious "success" on the American side of the war was its contribution to technology—specifically, military technology. Great advances were spurred by the war in such areas as solid state electronics, lasers, ordnance, and helicopters (even the Chinese are now talking about buying them from us). Vietnam was the testing ground for the conversion of one generation of military hardware to another. "Dumb" bombs gave way to deadly, laser-guided "smart" bombs, and the computer metamorphosed from a lesser military tool into a major element of all sophisticated weapons systems.

Of all these developments, however, none is as important as a concept which emerged during the war and which today dominates the research and development thinking of all the military services. This concept, tested with deadly accuracy in Vietnam, Laos, Cambodia, and Thailand, has already cost billions of dollars and will cost many billions more. As an organizing concept, it promises to have a truly revolutionary effect on the way that any non-nuclear wars will be fought in the future. One reaction to its lasting impact came from Senator Barry Goldwater, who said, "I personally think it has the possibility of being one of the greatest steps forward in warfare since gunpowder."

Ironically, this awesome multi-billion dollar military technology has attracted much less attention than its size and impact deserve. A few members of Congress have commented on it, and a special three-man Senate panel examined it for three days of closed hearings in November 1970. But the overall response from Capitol Hill has been underwhelming—much less than the attention given, say, the F-111, ABM, or SST. The blunt fact is that this gargantuan concept, termed the electronic battlefield (or sometimes the automated battlefield), has gone virtually unquestioned for the last three years.

The military has been highly secretive about the details of the program—at present little of the development work is unclassified—but has not hidden its objectives.

The first announcement of the electronic battlefield was made by General William C. Westmoreland in October 1969, at the annual meeting of the Association of the U.S. Army in Washington. Speaking of the military utopia off in the distance, he said, "I see battlefields or combat areas that are under twenty-four-hour real or near-real-time surveillance of all types. I see battlefields on which we can destroy anything we can locate through instant communications and the almost instantaneous application of highly lethal firepower." Westmoreland's vision of a new, highly mobile, and highly automated version of warfare concluded with the statement, "With cooperative effort, no more than ten years should separate us from the Automated Battlefield."

Now, about halfway into this ten-year martial plan, hundreds of individual programs are under way to develop aspects of this futuristic battlefiel. ranging from new, sophisticated fire-control systems to unmanned, remotely-piloted aircraft. The idea is no longer tied to the ground, as might be inferred from the word "battlefield," but has stretched out to include the air and the oceans. The immensity of the idea is best expressed by those in the Pentagon itself. Lieutenant Colonel C. J. Lowman, Jr., of the Land War Office of the Department of Defense Office of Research and Engineering (DDR&E), says that the concept is involved in large development programs in almost every area of defense research and development (R&D) today, from efforts in automated data processing to new weapons. When asked how much money is involved annually in projects associated with the electronic battlefield, Lowman smiles and says, "I guess you'd have to say that the large majority of the DOD's $9 billion annual R&D budget is now part of the effort." At this rate of $5 billion to $6 billion a year, the electronic battlefield easily dwarfs such earlier Federal biggies as the World War II Manhattan Project on atomic weapons, and may eventually get into the price class of the Apollo Program for space exploration.

In short, the Pentagon is now in the throes of a major transformation which by the end of this decade should give it a totally new philosophy and *modus operandi*. War will be much less dependent on men because dogface ground troops, and even trained air pilots, will become less and less necessary. In their place will emerge controllers and technicians housed in remote centers where they will direct robot planes and fire-power in response to computer read-outs and blips on screens. The new American military dream depends on a highly lethal, portable array of integrated, plug-in gadgets which, once installed, sets up a zone out of which, presumably, no living thing can escape. To understand the concept fully, one must go back to a secret meeting held in the summer of 1965.

The concept began with a little-known but highly influential group of civilian, academic scientists who spend their summers solving military problems and dreaming up new weapons systems. Called the JASON Division, this group meets under the auspices of the Institute for Defense Analyses, a powerful, low-profile think tank in the employ of the Pentagon. The assignment given to the forty-seven JASON scientists who met in July 1966 was to evaluate the effects of large-scale bombing in North Vietnam and to look into the alternatives, including the feasibility of "a fence across the infiltration trails" leading from North to South Vietnam.

By summer's end the JASON scientists reached two major conclusions: First, the bombing of North Vietnam was having no measurable direct effect on infiltration, and even a vastly stepped-up bombing campaign would not change the situation; second, the "fence" that then Secretary of Defense Robert S. McNamara had asked them to look into was a good idea. As later revealed in Senator Mike Gravel's edition of the *Pentagon Papers*, the JASON report was quite detailed on how the fence would work. It would be a barrier system five kilometers wide which would stretch across the demilitarized zone and Laotian panhandle, and which would be seeded with an array of mines, detectors, and sensors. Specific sensing equipment would be monitored by specially equipped patrol aircraft which would direct the attack of aircraft—loaded with cluster bombs and other anti-personnel weapons—against any activity detected on the barrier strip.

McNamara's enthusiasm for the program was such that he immediately created a special unit with the innocuous title of Defense Communications Planning Group (DCPG) to establish the fence as soon as possible. When the program was announced in September, it was promptly dubbed the "McNamara Line" by the press, which gave it considerable attention for a few weeks. Not much was heard about the barrier after that until more than a year later when, in December 1967, it was announced that part of it was in operation, but that other elements of it were experiencing technical problems. Less than a year after that announcement, the military let it be known during budget hearings that the enemy was able to end-run the electronics-rich strip, and another was that decoy groups could enter at one point to draw attention to that spot while a larger force

crossed at another point. Quite simply, it was a linear idea not meant for a 360-degree war in which attack could come from any point of the compass.

The military, however, did not abandon the concepts inherent in the "McNamara "Line," its new incarnation was passing into electronic battlefield emerged as an idea which transcended the fence to become far more flexible and mobile: to move all the electronic gadgetry to wherever it was most needed. In truth, the "McNamara Line" had not died as much as it had lost its linearity and become the "McNamara Umbrella," opening across South Vietnam and into Laos, Cambodia, and Thailand. Ironically, even as the press carried glib obituaries for the "Line," its new incarnation was passing into the billion dollars-spent category—and rising fast. By November 1970, when a special panel from the Senate Armed Services Preparedness Investigating Subcommittee held hearings on the electronic battlefield in Vietnam, it was determined that $3.25 billion had already been appropriated for the program.

The program attracted heavy Federal funding and a swarm of defense contractors. During the last three years that U.S. forces were fighting in Southeast Asia, many facets of the electronic battlefield were implemented.

Of all the applications of the electronic battlefield employed, none was more sophisticated, dramatic, or lethal than an operation called Project IGLOO WHITE which was set up to cut traffic on the Ho Chi Minh Trial in Laos. It ran at full tilt from 1969 until the end of 1972 at a cost of about a billion dollars a year. It worked this way: Periodically, sensors were strewn over the landscape from high-speed aircraft, with the most common combination a mix of ADSIDs (Air-Delivered Seismic Intrusion Detectors) and ACOUBUOYs (Acoustic Buoys). The ADSID is a seismic sensor contained in a long spear which is flung from an airplane to embed in the ground so that only its antenna—disguised to look like a tropical plant—remains above ground. The ACOUBUOY is a radio-microphone which floats down on a small parachute to snag in the branches of trees, to transmit noises. In all, tens of thousands of ADSIDs and ACOUBUOYs were dropped, along with other sensors including such bizarre items as a sensor produced by Honeywell which was made to look like animal droppings, and another called XM-3 chemical detector of "people sniffer" which was developed to detect the ammonia in human body odors. The "sniffer" device, however, was easily foiled when those on the ground learned it could be thrown out of whack by hanging buckets of urine in the trees.

In Project IGLOO WHITE, these sensors were used to detect activity which, once detected, was picked up by patrolling aircraft. In turn the aircraft relayed the information to a large land-based computer center in Thailand. "Skilled target analysts" monitored the information and decided whether or not the movement detected was worth attacking. If an attack was decided upon, planes were sent in to strike in truly electronic fashion; not only did the computer provide the course and coordinates for flight, but the plane's ordnance was released automatically. While most of the IGLOO WHITE missions were conducted by F-4 Phantom jets, some employed other aircraft. One special craft that was used was the Night Hawk, a helicopter gunship outfitted with special devices enabling it to see in the dark.

The actual ordnance used during IGLOO WHITE was as varied as the sensors. Some were such big items as PAVE-PAT II, a 2,500-pound bomb filled with propane under pressure and capable of clearing hundreds of acres of jungle; some were smaller anti-personnel weapons like WAPPUM and DRAGONTOOTH which are dropped from the air in huge numbers and arm themselves as they spin to the ground. These weapons are so distinctly anti-personnel in nature that Air Force Major Raymond D. Anderson, in the process of testifying to DRAGONTOOTH's effectiveness, said, "If a person steps on it, it could blow his foot off. If a truck rolls over it, it won't [even] blow the tire." Another of the horrifying anti-personnel weapons used with IGLOO WHITE and other electronic battlefield operations in Southeast Asia was the SUU-41 an airborne dispenser which was used to cover an area with hundreds of small GRAVEL mines. A single piece of GRAVEL looks like a small tea bag, but is quite effective at killing or maiming despite its innocent appearance. The list of such weaponry is long and diverse enough to include such items as "spider mines" which throw off long wire tentacles that explode when touched, and a small anti-personnel weapon that floats through the air like a leaf.

The military regarded IGLOO WHITE as a success. In 1971 the Air Force claimed that it had been able to find and destroy eighty per cent of the traffic coming down the Ho Chi Minh Trail. The claim at the end of that year was that 12,000 trucks and large numbers of troops had been destroyed without putting an American soldier on the ground.

The American departure from Vietnam did not end the military's interest in the electronic battlefield. Rather, that interest has intensified. As IGLOO WHITE and other operations demonstrated, the concept had proven itself. One of the military's major postwar goals is to develop and expand the notion. In the matter of sensors alone, there are many postwar efforts.

As the various services work to develop their own new generation of sensor packages, there are developments in other military areas. In May 1972, the United States held a major display of the electronic battlefield at a base in West Germany for the benefit of the other fourteen members of the North Atlantic Treaty Organization. That display, code-named MYSTIC MISSION, was clearly intended to induce the rest of NATO to adopt the system. Testifying in support of the fiscal 1974 military R&D budget, Stephen J. Lukasik, Director of the Advanced Research Projects Agency, said that the other nations were still making up their minds but that the United States was going ahead with a program to adapt old components and create new ones for the European environment. Whether or not the rest of NATO adopts the program, the United States is now preparing a European model of the electronic battlefield ready for quick transport to that area.

Sensor development is just a small slice of the vast electronic battlefield effort. Among the other ongoing elements that now make the electronic battlefield a far-ranging concept of offense as well as defense, and no longer a sort of electronic Maginot Line, are these:

RPVs (Remotely Piloted Vehicles)—The Army, Navy, and Air Force are all working on various pilotless, remotely controlled aircraft. They range from reusable surveillance fighters and bombers which could be built for a few million dollars each (much less than piloted aircraft) to models which would be expended as a ram against enemy aircraft, or as a guided bomb, and estimated to cost less than $100,000 each to produce.

Laser weapons—All three armed services are spending heavily to develop new laser arms—expected to cost more than $300 million a year for the next five years. First given broad and successful application in the "smart" bombs which are able to home in on a target illuminated by a laser beam, lasers are now being developed for applications such as antiaircraft, antimissile, air-to-air combat, and target location. In May 1973, *Aviation Week and Space Technology* reported an evolving Army program in which small RPVs would be outfitted with small television cameras and a laser designator. "Scenes viewed by the camera would be relayed in real time over a data link to ground observers who could acquire targets from a television monitor, then illuminate them with [RPVs] laser for remotely launched laser-guided missiles."

IBCS (Integrated Battlefield Control System)—A major Army program aimed at reducing manpower and increasing combat efficiency by applying automation to battle functions ranging from logistics to psychological tactics. Major elements of the IBCS now under development include the TACFIRE system in which hand-held digital devices (tied into a master computer) are used at the front line to direct firepower, and CSS (for Combat Service Support System), a mobile computer that tends to the details of logistics and inventory supply in combat areas. This automated effort was described at one point by Army Brigadier General Wilson R. Reed as one ". . . which will electronically tie the sensors to the reaction means—the 'beep' to the 'boom' as it were—and leave the soldiers free to do what they do best—think, coordinate, control. The potential seems limitless."

The list could go on, but the point is that there are many efforts to link the "beep" to the "boom" which extend all the way down to the development of new techniques and hardware to prevent hostile jamming the other interference with the electronic links between the varied beeps and booms.

Incredibly, this massive proliferation of electronic military developments goes on without attracting the attention of civilian America. Congress has expressed little interest and much of that has been adulatory, in the tone of Senator Goldwater's comparison to the invention of gunpowder. About the only critical voice in Congress has been that of Senator William Proxmire, Wisconsin Democrat, who raised certain basic issues about electronic warfare in 1970 but has since let the matter drop. The issues raised by Proxmire then are still valid and need deep scrutiny. He questioned the cost of this kind of warfare and suggested that sensors had no ability to discriminate among soldiers, civilians, women, and children. The electronic guts of the system, he noted, were vulnerable to rough treatment and malfunction.

Before U.S. combat forces left Vietnam, the electronic battlefield was beginning to attract some attention from antiwar and peace research groups, but much of that interest died when America withdrew. The only major, sustained effort to educate the public about the electronic battlefield has been by NARMIC (National Action Research on the Military Industrial Complex), a branch of the American Friends Service Committee. Its major effort at public education began in 1962 with the production and distribution of some 1,300 copies of a filmstrip entitled "The Automated Air War." It was widely shown in the United States, Canada, and Europe. The NARMIC exposé is a well-documented, strong condemnation of the electronic battlefield innovations used in Southeast Asia.

Despite NARMIC's work, most Americans have little knowledge of the system, and many of those who are aware of its role in Vietnam do not understand its importance to the military and its cost to America in the post-Vietnam era—something on which the Pentagon is not issuing press releases. Probably there are some engineers and scientists working on parts of the program who are unaware of how their work fits into the ultimate military dream. In 1970, Proxmire claimed, "Most members of the Senate I have talked to did not even know that we had such a program." While that situation has changed mainly because of the hearings held on the subject later that year, it would appear from

reading more recent hearings on military appropriations and monitoring the *Congressional Record* that Congress has not bothered to determine how the system has fared since 1970.

Several reasons for the lack of interest and concern are these: For one, the electronic battlefield is a loose concept rather than a cohesive program. For this reason, it does not appear as a line item in military budget requests, and since there is no budget or timetable for it there can be no cost overruns or delays to attract attention. Congress has questioned the cost and need for such specific items as magnetic sensors in the Army's budget, but it appears that the gigantic parent concept has been too elusive to question as a whole. Antoher reason why it has been left alone is that it fits in snugly with the Administration's stated view of the use of troops: smaller, volunteer armed forces with fewer troops abroad. As the concept is adapted for the European environment, there is little question that some of those troops in Germany which irk many politicians will be able to come home, replaced by sensors and computers.

A vital issue in the electronic battlefield concept is the moral one raised by NARMIC and others. For all the clean sophistication of the "beep" or sensor side of the idea, the boom side is appalling, as the antipersonnel weapons of Project IGLOO WHITE demonstrated. Last summer, the International Committee of the Red Cross issued a report entitled *Weapons That May Cause Unnecessary Suffering or Have Indiscriminate Effects*. The title is significant because "unnecessary suffering" and "indiscriminate effect" are terms used to describe weapons forbidden in international treaties and under the rules of war (Article 23 of the Hague Convention, for example) which the United States has agreed to. While the Red Cross does not identify any country by name, it describes the weapons of the automated battlefield as fitting the title of the report.

The electronic battlefield must be seen in the context of future wars—and, more specifically, future Vietnams. By creatng a way of warfare that depends on fewer and fewer "American boys," the military is making it easier to win public acceptance for getting into fights around the globe. Much of the anger felt at home over U.S. involvement in Vietnam had to do with the fact that Americans were being killed and maimed there. There would be much less anger against a war in which we were putting hardware, not men, on the line and casualty lists were dominated by decimated sensors, downed RPV's, and inoperative computers.

Finally, the electronic battlefield and its intense development raise the issue of what direction this country will take in the decades ahead: whether or not it will put much of its engineering and scientific talent to work on this lethal concept or whether that talent will be better employed on problems of civilian welfare.

Because the concept of the electronic battlefield has not been seriously challenged by civilian American or the Congress, it has become a national goal set entirely by the military and its contractors. The major point underscored by the development of the electronic battlefield is that the lesson of Vietnam was not that the war was a moral outrage, but that it was *inefficient*. The electronic battlefield which emerged during the waning days of that war is now being refined to make such encounters more "efficient" for the next generation.

POEM ABOUT DR. MARTIN LUTHER KING

Mr. PERCY. Mr. President, Mr. Ronnie Ted Shiflett, of Rome, Ga., has sent me a copy of a poem he has written in memory of the late Dr. Martin Luther King.

Mr. Shiflett's poem is both moving and poignant and I know that his sentiments are shared by millions of Americans.

I ask unanimous consent that Mr. Shiflett's tribute be printed in the RECORD.

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

I HAVE A DREAM

(By Ronnie Ted Shiflett)

(Dedicated to the memory of the late Dr. Martin Luther King, Jr.)

I have a dream, in a night of darkness,
And the night is far spent, when will day be,
And though the star's are twinkling bright,
The night is so black, that few eye's can now see.

I have a dream, of freedom, of justice, of liberty,
For all God's creation, black, yellow, and white,
For all over this nation and around this world,
Some people have refused to share, the path called right.

I have a dream, of peace, of love, of righteousness,
In a night possessed by war, by hate, by slavery,
And if my dream does not soon become a reality,
Then all men will suffer, and most of all, me.

I have a dream, which some day mankind may try to stop,
And this mortal man made of flesh, shall depart from me,
But let it be recorded for all men to see,
That I lived a life which few have lived,
And my life has become an eternal dream.

ABUSES OF THE THIEU REGIME

Mr. ABOUREZK. Mr. President, despite the continued denials of the Thieu regime and other dictatorships that prisoners are arrested, detained, and tortured, partly for political purposes and partly for pure fun, evidence continues to pile up every day that U.S. taxpayers' money is being used to support such reprehensible policies. I ask unanimous consent that two articles from the New York Times, both dated August 18, 1974, be printed in the RECORD to indicate the purpose for which American tax money is being used.

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

TORTURED WOMEN BEWILDERED BY PLIGHT

SAIGON, SOUTH VIETNAM.—Arrests by the South Vietnamese Government are not always calculated, often having a random aspect, touching not only those who know they are taking risks but also those who apparently do not.

A 25-year-old seamstress named Dang Thi Hien just seemed bewildered by her plight when she was interviewed recently while handcuffed to a stretcher in a Saigon hospital. As she spoke other patients in the crowded ward gathered in to listen.

Last Octobor, she recalled, a woman she had never met approached her as she was talking with a flower girl in a Saigon marketplace. The woman spoke a few words, then walked away.

"CONFESS!"

Suddenly four plainclothes policemen grabbed Miss Hien by the arms and placed her under arrest. She said she was taken to a police interrogation center in Khien Cuong, 22 miles from Saigon.

"They took me to a room," she said. "They told me to take off my pants and my blouse and I wouldn't do it, so they did it for me.

"There were five to seven people in the room. They beat me. They used a big stick and they put electrodes on the ends of my index fingers. When I started to fall they wouldn't let me fall and pulled me up by the hair. They beat me on the chest, the back. They took off my shoes and beat my stomach. It hurt very, very much."

"They wouldn't let me cry out," she continued. "They put their hands over my mouth and said to me, 'Confess!'

"They put a handkerchief over my nose and mouth and poured water and soap and put it through the handkerchief into my two nostrils and my mouth—three or four buckets. I was very tired by that time. Every time I drank these things, my stomach would swell up and they would kick me in the stomach. As soon as my stomach would go down again, they would give me more water and make it swell up again.

"They picked me up by the ribs with their hands, pulling the ribs out. Then they tied my legs apart after I fell because of the electric shock. They pulled my legs apart and kicked my vulva, and I lost blood there after that for 10 days. I could not stand any more."

She sank into unconsciousness, she recalled, and when she awoke she discovered that a live three-foot-long eel had been put in her underpants.

A CAUTIONARY GLANCE

"That night they took me to the hospital and gave me medicine to put me to sleep," she said. "I didn't know anything for a whole night. The next morning after I was awakened they took me back to the room and beat me again with sticks and kicked me on the back and chest. When I was lying on the floor they just came by and kicked. I could no longer walk. The second day I couldn't feel anything."

She told the story in a quiet steady voice. Only when her mother entered the ward and knelt by her did her eyes fill with tears.

"I am sick and sad," Miss Hien said. "Because I was arrested I think that the war still must be going on."

As for her political views, Miss Hien said only: "Before, I didn't know, I did not have any experience with the Government. Now?"

Her mother shot her a glance of warning and whispered a few words. "I don't want to say," Miss Hien added.

The interview was suddenly ended by a plainclothes police captain who had joined the crowd. He was exceedingly polite as he invited the correspondent to a nearby station house, asked what information the prisoner had given and, apparently satisfied that she had said little of importance, ended the session with a request that nothing be written that would get him in trouble with his superiors.

A few days later Miss Hien was removed from the hospital, although some of the staff said that she was in serious need of physical therapy. After spending time in two prisons, she was released in mid-June.

An American working for a private welfare agency who investigated her case was told by the police that she had been charged with "communication with the Communists." She was said to have introduced a girl to an older women who was suspected of association with the Vietcong.

Miss Hien denied involvement. In her case, as in many others, it was simply her word against that of the police. The police tortured her, she believed, "partly for fun and partly to find out."

SAIGON POLICE FIGHT SUBVERSION BUT ALSO CURB POLITICAL DISSENT

(By David K. Shipler)

SAIGON, SOUTH VIETNAM, August 17.—On the floor of a Saigon hospital ward a young seamstress named Dang Thi Hien lay handcuffed to an olive-drab stretcher. Her legs, covered with a blanket, were paralyzed—a result, she said of beatings and torture during police interrogation.

In a small office a student activist, Nguyen Xuan Ham, drew deeply on a cigarette while he described being forced to watch three friends tortured as policemen tried vainly to make him admit that he was a Communist.

A high-school philosophy teacher, Tran Tuan Nham, who was failed after his unsuccessful run as anti-Government candidate for the National Assembly, hunched over his drawing of the layout of cells in the Saigon municipal police headquarters to show where he saw the head of the Private Bank Workers Union, Phan Van Hi, meet death—not by suicide, as the Government reported, but after days of beatings.

Beyond the well-known war of tanks and planes and infantry there is another war in South Vietnam—a silent, hidden war that runs its course out of the public view. It is waged in interrogation rooms, in prisons, in courtrooms. It is fought in tiny print shops and large universities, in churches and pagodas, in the cramped offices of opposition politicians and the shabby headquarters of dissident union leaders.

FAR FROM PUBLIC VIEW

Some portray the struggle as a monumental clash between free ideas and governmental suppression; others see it as the Saigon Government's rightful battle for survival against a potent campaign of Communist subversion.

In fact it is both, for its major roots are in the civil war that has consumed South Vietnam for two decades, taking some two million Vietnamese lives, touching virtually every family, seeping into every crevice of society.

The Government, to defend itself against Communist attempts to seduce and convert the civilian population and to combat infiltration, sabotage and assassination by the Vietcong, has assembled—with American financial and advisory help—an extensive police apparatus and a military judicial system that are waging this second, simultaneous war.

But those caught in the web of arrest, torture and imprisonment include not only Communists who pose as dissidents but non-Communist dissidents as well; not only sophisticated Vietcong officials but apolitical peasants suspected of Communist sympathies; not just Communist labor organizers but tough, aggressive union leaders; not only Vietcong propagandists but poets and writers who have simply opposed United States policy and called for peace.

In recent months a picture of the Government's police and judicial systems has emerged through interviews with former prisoners and their families, student activists, labor officials, teachers, journalists, authors, opposition politicians, Roman Catholic priests, Buddhist monks, lawyers and police officials.

Such inquiries by foreign correspondents are possible in Government-held areas, where outsiders have relative freedom. The Vietcong, in contrast, have permitted only strictly guided tours by newsmen, so little is known of the actual workings of their security and judicial systems. The sketchy outlines provided in captured documents and the interrogation of defectors indicate that recalcitrant civilians in Vietcong areas are subjected to arrest, trial, "re-education" and even execution.

As a result of the police activity on both sides, no neutralist sentiment has been allowed to gain momentum. The Government machinery designed to fight the Communists has actually eaten away the middle ground between the two warring camps.

NO PLACE TO TURN

Those politically active South Vietnamese who dislike both sides find themselves with no place to go. Some who were anti-Government dissidents have turned reluctantly to the Communists. Others hate and fear the Communists so much that they have grudgingly accepted President Nguyen Van Thieu although they do not like him either.

Yet the Government's system is not a massive, ever-present police operation comparable to that of the Soviet Union, nor does it suppress dissent so thoroughly that the country can present a public image of unity, as does North Vietnam.

* * * * *

Mr. Nham, the teacher, was arrested shortly after his unsuccessful 1971 campaign for a National Assembly seat, run on the theme "Fight the Americans and save the country,"—a slogan also used by North Vietnam. He was released in March after nearly two years in prison.

"At the beginning of the campaign, my election pamphlets were confiscated right at the print shop," he said in an interview four days after his release. "And on the first day of the campaign, in the morning, I began putting up my posters. By six o'clock that night the police were tearing them down."

Every day, he recalled, five or six of his campaign workers were arrested, held for a few hours and released. He said that after the election—he finished eighth in a field of 87 candidates running for six seats—about 20 of his workers were put in jail, where some remain.

ANTI-U.S. ARTICLES CITED

A journalist who asked not to be identified related that he had been arrested, beaten and tortured with electrical shock by policemen who cited several of his anti-American articles as evidence that he was a Communist.

He had translated American antiwar writing and had written a newspaper series about the My Lai massacre, the effects of defoliants and the use of antipersonnel bombs against North Vietnam, all based on books and articles published in the United States. He was released several months ago after about a year and a half.

A well-known author, Ngu-yen Buc Dung, who uses the pen name Vu Hanh, was arrested in 1967 and held for three years after he had written newspaper and magazine articles arguing that Vietnam's national culture must be preserved against Americanization. He advocated the establishment of a political movement with that aim.

During interrogation, he said, policemen beat him, forced soapy water into his mouth and tortured him by applying electrodes to his body.

In 1969, when his 18-year-old son, Nguyen Anh Tuan, protested the imprisonment, he was arrested and is still in prison. In January 1973, Mr. Dung's 15-year-old daughter, Nguyen Thi Phuong Thao, was arrested and held for six months for allegedly possessing antiwar music. The police said she was a Communist.

Now Mr. Dung's small house, tucked away in a compact garden off a back alley in Saigon, is stripped of his books and writings, all seized by the police. He has written two novels since his release, both so heavily censored that he does not think it worth trying again.

On Jan. 1, 1974, the police surrounded a Saigon cafe and, it is reported, arrested three young people connected with the clandestine publication of a small book of short stories entitled "Pink Hearts."

The stories are intensely antiwar, portraying the Government as the prime cause of a conflict that separates lovers and shatters families. One of those said to have been arrested, Than The Hung, a student at Van Hanh University in Saigon, wrote of a peasant named Sao Do, who fought the French and was now opposed to both sides in this war.

Sao Do reflects happily on the forthcoming marriage of his daughter, but worries that his two sons might kill each other.

Suddenly Government planes attack with "thousands of fragments of bombs and bullets surrounding and swooping down on Sao Do's hiding place, where his neighbors also try to save some fragment of life amid the net of death."

"After the careless terrorization," the story goes on, "the planes flew away, leaving behind a scene of destruction, torn houses, rows of bamboo with their heads bowed low to the ground, smoke rising up from burning houses. The smoke rose and disappeared like the incomplete dream of Sao Do."

"I DON'T LIKE THIS FLAG"

Another author reportedly arrested was Hoang Thoai Chau, who wrote a bitter story about a Saigon taxi driver's happiness upon hearing of the cease-fire. He expected his three sons to return from the army, but when he entered his house he found that only one son had come home, in a coffin draped with the South Vietnamese flag.

"Why don't you bring home something different from this flag?" the man asks his dead son. "I don't like this flag."

Many former prisoners, although by no means all, describe being subjected to torture, usually for one of two purposes: to force them to provide intelligence information or to force confessions, to which the military judicial system attaches great value.

A number who have been imprisoned in the Saigon municipal police headquarters, including a student leader, Ha Dink Nguyen, report seeing a slogan on the walls and on signs on desks: "If he is not guilty, beat him until he renounces. If he does not renounce, beat him to death."

Mr. Nham, the teacher and opposition candidate, said he was never tortured, but in the first week in March, when he was in a cell at the Saigon municipal police headquarters, he recalled, he say many people from the countryside, mostly women, who had been beaten so badly that they could no longer walk and had to be carried from cell to interrogation room.

LINKS TO THE OTHER SIDES

"I had a chance to talk with some of them," he reported, "and it seems they were people who had husbands or relatives on the other side, and so they had been brought here. Other people were suspected of trading with the other side."

He recognized among the prisoners a former student, Thuy Dung, a frail woman in her early twenties who leaned weakly against the wall of the corridor as she walked to and from interrogation. Through a student who was serving as a sweeper in the cellblock, she conveyed to Mr. Nham her concern that she was suffering from an injury caused when an eel was put in her underpants.

When Mr. Nham was first arrested, he went on, students in his cell had painfully swollen fingers because policemen had inserted pins under their fingernails, then run rulers back and forth across the ends of the pins during questioning.

One of those in the cell, a law student named Trinh Dinh Ban, had been beaten

so badly that he could not sit upright, Mr. Nham related, adding, "He screamed all the time because he was in pain all over his body."

Other people have described similar situations. An American physician who works in a provincial hospital reported that prisoners were often brought into the wards with bruises that they attributed to police beatings. The doctor, who asked not to be identified, told of a woman who was near death, having been severely beaten on the stomach: "She had internal injuries, bleeding, she couldn't eat. I thought she was going to die, but she survived."

JUST ROUTINE QUESTIONING

Dr. Tom Hoskins, an American who works in Quang Ngai, on the central coast, reported that one of his clinic's regular patients, a 45-year-old woman, came in suffering from bruises. "She had been picked up for routine questioning," he said, "and was severely beaten around the arms, chest, legs."

The patterns of arrest envelop certain aggressive labor unions as well—those that threaten to translate serious economic concerns into sharp political issues.

In April, 1973, a number of prominent union officers were arrested and accused of being Communist agents, among them Mr. Hi, head of the bank union; Dang Tam Si, secretary general of the bank union; Nguyen Thua Nghiep, president of the Petroleum and Chemical Factory Workers Union, and Hoang Xuan Dong, secretary general of the Railway Workers Union.

Mr. Dong was among 27 union members arrested in April, 1973, after an illegal two-hour strike by clerical and repair workers seeking a wage increase. During interrogation, according to a source close to the case, he was blindfolded and his wrists were handcuffed behind his back and water was forced into his nose and mouth until he could not breathe. The police asked: "Who gave the order for this strike? Do you have contacts with Mr. Nghiep or Mr. Hi?"

HE DIED IN PRISON

Mr. Hi, arrested at about the same time, was accused of being a Communist agent for 25 years. Five days after his arrest he died in prison; the Government said he had hanged himself.

Mr. Nham, the teacher, whose cell was across the corridor, has a different version.

"I could see him carried out for interrogation and carried back," Mr. Nham recalled.

"The person who brought rice to the cells said he was being beaten really severely and he didn't know whether he would be able to bear it much longer."

On the night of April 22, Mr. Nham continued, he heard a noise from Mr. Hi's cell.

"A guard came over and opened his door and pulled him out head first so his legs were still in the cell and his body outside," Mr. Nham said. "He had no clothes on. One arm was across his chest. His arm was swollen and it was black like a piece of putrid meat. On his chest was a little bit of blood, his side along his ribs was just beaten into hamburger." Mr. Hi was dead.

Last March, Mr. Nham said, he shared a cell with a union man named Trang.

TORTURE OF STUDENTS DESCRIBED

"He had been there seven or eight months," Mr. Nham continued. "He was being strung up by his arms daily and beaten on his legs, his back, his chest. When I left there he was unable to walk because of the beatings on his legs, and his knees were so swollen.

"He was arrested for having known a Liberation Front official who had responsibility for having lent him his pickup truck to go around in."

According to Mr. Nguyen, the student leader and a former student chairman at the Saigon university, torture was a common aspect of the wave of arrests in which he and about 250 student leaders were caught early in 1972. They had assembled a "peace movement" to oppose the American presence in South Vietnam and President Thieu's one-man election in 1971. One activity was burning American vehicles.

Mr. Nguyen described himself as one of three students tortured in front of Mr. Ham, the activist leader, who was chairman of an association of Catholic students at the University.

Mr. Ham said the others were Huynh Tan Mam, head of the South Vietnam Student Union, who is still imprisoned, and Phan Nguvet Quon. The police began by torturing him alone.

"Sometimes they tied me to the chair," Mr. Ham recalled. "Sometimes they blindfolded me. During the first week I was beaten every day." He also reported being shocked by means of an old hand-cranked telephone generator connected to his nipples with clips.

This failing to elicit a confession, the police brought in his friends one at a time, he said, adding:

"It terrorized me. I was very angry that they beat a girl in front of me. They tied her ankles to a chair, tied a rope around her stomach and blindfolded her. They had a long rubber baton and they beat her knee caps. They they thrust their hands in under her ribs and pulled them out. They had her lie down and forced soapy water into her mouth.

"They attached one wire to an earlobe and one to her breast or to her genital area and then they would crank. When the crank was turned and produced a burst of electricity, she would strain at the chair and slump back."

The policemen took turns, Mr. Ham recalled. Some were in uniform, and he could see that they were high-ranking officers—majors and lieutenant colonels—while others were in civilian clothes or bare-chested.

"ORDINARY JOB, NO EMOTION"

"It was like an ordinary job with no emotion," Mr. Ham commented. "They had many Coca-Cola bottles and cigarettes. They would beat a little, drink a little Coca-Cola, smoke a cigarette, speak to each other in quiet voices—no emotion, very professional. Most were not angry or hateful but were just doing it very coolly."

There were times, he said, when he considered "saying anything to relieve the suffering," but he thought that they would have asked him for details he could not provide, "so it just would have prolonged the torture."

Miss Quon never begged him to confess, he said, "but she did shout at them, asking them why they were so savage."

SCARS ARE OFTEN BURIED

It is hard to see the scars of torture. Sometimes they are in the eyes, but not always. Often they are hidden far beneath the steady gaze and self-control learned, perhaps, in the interrogation rooms. For some, curiously, it is not the thought of the torture itself but the recollection of waiting to be summoned that stirs the old taste of fear.

Nguyen Viet Tuan can still taste it, and he was never tortured. The president of a group called the Young Catholic Workers, he was arrested for helping workers striking at a Saigon factory. He was treated gently, he said, but his cell was full of those tortured.

The tension is still real—the extreme fear of the long, silent * * *.

"After 10 P.M.," he said, "we would wait for a sound, a bell. Then the guard gets up, climbs upstairs—then the sound of the key. The interrogators in the daytime were not severe, but the interrogators at night were hard."

FERMI NATIONAL ACCELERATOR LABORATORY

Mr. PERCY. Mr. President, in May I spoke at the dedication of the Enrico Fermi National Accelerator Laboratory at Batavia, Ill. I take a considerable amount of pride in the completion of this project. For me this dedication represented the culmination of 8 years of intensive involvement with all of the people who have made this laboratory possible.

The Fermi Laboratory houses the world's first 400 billion electron volt accelerator. An accelerator that large will be used to explore the most minute subatomic particles known to man—and perhaps discover others not yet known. The application of elementary particle research has already led to the development of the modern chemical, electronics, and nuclear energy industries. No one can predict what applications may follow the increased understanding of elementary particles now being sought at the Fermi Laboratory.

In 1966, just after my first election to the Senate, the site at Batavia was selected for the laboratory from more than 125 different site proposals. Since that time the Fermi Laboratory has not only met, but exceeded every one of its goals on cost, performance specifications, and timing.

Faced with the severe construction cost limitation of only $250 million, $100 million less than the design study cost, the Fermi management trustees nevertheless completed the project under cost. Furthermore, they found it possible, within the $250 million appropriation, to capture fully the potential for raising the maximum energy of the accelerator from the initial 200 billion electron volts—BeV to 400 BeV, a task which had been expected to cost an additional $30 million.

Final congressional authorization for the laboratory was granted in July 1969. As one means of conserving funds, a rapid construction schedule was set, calling for acceleration of the first beam by June 1972. This target was bettered by 3 months, and by April 1974, the intensity of the accelerator beam had already reached a value double that which had previously been proposed for a reduced scope project.

Mr. President, I congratulate all the dedicated men and women who have worked so diligently to make the Fermi Laboratory a success. Special congratulations are due its director, Dr. Robert R. Wilson, who has seen the project through from its inception to its completion.

I ask unanimous consent that a fuller explanation of the history and prospects of the Fermi Laboratory be printed in the RECORD.

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

BACKGROUND INFORMATION ON THE FERMI NATIONAL ACCELERATOR LABORATORY

(Prepared by E. L. Goldwasser, July 29, 1974)

I. PURPOSE

The Fermi National Accelerator Laboratory is the United States' most recent con-

tribution to man's long-standing effort to understand the universe in which he lives, and, in particular, to understand the fundamental structure of matter. It is a laboratory dedicated to the pursuit of basic research in the area of the "physics of the very small."

During the twentieth century this field of physics has progressed from the study of molecules and atoms, through the exploration of the nuclei of atoms and now to the study of the "elementary particles" which are the constituents of atomic nuclei. Thus the name given to today's "physics of the very small" is elementary particle physics. It sometimes also is called "high energy physics" because the only tools with which the very smallest bits of matter can be observed and explored are mammoth machines which accelerate particles to very high energies. These have progressed in the past 40 years from an energy of about a million electron volts that was required to explore what we now consider to be the relative large structure of an atom, to the unprecedented 400 billion electron volts that can now be made available at the Fermi National Accelerator Laboratory. The higher the energy of the accelerator, the smaller the size of the object which can be studied.

Using submicroscopic projectiles which have been accelerated to these very high energies, scientists bombard protons, neutrons and electrons which, until recently, have appeared to be the fundamental building blocks of matter. It has not yet been understood how those building blocks all fit together. It is hoped that through research which now been started at the Fermi National Accelerator Laboratory, important new insights and understanding will be gained, not only about the forces with which these small bits of matter interact but also about their own inner structure.

Evidence has already been obtained showing that the so-called elementary particles are not all ideal geometric points in space, nor are they even small uniform spheres. Rather, experiments seem to indicate that there is a whole new substructure inside these very small objects. It seems possible now to explore that world using the gigantic "microscope" that is provided in the Fermi Laboratory's proton synchrotron.

Laymen frequently ask, "What use can be made of this new information? Granted, it may seem of the utmost importance to scientists, but of what importance is it to me?"

The answers to those questions are complex. In the first place, it is not only scientists who gain satisfaction from the achievements of science. On the contrary, increased understanding brings all men a freedom from superstition and fear. All men reap the cultural and intellectual rewards associated with a better understanding of the universe.

More concretely, for those who believe that we cannot afford to do research unless practical applications will follow, it may be reassuring that new knowledge has consistently had a profound impact on our technology. Out of our understanding of atoms have come the modern chemical and electronics industries. Our understanding of the atomic nucleus has given us a new energy source, new medical techniques and much more.

No one can predict what applications may follow the increased understanding of elementary particles that is now being sought at the Fermi National Accelerator Laboratory. However man's continuing effort toward achieving a better understanding of the universe has had in the past, and will certainly continue to have in the future, a most profound effect, not only on his standard of living, but also upon his self-respect, his philosophy and, indeed, upon his total environment.

II. HISTORY OF THE PROJECT

During the 1950's it first became clear that there were no technical limitations to the energy that could be achieved in a particle accelerator. Before that time, it had frequently been the state of the technology which established the size of an accelerator and therefore the power of the "microscope" that it could provide. At other times it had been a particular physics objective which established the size of the next accelerator to be built.

About fifteen years ago, 30 billion electron volt accelerators at Brookhaven Laboratory in New York and at the Cern International Laboratory in Geneva, Switzerland began to reveal a number of previously unexpected new particles and new phenomena in the submicroscopic world of the elementary particles. The observations that were made were sufficient to suggest that an interesting and important new substructure lay inside the particles which had previously been thought to be simple. Neither the size of that substructure nor the masses of its constituents could be experimentally observed or theoretically calculated. Therefore the size of a new accelerator that would be necessary to study and understand that new substructure could not be specified. The determining factors for the scope of a new accelerator laboratory then became, on the one hand, the interest and the promise of the physics that might be understood, and on the other hand the cost of the accelerator and associated facilities. This then was not a technological question, but rather an economic and a scientific question.

For the first time, in May 1963, a special panel of the General Advisory Committee of the AEC and of the President's Science Advisory Committee recommended the construction of a 200 billion electron volt accelerator. That recommendation was studied during the ensuing years and was finally subjected to a searching review in the 1965 hearings of Congress' Joint Committee on Atomic Energy. The Committee organized a roundtable discussion of the proposal, involving scientists, not only from the field of high energy physics but also scientists and laymen from many other related and unrelated disciplines. The support for the proposed new and unprecedentedly expensive step in high energy physics was enthusiastic and almost unanimous. Following those hearings the JCAE endorsed the AEC's proposed Program for High Energy Physics including, as a major feature, the construction of the world's largest accelerator.

A design study was undertaken at the Lawrence Berkeley Laboratory of the University of California, and the result was a preliminary design for a 200 BeV accelerator laboratory that would cost about $350 million.

In subsequent reviews of this proposal, Congress' Joint Committee on Atomic Energy criticized the scope of the project as being too small, noting that plans appeared to be well advanced for the construction of a European laboratory with a more powerful accelerator than the one that was being proposed for construction in the U.S. At the same time, the fiscal arm of the Executive Branch of the government criticized the project as representing too large an investment for the government to make at that time in this branch of physics. Thus the Congressional Committee was pressing for an energy of 300 BeV or more, at least 100 BeV higher than that proposed, while the Executive Branch was pressing for a cost limitation of about $250 million, $100 million less than that projected in the design study for a 200 BeV machine.

While these reviews were in progress, scientists and university officials were searching for a management device which could assure a national character for a new accelerator laboratory and which would guarantee access to the unique facility by qualified physicists, regardless of their institutional affiliation. As a result of that search, Universities Research Association, now composed of 52 universities, came into being in 1965. It is that organization which now operates the Fermi National Accelerator Laboratory, under contract to the U.S. Atomic Energy Commission.

A council of the presidents of these 52 universities meets annually to elect members to the Board of Trustees of the not-for-profit corporation. The Council of Presidents delegates to that Board of Trustees the management responsibility for the Fermi National Accelerator Laboratory.

Another sensitive issue was the choice of a location for the new laboratory. While Universities Research Association was in the process of formation, the Atomic Energy Commission undertook a search for an appropriate site for a new accelerator. The Commission asked for proposals from all parties interested in being considered for a site, one condition being that the land had to be given, unencumbered, to the Federal Government.

At the same time, the Commission asked the National Academy of Sciences to appoint a committee of experts to screen the site proposals. In all, more than 125 different sites were proposed. The National Academy's committee narrowed that list down to 6 acceptable sites. That list of 6 was then passed on to the Atomic Energy Commission which made the final choice of the present site of the Fermi National Accelerator Laboratory, near Batavia, 35 miles west of Chicago, Illinois.

The final site selection was made in December 1966. In March 1967, Universities Research Association appointed Dr. Robert R. Wilson as Director of the new laboratory. On June 15, 1967 the first dozen staff members of the new laboratory met for the first time in space that was rented in Oak Brook, between Chicago and the laboratory site, for the purpose of designing the accelerator and laboratory and submitting that design to the AEC by the following October.

This small nucleus of a staff started to work and, with active participation and cooperation by high energy physicists from other accelerator laboratories and universities, completed a design by the required date.

It was proposed to build a laboratory centered around a 200 billion electron volt accelerator at a cost of $250 million. It was further proposed that the accelerator, as built, would have the capability to be raised in energy, at a later date, to as high as 400 BeV, at an incremental cost of about $30 million. Furthermore, besides reducing the projected cost and increasing the obtainable energy, the new proposal restored to its previous high value the originally specified intensity of the accelerator. Whereas the preliminary design study had suggested an intensity of 5×10^{13} protons per pulse, a reduced scope project which had been suggested, as a means of conserving funds, had projected an intensity the equivalent of only 10% that of the original design. The formal proposal now submitted to the AEC restored the specified intensity to its original value. Thus the requirements both of the Executive Branch of the government and of Congress were met in this proposal. As one means of conserving funds, a rapid schedule of construction was set, calling for acceleration of the first beam by the end of June 1972.

In April 1969 the State of Illinois turned over to the federal government title for the land which was to be the site for the Fermi National Accelerator Laboratory. In July 1969 AEC and Congressional reviews were completed, and the full $250 million construction

project was authorized. It was only three years later, in March 1972, that the first beam was accelerated to 200 billion electron volts. By April 1974, the intensity of the accelerator beam had already reached a value double that which had previously been proposed for a reduced scope project, and there is every reason to believe that the accelerator will rapidly approach the originally specified intensity of 5×10^{12} protons per pulse.

Furthermore, in the course of construction, it was found possible, within the $250 million appropriation, to capture fully the potential for raising the maximum energy of the accelerator to 400 BeV. By December 1972 protons had actually been accelerated to 400 BeV. Routine and reliable operation is now carried out at 300 BeV, 50% higher than the initial specification for the accelerator. It is expected that an energy approaching 500 billion electron volts may soon be achieved.

Originally, there were fears, because of the low cost estimate for construction, that there would not be sufficient funds to build the already somewhat austere experimental areas that had been proposed. To the contrary, the experimental areas, as built, are significantly broader in scope and have a much greater capability than was projected in any of the design studies. As many as 35 separate experiments are now in some stage of installation, testing and operation. This number is about twice that which was originally thought possible. Early critics felt that a five year construction period was much too short and that at least seven years would be required. Instead, now, seven years after the first staff meeting was held and only five years after the full authorization of the project, 45 experiments have been completed, and important physics results are beginning to be studied and discussed.

III. PROSPECTS FOR THE FUTURE

Dr. Wilson, in his March 1971 report to Congress' Joint Committee on Atomic Energy, expressed his confidence that the laboratory could be finished well within the original cost estimate and that funds might remain with which the capabilities of the laboratory could be increased far beyond those originally foreseen. One possibility that he described was the construction of an "Energy Doubler."

The Energy Doubler would be a second accelerator, consisting largely of a ring of superconducting magnets, installed inside the tunnel in which the present main accelerator already is located. Because superconductivity makes it possible to generate magnetic fields twice as strong as those which can be achieved with conventional magnets, it would become possible, with the Energy Doubler, to reach a maximum energy of 1000 GeV—one trillion electron volts!

In the fall of 1972 authorization was given to use some of the remaining construction funds for the development and construction of prototype energy doubler magnets. That work has progressed considerably and is continuing at present.

In addition to the capability of generating beams of higher energies than have ever been contemplated before, the Energy Doubler has another feature which is particularly interesting in view of the present fuel shortage and energy crisis. Superconducting wires present no resistance to the flow of electrical current. Therefore the switching of protons from the present accelerator to the contemplated Energy Doubler could sharply reduce the consumption of electrical energy. For example, to operate the present accelerator at an energy of 400 BeV, somewhere between 60 and 80 megawatts of power will be required. On the other hand, if the Energy Doubler turns out to be a feasible development, the new accelerator system could be operated at an energy of 400 BeV with a consumption of less than 25 megawatts of electrical power. That represents a substantial saving, and, because of that fact, the Energy Doubler is sometimes referred to as an "energy saver."

Furthermore, the development of superconducting technology that would be inherent in the development of the Energy Doubler could represent a significant contribution to one important facet of energy-related research. The transmission of electrical energy by superconducting cables would revolutionize the electric power industry, and the construction of the energy doubler would represent the largest project for the transmission of electric power by superconductor that has as yet been undertaken. It would provide a much needed stimulus to industrial developers and producers of superconductors.

In addition to the Energy Doubler, which could partially be constructed from funds which still remain from the original authorization, plans are already being developed for possible major new projects associated with the Fermi Laboratory's accelerator complex. The most favored of these projects is a system of so-called "storage rings." This is a pair of rings, which could accept protons from the present accelerator or from the Energy Doubler, and store them, circulating at high energy in opposite directions. The rings would be so configured as to intersect at several points around their circumference, and at those intersection points, high energy protons traveling clockwise could be made to collide with high energy protons traveling in the counterclockwise direction. The energy of those collisions using the Energy Doubler as an injector, would be more than 50 times that which is made available when beams from the present accelerator bombard a stationary target.

A system of such storage rings has already been operated successfully at the CERN Laboratory in Geneva, Switzerland. However the energy of those storage rings is less than 1/10 that which would be available from the rings which could be constructed at the Fermi Laboratory.

Another possible plan for the future envisions the use of electrons in one of the two storage rings described above. Those electrons could be accelerated in the existing accelerator system and injected into a storage ring. The resulting collisions between protons and electrons would make possible the probing of nuclear particles, using electromagnetism as a probe rather than the nuclear force.

Because this possible long-range project envisions storage rings in which protons could collide on protons or on electrons, it has been named "POPAE" standing for protons on protons and electrons.

IV. PHYSICS GOALS AND ACHIEVEMENTS

It is the goal of the Fermi National Accelerator Laboratory to increase man's understanding of the structure of matter. New understanding will be sought by searching for the smallest subdivisions of matter that can be observed, by exploring the size and structure of those bits of matter and by studying the forces through which they attract and repel each other. Before discussing the goals and achievements of the Fermi Laboratory it may be helpful to set the stage by describing the recent history of this field of research.

About a century ago, the tremendous breakthrough was achieved in the study of the structure of matter when scientists discovered that the myriad substances that surround us—gas, liquid and solid, could all be broken down into combinations of less than 100 different chemical elements. The smallest unit of each of those chemical elements was called an atom. Atoms, it was soon discovered, were about one hundredth of a millionth of an inch in diameter.

As physicists turned their attention toward the substructure of these atoms, they found that about 99.9% of the mass was located in a far smaller region at the atom's center. They called this the nucleus. The size of the atom, it was discovered, is determined by a group of electrons which orbit around the nucleus, the whole system looking very much like a scaled-down version of our solar system, the nucleus corresponding to the sun and the electrons corresponding to the planets. The diameter of the nucleus is only about 1/10,000th the diameter of the already submicroscopic atom.

By 1932 it was established that the nuclei of all atoms consist of varying numbers of only two different kinds of particles, protons and neutrons. All of the chemical elements and thus all matter in the universe, are therefore different formations of only three fundamental particles, electrons, neutrons and protons.

The simplicity of this picture of matter, in the 1930's, marked a tremendous achievement. However a number of substantial problems still remained. The two familiar forces with which matter pushes and pulls on other matter had then been identified as the gravitational force and the electromagneric force. Those forces were well understood, yet it can easily be shown that if only those forces were acting, the particles which reside inside the nucleus would fly apart and not stick together as they are observed to do. Scientists therefore set forth to understand the forces which hold the nucleus together.

As a result of studies to date, two, new, independent force fields have been found. They have been named the strong force and the weak force. They bring the total number of forces in nature to four.

In order to gain some understanding of these new forces, higher energy accelerators were built, but when matter was examined using these more powerful "microscopes," it was surprisingly found that the simple world of neutrons, protons and electrons was in reality, not at all simple. Instead, more than a hundred new, hitherto unsuspected, strange new particles were discovered. Their existence has immensely complicated our view of the world.

It is simplicity, not complexity for which a scientist strives. Therefore, physicists started to search for patterns and regularities in the properties of the new particles, and these have now begun to appear. Those regularities have given us new insights into the beauties of the structure of matter and give us a glimmer of hope that a more profound simplicity and a more complete understanding lies just beyond the bounds of our present observations and comprehension.

In fact, based on these apparent regularities, in some cases predictions have been made about the existence of particles not yet found, and later the particles, in fact, were found. One basis of such an ordering scheme has been the possible existence of a still more basic set of building blocks out of which all of the observed "larger" particles could be constructed. One theory assigns special properties to those building blocks and has named them "quarks."

At the Fermi National Accelerator Laboratory scientists have started to work with the most powerful "microscope" ever constructed by man. The 400 BeV accelerator enables scientists to look at a proton and to discern substructures as small as 1/1000th of the size of the proton itself. Using these probes, physicists have already found evidence that the proton is not simply a uniform sphere but that it has a substructure of particles which had hitherto been unobservable. It is possible that this particle-like substructure which is now being observed in protons and neutrons may actually be the system of quarks which had previously been postulated, but so far, physicists have not been able to "free" a quark from a neutron or a proton. None have yet been directly observed in the open. Nevertheless, a number of searches have been conducted at the Fermi National Ac-

celerator Laboratory, and more are due to be carried out during the coming months. Thus one of the goals of the new Laboratory is to observe quarks, if they are there to be observed, or, if they are not, to increase our understanding about their possible existence.

There are other kinds of particles for which searches are being conducted at the Fermi National Accelerator Laboratory. For many years, theorists have noted that there is a peculiar asymmetry in electromagnetism. Whereas electric and magnetic forces are very closely related and intertwined, electric fields arise from electric charges, whereas magnetic fields are found only to arise from electric currents, the movement of electric charges. As far as we know, there are no magnetic charges to play, for the magnetic field, a role analogous to that played by the electric charge for the electric field.

A related puzzle is associated with the fact that electric charge is "quantized." This means that one cannot increase the quantity of electric charge on any object in a continuous manner or by any arbitrary value. Electric charge comes in chunks, and one has ever seen the charge on an object change except by an amount equal to some integral number of those chunks. Yet we have no fundamental understanding of why that should be the case.

Theorists have been able to show that if the structure of electromagnetism is symmetrical,—if magnetic charges (called magnetic monopoles) were found to exist, then one could prove that both the monopoles and the electric charges would have to be quantized in value. It is therefore very attractive to many scientists to believe that such magnetic monopoles may really exist in nature. At the Fermi Laboratory, searches are in progress to find whether they exist within the realm that can be explored using the Laboratory's giant new accelerator.

One of the most interesting areas of research that have been opened at this new laboratory is that of the elusive fourth force of nature, the weak force or the weak interaction. We refer to the weak interaction as elusive, because whereas the source strength of the strong interaction is about 100 times that of the electromagnetic interaction, the source strength of the weak interaction is only one ten billionth that of the electromagnetic interaction.

There is one particle, and only one that we know of, which interacts only through the weak force. This is a particle called a neutrino, "little neutral one." To give some idea of the weakness of the weak interaction, it is interesting to note that neutrinos which impinge on the earth as part of the cosmic radiation, usually pass right through the entire earth without being deflected and without interacting in any way as they go through those thousands of miles of solid matter.

Nevertheless, at the Fermi Laboratory, it is possible to generate beams of neutrinos so intense that thousands of neutrino-induced interactions can be detected every day. Already, some interesting facts have been observed.

It has been found that the probability for a neutrino to interact with matter increases as the energy of the neutrino increases. If the energy is doubled, the probability for its interaction also doubles. If this behavior continues over a wide energy range, the point will come at which the effects of the weak interaction will dominate over those of the electromagnetic interaction. This could obviously have important ramifications for our understanding of the forces of nature and the structure of matter.

As part of the same set of observations at the Fermi Laboratory, it has been found that about one quarter of the interactions initiated by neutrinos are qualitatively different from what would be predicted by classical theory. The interpretation of those observations is complex, but one theory with which they would be consistent, also suggests that the electromagnetic interaction and the weak interaction are really not separate forces but are merely two different manifestations of a single basic force.

The idea that all the four force fields of nature might be unified and explained under one single theory has long been a dream of physicists, a dream that was actively pursued by Albert Einstein in his later years. It may be that we are beginning to see the realization of that dream.

An area in which we can be certain that substantial contributions will be forthcoming from the work in progress at the Fermi Laboratory is the study of the strong interaction and the study of the structure of the neutron and the proton. Surprises may be in store in the discovery of new particles or in the first systematic observation of the weak interaction. Those surprises may turn out to be much more important than the investigations about which scientists can be much more confident. However, the Fermi Laboratory accelerator is already substantially increasing our knowledge and understanding through its ability to look more closely at the size and the shape of the neutron and the proton, to discern their inner structures and to observe the effects of their interactions. All of these it can do in regions where they have never been done before. Already we have observed a surprising increase in the size of a proton as it is seen by particle, bombarding it with higher and higher energies. Some of these effects have never been observed before and all of them can now be studied in more detail than they ever have been studied before.

V. CONCLUSION

Scientists have every reason to expect that during the next five years, research at the Fermi National Accelerator Laboratory will provide a vastly improved picture of the fundamental particles of nature and of the ways they interact with each other.

A gigantic step forward in our understanding of matter was achieved with the atomic theory of the early twentieth century. Another gigantic step was achieved with our understanding of the nucleus that came in the middle of the twentieth century. It now seems tantalizingly clear that we are on the verge of another gigantic step through which we shall achieve a greater understanding of the elementary particles out of which all nuclei and all atoms are made.

From our understanding of the atom applications abound. From our understanding of the nucleus more applications have been forthcoming. No one can predict what use we shall make of a basic understanding of particles. However we can be sure that such an understanding will have an enormous impact on the minds and lives of men.

THE DEFENSE SYSTEMS OF THE DEVELOPING NATIONS

Mr. ABOUREZK. Mr. President, one of the fastest growing markets for industrial products in the world today is the defense systems of the developing nations. Total military spending by these nations is growing at a rate of 9 percent a year—twice that of developed countries, and also twice the rate of economic growth in the third world. One survey of worldwide defense spending indicates that the third world expenditures on military hardware increased from $3.3 billion in 1968 to an estimated $5.5 billion in 1972—an increase of 67 percent in 5 years. Since most countries seek to acquire increasingly complex and sophisticated weapons, the production of such equipment tends to be concentrated in an handful of the most advanced industrial nations: between 1950 and 1969, four countries—the United States, Soviet Union, Britain, and France—supplied 87 percent of the major weapons systems acquired by underdeveloped countries. The United States, faced with mounting threats of balance-of-payments deficits, has sought to encourage and exploit the growing appetite for advanced weapons in the third world by mounting an aggressive and well-organized sales campaign. As a result of a vigorous foreign military sales program, $96 million in fiscal 1965 to over $1.7 billion in fiscal year 1975—a 1,500-percent increase.

In a recent article in the Progressive magazine, Michael Klare presents an report on the current status of U.S. arms sales to foreign countries as well as a brief history of the FMS program of the past two decades. In light of upcoming consideration and debate on this matter, I would highly recommend the article to each of my colleagues.

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

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

THE PENTAGON BLEEDS THE THIRD WORLD

(By Michael T. Klare)

In the early summer of 1973, while the nation's attention was focused on the unraveling Watergate scandal, the Department of Defense announced a series of major decisions on foreign military sales which indicated a radical shift in U.S. policy toward the underdeveloped "Third World":

First, on May 26, the Pentagon confirmed that the United States would sell advanced armaments, including F-4 Phantom fighter-bombers and F-5E supersonic jets to Kuwait and Saudi Arabia—both of which have provided funds and military support to the Arab forces battling Israel.

Second, on June 5, Secretary of State William P. Rogers announced that President Nixon would exercise his option—under an obscure provision of the Foreign Military Sales Act—to waive Congressional restrictions on the sale of "sophisticated" military hardware to Latin America, and would authorize sales of the F-5E supersonic fighter to Argentina, Brazil, Colombia, Venezuela, and, surprisingly, to Chile (then still ruled by the Marxist government of Salvador Allende).

Third, in the last week of July, Shah Muhammad Raza Pahlavi of Iran was flown to the United States to select first-hand the weapons his government would acquire in a $2.5 billion "buying spree"—the largest arms deal ever negotiated by the Department of Defense.

The cumulative impact of these decisions was to nullify wholly the policies which had governed U.S. arms sales abroad since World War II. Previous Administrations had held that all sales to Third World countries should be carefully screened to prevent needless expenditures on non-developmental programs, and to prevent local arms races from erupting into warfare. The Nixon Administration argues, however, that any such controls are self-defeating since these countries will buy arms anyway—if not from the United States, then from Europe or the U.S.S.R.—and that American interests are best served by selling to anyone who can make the down payments.

A recent study conducted by the U.S. Arms Control and Disarmament Agency determined that military spending by underdeveloped nations is growing at a rate of nine per cent per year—twice the rate of such spending in the developed countries, and also twice the rate of economic growth in the Third World. International Defense Business, a private information service, has reported that underdeveloped countries spent at least $5.5 billion on the acquisition of new arms in 1972—or double the amount spent in 1968. Since most countries seek to acquire the most modern weapons available, they have been forced to buy from the handful of nations which possess a modern armaments industry. According to the Stockholm International Peace Research Institute, four countries—the United States, Great Britain, France, and the Soviet Union—supplied eighty-seven per cent of the major weapons systems acquired by underdeveloped countries between 1950 and 1969.

The phenomenal growth of U.S. arms sales to Third World areas is eloquently documented in the latest statistics released by the Department of Defense: During the past three years, the United States sold $4 billion worth of arms to underdeveloped countries—or one and a half times more than the total of all such sales for the preceding *twenty* years. Equally striking is the disclosure that sales to *underdeveloped* countries in 1970–1972 were sixty per cent greater than sales to the *developed* countries. Before considering the implications of these ominous statistics, it is important to trace the evolution of U.S. arms sales policies.

The U.S. Foreign Military Sales (FMS) program was originally established in the early Cold War period as an adjunct to the grant system provided by the Military Assistance Program (MAP), and shared the latter's goal of strengthening "Free World" defenses against anticipated Soviet invasions. Since, in the immediate postwar era, most of America's allies were unable to shoulder the burden of their own and the common defense, the United States gave generously of its own resources to remilitarize Western Europe and the "forward defense countries" on the borders of the Soviet Union. Only when the NATO partners had completely rebuilt their war-shattered economies did Washington ask them to pay for the military equipment they were receiving in such abundance.

When President Kennedy took office in 1961, the goals of the FMS program changed radically. Defense Secretary Robert S. McNamara, who sought to expand the Pentagon's conventional warfare capabilities, recognized that overseas deployment of U.S. troops (and other war-related activities in Southeast Asia) would contribute to an ever-increasing deficit in balance of payments. To compensate for increased U.S. military spending abroad, he sought to persuade the allies to make substantial purchases of U.S. weapons. The Pentagon's overseas military missions and military assistance advisory groups (MAAGs)—originally deployed to furnish training in use of U.S. equipment provided under the Military Assistance Program—were converted into sales agents for U.S. arms manufacturers.

At first, the Pentagon's export drive was directed at the most advanced and prosperous nations of Western Europe, as well as Japan, Canada, and Australia. As the 1960s progressed, however, the market for American military products in the developed nations began to shrink and the Pentagon began to encourage substantial arms purchases by Third World nations that had become dependent upon the United States for economic and military aid. Growing Congressional opposition to direct military grants provided the Pentagon with an added incentive for expanding the sales program. To ensure that America's Third World clients would continue to receive the flow of weapons necessary for their survival in a revolutionary era, McNamara established an elaborate system of loans and credits enabling even the poorest countries to purchase U.S. arms. These included:

FMS Credit Sales: Low interest, long-term loans provided by the Department of Defense for purchase of American weapons. Total FMS credit sales for fiscal 1950–1972 amounted to $2.1 billion.

FMS Loan Guaranties: Loans secured from private U.S. lenders for foreign arms sales that are backed by Pentagon guaranties. (1950–1972 total $1.1 billion.)

FMS Cash Sales: Direct, government-to-government sales of U.S. military hardware. (1950–1972 total: $15 billion.)

Commercial Sales: Direct sales by U.S. firms of military equipment to foreign governments. (Such sales must be approved by the State Department's Office of Munitions Control.) Commercial sales totaled $3.2 billion between 1964 and 1972 (data for preceding years are unavailable).

Licensed Overseas Production: Overseas production of American weapons by foreign firms or governments. (These arrangements must be licensed by the Department of State.)

"Third Country" Arrangements: Sales or transfers from one country (which has received them in previous arms transactions with the United States) to another country. (Such arrangements *technically* require approval by the U.S. Government, but this requirement is sometimes waived when politically expedient—as, for example, when Iran transferred some U.S. jets to Pakistan in 1971.)

Spurred by these programs and the aggressive promotional activities of "advisory" personnel, Third World governments bought U.S. arms worth $1.2 billion during the last years of the McNamara era, a substantial increase indeed over the $431 million spent in the preceding fifteen years. Even this impressive gain, however, was soon to be overshadowed by the phenomenal sales growth realized during the Nixon Administration.

Increased U.S. arms sales to the Third World have become a central component of President Nixon's military and economic policies. Under pressure from an aroused public and a war-weary Congress, the Administration has been obliged to withdraw American combat troops from Asia and to restrain the rate of Defense spending at home. To continue protecting American interests abroad, therefore, Nixon has compelled client nations to supply troops for U.S.-led counterinsurgency operations (as Thai troops have been used in Laos), and to purchase substantial quantities of U.S. weapons to compensate for the declining Military Assistance Program. Under this strategy, the so-called "Nixon Doctrine," White House spokesmen insist that increased Foreign Military Sales and MAP aid are essential if the Administration's goal of reducing U.S. military strength abroad is to be achieved without precipitating the collapse of pro-U.S. military regimes in Asia.

U.S. arms aid, former Defense Secretary Melvin Laird argued in 1970, "is the essential ingredient of our policy if we are to honor our obligations, support our allies, and yet reduce the likelihood of having to commit American ground combat units." Persuaded by this final point, Congress grudgingly increased MAP grants from $782 million in fiscal year 1969–1970 to $1.3 billion in 1971–1972. Even these increases, however, have been inadequate to meet the voracious needs of America's allies, and arms *sales* have had to be expanded to fill the gap in even the poorest countries, such as South Korea and the Philippines. Thus FMS sales—which until 1965 amounted to far less than the MAP program—today are *eight* times greater than MAP aid.

The military rationale for arms sales is complemented by pressing economic and political considerations, principally:

Balance of Payments: Ever since October 1971, when America's foreign trade balance showed a net deficit for the first time since 1893, the Nixon Administration has regarded the balance-of-payments problem as a major foreign policy issue. As one solution to the problem, the Department of Defense launched an intensive campaign to expand sales of U.S. military equipment abroad. The U.S. sales drive has been so intense that many European officials—including several foreign ministers—have complained openly of the American's "all-out, hard-sell tactics." These hard-sell tactics have not been without success: while foreign sales of most U.S. manufactured goods have declined in recent years because of stiff competition from Europe and Japan, U.S. aerospace exports are rising and in 1972 were the only commodity to show a positive trade balance.

Aerospace Production: When Vietnam-related Defense expenditures began to decline in the early 1970s, many U.S. aerospace firms experienced significant cutbacks in Defense contracting and were forced to order massive layoffs of skilled and semi-skilled personnel. Some companies—particularly producers of attack aircraft and military helicopters—predicted that termination of the war would precipitate the closure of entire production lines or even corporate bankruptcy. To forestaff this eventuality, many companies launched intensive export drives designed to find foreign customers for their Vietnam hardware.

Cost-sharing: As aircraft and other military systems incorporate increasingly advanced technological improvements, the costs of research and development (R&D) and production engineering consume a larger share of total acquisition costs. (R&D expenditures on the C–5A jumbo transport jet, for instance, amounted to more than $1 million.) In an effort to pass on some of these mounting costs to the allies, the Pentagon is seeking substantial sales of advanced U.S. aircraft to wealthy Third World governments.

Spurred by such pragmatic considerations, the Pentagon has posted substantial increases in export sales for each of the past three years: Total military sales rose from $1.4 billion in 1970 to $2.6 billion in 1971, $3.9 billion in 1972, and an estimated $4.6 billion in 1973. Total sales for fiscal 1974 are expected to reach an astounding $5.2 billion.

Dollar Accumulations: With increased U.S. purchases of petroleum from the Middle East, and the rising prices of crude oil, the supply of dollars in Arab hands has been growing at a spectacular rate: Middle East profits from oil sales, according to one expert, will rise from $5 billion in 1970 to $10–$12 billion in 1975, and reach an estimated $30–$50 billion by 1980. At present rates of growth, this means that Middle Eastern producers will have accumulated an estimated $1,000 billion by 1990.

Obviously, such a concentration of U.S. currency becomes an independent source of power and a potential threat when one considers the fragile condition of the international monetary system: even $10 billion—if unloaded on the money market all at once—could precipitate a major financial crisis, while alternatively, it could be used to buy up entire U.S. industries. "The biggest long-range problem facing the United States in the Middle East," one Defense official told me, "is finding a way to get the Arabs to spend their dollars without letting them get control of our economy." One strategy that has been adopted by the Nixon Administration to deal with this problem is to induce substantial arms sales to the Middle East—a strategy which resulted in sales of more than

$4 billion to Iran, Saudi Arabia, and Kuwait alone in 1973–1974.

Political Influence: Arms sales, like military assistance grants, are considered an effective tool for strengthening the bonds of dependency that tie Third World arms recipients to their suppliers among the advanced industrial nations. The more advanced and expensive the weapons traded, the more dependent the buyer becomes on the training, spare parts, ammunition, and credits that are available only from the supplier; these in turn provide the supplier with considerable political leverage.

Arms sales are considered important in winning and preserving the loyalty of foreign military elites, which in many Third World countries have a substantial—if not decisive—role in determining national policies. These elites are increasingly eager to acquire the modern aircraft and other advanced hardware that they consider primary symbols of power and success—a phenomenon that U.S. arms dealers have been quick to exploit. Thus the Nixon Administration authorized credit sales of advanced jet aircraft (including the F–5E and A–4 Skyhawk) to Chile in an effort to preserve its ties with the military establishment, even though all other trade with the Allende regime had been banned. And although some analysts have questioned the actual value of such leverage (long-established client relationships have been sundered by Third World countries in response to changing political loyalties), the Pentagon argues insistently that increased arms sales are necessary to preserve American influence in areas where arms competition is brisk.

To achieve its diverse economic, political, and military objectives, U.S. policymakers have been obliged to scuttle established military sales doctrine which discouraged lavish arms spending by Third World countries. This reversal is most pronounced, perhaps, in the case of Latin America. During the Kennedy and Johnson Administrations, government policy precluded exports of advanced jet aircraft to South and Central America on the grounds that such sales would divert scarce economic resources from crucial economic and social development programs (which formed the cornerstone of the U.S. strategy for achieving political stability in the area), and because U.S. military doctrine stressed counterinsurgency and internal security rather than conventional warfare (thus obviating the need for sophisticated equipment).

In a discussion of U.S. military aid policy in 1967, Secretary McNamara told Congress that "our primary objective in Latin America is to aid, where necessary, in the continued development of indigenous military and paramilitary forces capable of providing, in conjunction with the police and other security forces, the needed domestic security." The 1968 aid program, he added, "will provide no tanks, artillery, fighter aircraft, or combat ships. The emphasis is on vehicles and helicopters for internal mobility [and] communications equipment for better coordination of in-country security efforts." This penurious outlook was formalized at the April 1967 Punta del Este Conference where, under prodding from President Johnson, Latin American leaders affirmed "their intention to limit military expenditure in proportion to the actual demands of national security. . . ."

The Punta del Este declaration was never taken to heart by the hemisphere's military leaders, most of whom consider counterinsurgency to be a secondary—if not demeaning—function, and who did not share Washington's approach to modernization. Constantly reminded of the close association between military strength and political power in the advanced countries (and in such contested areas as the Middle East and Southeast Asia), they acquired an understandable appetite for modern arms, including advanced fighter aircraft.

When their efforts to obtain American jets were frustrated by U.S. government restrictions and—at the height of the Vietnam war—by the sheer lack of suitable merchandise, many of the richer Latin American governments turned to Western Europe for supplies of the desired equipment. Within months of the Punta del Este conference, Peru ordered sixteen Mirage V supersonic fighters from France, and Argentina, Brazil, Colombia, and Venezuela followed with comparable Mirage orders. According to U.S. Department of Defense figures, Latin America spent $1.2 billion on European arms between 1968 and 1972, while spending in the United States amounted to $335 million.

Faced with the loss of its Latin American market (and the reduction in political leverage that this entailed), Defense officials and industry representatives, with Nelson Rockefeller an outspoken ally, launched an intensive campaign to abolish government constraints on arms exports to Latin America. Their arguments were received favorably in the White House.

Although by 1969 the White House was prepared to lift all constraints on sales of sophisticated arms to Latin America, it discovered that Congress was not disposed to move so quickly. In response to the growing national weariness with the Indochina war, and to what it considered excessive Presidential control over the management of foreign affairs, Congress—led by the Senate Foreign Relations Committee—adopted several stiff restrictions on sales of advanced armaments to Latin America. Under Section 4 (Conte-Long Amendment) of the Foreign Military Sales Act, the Pentagon is prohibited from furnishing credits for sale of "sophisticated weapons systems" to all underdeveloped countries (except "forward defense countries" on the borders of China or the U.S.S.R.) unless the President determines such sales are vital to the national security, while Section 33 (Fulbright Amendment) limits all forms of military assistance to Latin America (including arms credits, but exclusive of training) to $100 million with a Presidential waiver of fifty per cent of that amount.

To overcome these obstacles to increased U.S. sales activity in Latin America, Administration officials have campaigned vigorously for nullification of all Congressional restraints. In a 1969 statement of the Senate Subcommittee on Western Hemisphere Affairs, Assistant Secretary of State Charles A. Meyer suggested that "Latin Americans have become puzzled and even suspicious of our motives. Strong nationalist sentiment has arisen over what is seen as United States efforts to infringe on the sovereign rights of a country to determine its own military requirements."

Recognizing that the Senators were primarily motivated by the desire to prevent costly arms races in the Third World, Meyer emphasized the futility of such restrictions in light of extensive Latin American purchases of European arms: "The long-term consequence of our paternalistic, even patronizing, restrictions will be the acquisition of more expensive items, higher maintenance costs, and greater diversion of financial resources from civilian purposes."

Recent Administration statements have stressed more pragmatic concerns: that by forcing Latin America to buy from Europe we are losing an important export market at a time of mounting balance-of-payments deficits, and that by discouraging such exports we surrender to our competitors (including the Soviet Union) the political leverage that normally accompanies military sales.

In an extraordinary demonstration of Pentagon reasoning, Admiral Moorer even had the audacity to suggest that the only way to discourage Latin America from diverting excessive resources to the acquisition of arms was to *increase* U.S. military sales to the region to regain sufficient political leverage to persuade them to spend less on arms: "When we have been unable to sell U.S. military material or services, our friends and allies have turned to other sources . . . If we provide the material, our power to persuade is enhanced and our ultimate purpose—peaceful evolution and development—is served."

Despite such pressures Congress has so far refused to retreat on its arms sales policies. None of the key restrictions on sales to Latin America has been lifted, although some liberalization of credit terms and export ceilings is likely. In response to the resistance of Congress, the Administration has been unremitting in its search for interim measures permitting increased military sales in this hemisphere. On May 18, 1971, President Nixon informed Congress that he would exercise his option, under Section 33(c) of the Foreign Military Sales Act, to waive the $100 million ceiling on arms transfers to Latin America on the grounds that increased sales were vital to the national security.

Two years later, in 1973, the President announced that he would again invoke the national security waiver to permit sales of the F–5E supersonic fighter to Argentina, Brazil, Chile, Colombia and Venezuela.

Encouraged by such Administration concern, Latin American governments—particularly those ruled by military juntas—have made record purchases of our American weapons, raising their U.S. purchases from $44.4 million in 1969–1970 to $144.5 million in 1971–1972—a 225 percent increase.

Administration spokesmen frequently assert that the Pentagon's arms sales campaign is not intended to foster a weapons race in the Third World. "I am not urging in any sense an attempt to have an arms race by the developing countries," Deputy Secretary of State Kenneth Rush told Congress in 1973 while testifying on behalf of liberalized credit sales to Latin America. Nevertheless, the cumulative impact of Administration policies has been to quicken the pace of militarization in underdeveloped areas and to help fuel an upwardly spiraling "balance of terror" in certain key areas that could lead to an unending series of local wars or even a major world war.

Among factors which tend to spur weapons spending by Third World nations, the efforts of the United States to enhance its balance-of-payments position and to preserve its political influence have already been mentioned. Other factors also are at work: Since the United States has long had a virtual monopoly on sales of advanced technology weapons (particularly jet aircraft), many European countries, in an effort to boost their own exports, have worked energetically to promote sales of more conventional weapons (tanks, helicopters, small arms) to Third World countries, and particularly to Latin America and the Near East. The United States, in turn, has been compelled to liberalize its export policies so as not to lose its customers in these areas.

This competition among the arms *producers* has naturally induced a parallel and complementary competitiveness among the arms *recipients:* when one nation obtains supersonic jets or modern tanks, its neighbors and rivals naturally feel a need to obtain equivalent or superior weapons in order to protect their security. This process has led to the alarming spread of relatively sophisticated arms to otherwise backward and impoverished nations. In 1957, for instance, one small nation—Israel—possessed supersonic jets; twelve years later, thirty-three countries—including Afghanistan, Ethiopia, the Philippines, Uganda, Yemen, Peru, and Nigeria—owned such aircraft.

Even while its export policies contribute to

a growing arms race in the underdeveloped areas, Washington claims to be seeking the preservation of a "balance of power" in certain strategic areas torn by political, religious, and economic strife. This is most apparent in the Middle East, where current U.S. policy calls for the maintenance of military parity between Israel and its Arab neighbors. While such a policy can, in some instances, contribute to the preservation of peace, it is ultimately *destabilizing* when motivated by rivalry between the big powers—in this case the Soviet Union and the United States—which are the main s pliers of weapons to the belligerents. Thus, when one side in the local dispute receives an increment in military strength from its patron, the other rivals must immediately obtain additional hardware from their own patron if the power balance is to be maintained. When there is no agreement between the big powers for restraint in weapons sales, each transfer of arms to one country sets off a chain of sales to other countries in the region.

This process perpetually threatens to precipitate armed conflict; as a supplier increases its investment in a local regime and its stake in the survival of the client expands proportionally, there is an increasing danger that local Third World conflicts will precipitate a clash between the great powers. (This danger became all too real in October 1973, when military personnel of both the United States and the U.S.S.R. were sent to the edge of the Israeli-Egyptian battlefield to supervise deliveries of advanced armaments.) And even if a world war does not come, the growing sales of armaments to underdeveloped nations will strengthen the rule of authoritarian military regimes while postponing long-overdue social and economic development projects which offer the only chance for long-term peace in the Third World.

CONSTITUENTS' PROPOSALS TO FIGHT INFLATION

Mr. ROTH. Mr. President, last month the First Pennsylvania Bank sponsored advertisements in the Philadelphia newspapers, which serve many of my constituents in Delaware, dealing with the evils of inflation and listing the bank's proposal for controlling inflation. Two weeks ago, the bank published a second advertisement asking readers to indicate whether they agree or disagree with nine specific anti-inflation proposals and to send the proposals to their Representatives and Senators in Washington.

The response has been staggering. I commend the First Pennsylvania Bank and my many constituents who have taken the time and the trouble to contact me on their recommendations for controlling inflation.

I firmly support many of these proposals, particularly the proposal to balance the Federal budget. The Federal budget has had a deficit for 14 out of the last 15 years. In the past 5 years alone, these budget deficits have totalled over $75 billion. This means that the Federal Government has been forced to borrow over $75 billion from the private money markets, taking that money away from commercial, mortgage, and small business loans, driving interest rates up to record levels, and fueling the fires of inflation.

Our No. 1 priority must be to regain control of the budget and put an end to these inflationary spending practices.

Another proposal I have supported would allow a certain amount of interest income from savings accounts to be tax exempt. This proposal would not only provide a small tax break for people who save money, but it would also reduce mortgage interest rates, help the housing industry, and make commercial loans more available.

These proposals, and others relating to energy-savings incentives and home mortgage financing, are laudable and worthwhile. I urge my colleagues to examine carefully these proposals to fight inflation.

I ask unanimous consent that the list of proposals and my constituents response be printed in the RECORD.

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

COMPILATION OF CONSTITUENTS' RESPONSE TO ANTI-INFLATION PROPOSALS

[In percent]

	Agree	Disagree
Balance the federal budget. A balanced budget would tend to relieve a major source of inflationary pressure	100	--
Make the interest paid on all forms of savings accounts of $20,000 or less tax-exempt. To help protect the small investor and senior citizen from price increases	100	--
Allow the interest rates on all forms of savings accounts of $20,000 or less to rise in accordance with increases in the Consumer Price Index. To enable savings to keep pace with inflation	100	--
To ensure the availability of home mortgage money, allow variable interest rates, which rise or fall according to the level of general interest rates. Also, commit no mortgage money for *new* second homes for the next three years	93	7
To cut down excessive oil consumption, penalize new cars that get less than 15 miles per gallon by imposing a stiff purchase tax. Eventually, this tax should be extended to include new cars that get less than 25 miles per gallon	47	53
Designate as preferred borrowers those industries converting to more efficient use of energy reserves. And to further encourage the development of these priority industries, grant them variable investment tax credits based on new capital investment	87	13
Have the Federal Reserve direct lending institutions to increase the percentage required for down payments on non-essential consumer loans (swimming pools, pleasure boats, private aircraft, etc.) and, when necessary, to shorten the number of monthly payments	87	13
Make affordable loans available to essential industries, such as public utilities, by allowing lending institutions to reduce the reserve behind such loans	87	13
Require those individuals with after-tax earnings of $40,000 or more to invest 5% of their net income in Government Securities for a period of three years. At the end of three years, this investment would be returned with its original purchasing power intact	60	40

FOREIGN AID POLICY

Mr. ABOUREZK. Mr. President, in our continuing debate on foreign aid policy, we seldom consider the perceptions of the recipient countries in estimating the effects of various aid programs.

In the May 1974 edition of Africa magazine, extracts were published from a speech by President Julius Nyerere of Tanzania, which he gave at the New Zealand Institute of International Affairs.

In it he outlines what his country considers true aid, and what some of the recipients' problems are.

I urge my colleagues to review this interesting point of view and ask unanimous consent to print the article in the RECORD.

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

OUR INDEPENDENCE NOT FOR SALE

(By President Julius Nyerere)

(President Julius Nyerere in March paid his first state visits to Mauritius, New Zealand, and Australia. He also visited the People's Republic of China, his third visit to that country in nine years. He spoke publicly on several occasions. But perhaps the most important speech Nyerere made during the state visits was the lecture he delivered at the New Zealand Institute of International Affairs, Christchurch, on March 18. Below are extracts from the lecture which was entitled "Aid and Developments from a Recipient's Point of View".)

I am told that the annual national income per head in New Zealand is about one thousand five hundred New Zealand dollars. The equivalent figure for Tanzania works out at something like seventy-three New Zealand dollars. In other words, the average Tanzanian works for 20 years before he receives the income which the average New Zealander earns in one year.

The attack on world poverty is a vital long term concern for the rich. They need to participate in it because of their humanity, and out of self-interest. But I go further. I believe that the poor nations have the right to demand assistance from the rich nations as a matter of justice, and in compensation for continuing exploitation.

The poor countries are told they must work hard, produce more, and then through international trade and the multiplier effect they will be able to overcome their poverty. It is an attractive proposition. Most of us believed it when our countries became independent. Unfortunately we have found that it does not correspoond with the facts.

I will give just two examples. In 1950, Ghana exported 267,000 tons of cocoa, and earned £54.6 million. The Ghanaians worked hard; they invested some of that money on improving the quantity and quality of the crop, which accounted for more than 70 per cent of their total export earnings.

By 1965 they were exporting 493,000 tons of cocoa—an increase of about 85 per cent in output. Unfortunately, all their work and investment had increased their income by only 25 per cent and the value of money had meantime fallen.

Or take the case of sisal—which used to be Tanzania's largest export earner—in terms of tractor prices.

In 1965 I could buy a tractor by selling 17.25 tons of sisal; at the time of my inquiry in 1972 I had to sell 42 tons of sisal to acquire the same model; and last month—after the much talked of rise in the price of primary commodities—I still had to spend the money value of 27.25 tons of sisal to buy this tractor—that is, 57 per cent more sisal than in 1965.

All the evidence suggests that such price movements are a function of the present

world economic structure, in which the industrialised nations are able to control the price at which they sell, and also the price at which they buy. These same nations also control the international monetary institutions.

The rich nations become richer because their economic strength gives them economic power; the poor stay poor because their economic weakness makes them pawns in the power games of others.

Thus, the low return of Tanzanian coffee farmers is of no concern to the nations which want to buy coffee; the somewhat higher incomes of the workers in our instant coffee factory are apparently a different matter, so that factory runs at below capacity.

Changing the basis of international exchange relationships is an almost impossibly difficult thing to do. The various UNCTAD Conferences have wiped out any illusions which may previously have existed about that.

Even within nations, it is not easy to change the economic system so that it works in favour of the poor. But self-perpetuating poverty is countered internally by compensatory taxation organised and imposed by the national governments.

Unfortunately there is no world government which could tax the rich nations for the benefit of the poor nations; there is no international equivalent of social security payments. Instead, we have an acknowledgement of the need for 'International Aid'.

There appears, however, to be some confusion, if not hypocrisy, on this subject. Some people seem to think that any transaction between rich nations and poor nations, which is not settled within a matter of days by a cash transfer, can be classified as 'Aid'—quite regardless of the final advantage to one side or the other. I do not agree.

I believe that the term 'Aid' should only be used when there is a real transfer of resources to the poor, for the purpose of raising living standards and narrowing the gap between the poor and rich nations.

By my definition, military assistance would be excluded from the Aid figures. It has little relevance to the poverty gap, whatever other justification it may have. Export credits and commercial loans should also be disregarded.

Nor do I believe that private investment is Aid. It is undertaken for the benefit of the investor; local benefit—if any—is incidental.

And it is undertaken only in the expectation of a high rate of transferable profit; I am told that foreign investors look for an estimated 20 per cent profit before establishing a new enterprise in African nations!

This is the nature of private investment—I am not making a complaint when I list these things. But I do sometimes wonder what businessmen think when they see their investments in poor countries listed under their nation's aid totals.

In their position I think I might be worried; after all, if his factory is aid to us, why should we pay compensation if we take it over?

In fact export credits, commercial loans, and private investment, finally result—and are intended to result—in a transfer of resources from the poor to the rich. Poor countries seek for them because of the urgency of their need; but the resulting annual payments to rich nations are becoming a very real problem for many poor states.

Some countries, especially those which have suffered natural disasters, or whose major export price has collapsed, find themselves in very serious difficulties, with interest and foreign profit payments using up 20 per cent of their export earnings every year.

To meet these liabilities on previous loans they often have to borrow money. Then the new borrowing is counted as aid; but the interest payments to the rich nations are ignored!

I believe that only three things should be included in the category of international Aid. First is capital grants, that is, the transfer of international purchasing power. Grants tied to particular projects and to purchases from the donor country may also be genuine assistance, if the project and purchases are related to the needs of the recipient country.

But if, for example, an ultra-modern hospital is offered as a gift, it may have to be refused because of the heavy recurrent costs which it would involve for the poor nation.

Loans which carry no interest, or have very low interest rates, contain a large element of Aid—particularly at times of world inflation! But the aid element can be nullified or reduced if such a "soft loan" is tied to purchase from a high cost lending nation.

Indeed, our experience has shown us that a tied "soft loan" from some countries can be almost as expensive as free commercial money would be.

In the international aid statistics the nearest thing to my definition is the Official Development Assistance," and it is worth mentioning that the proportion of the Gross National Product of the major rich nations which was devoted to this, actually fell during the 1950s. As these countries themselves increased their wealth so greatly, the amount of money transferred annually did increase slightly.

Although development aid is a very marginal item for rich countries, it may be important to a poor country. It can do things like village electrification where such an advance is otherwise impossible, but where the electricity will enable the development of village industries, the improvement of water supplies and so on.

Aid can make a great contribution to development, provided it is given and accepted for what it is: a possible catalyst for local development.

Poor nations insist that the aid should be given as an expression of partnership, and therefore without political strings being attached to it. Poverty has no ideology. We are poor whether we are socialist, capitalist, or communist. We feel very strongly on this issue: our independence is not for sale.

It would be absurd to deny the relevance of politics to the struggle against poverty and therefore to the use of aid. If a country is corrupt, so that money or goods sent for development are diverted to the personal benefit of Ministers, senior civil servants, or other officials, it is not doing the job it was intended to do.

It is true that development goods which are put to use in a poor country are almost bound to do something to help it. But it does make a difference whether cement is used to build a Presidential Palace or a village well; and those whose aid is claimed on the grounds of rural development have a right to feel annoyed if it finishes up as a contribution to urban prestige building!

Aid cannot be politically neutral. Every government, however corrupt or tyranical, needs some public support, and even the honest use of aid can help to provide that support.

A village which gets a well is inclined to regard the government of its country more sympathetically than it would otherwise do, and people in the poor areas of a town are less likely to go on the rampage against corrupt Ministers if they are getting enough to eat.

Corruption in an aid-recipient state could mean that the taxes of some people are benefiting others richer than themselves. And fascism, racialism, and mass murder are evil whether committed in poor nations or in rich; humanity demands that we fight against such things, not give them support.

There is no country in the world where justice always prevails, where corruption is unknown, and where individuals never suffer through the actions of their government or the mistakes of its officials.

Even in those countries where the official policies may be judged to be beyond reproach, an excess of enthusiasm for progress, a sense of insecurity in times of crisis, or the administrative weakness which is a function of underdevelopment, frequently result in great sufferings for individuals or groups. Are these countries to be refused aid because of their failures?

BUREAU OF THE CENSUS REPORT ON THE STATUS OF BLACKS IN AMERICA

Mr. PERCY. Mr. President, we are all familiar with the importance and significance of the statistical data provided by the Federal Bureau of the Census. Although there can be inherent imperfections in the data collected, the information gathered by the Census Bureau is our best guide to enable us to arrive at conclusions regarding the existence and status of various population groups within our Nation.

The recently released annual report of the Census Bureau on the economic status of our country's black population is most revealing. The report is a result of the combination of data gathered from several long-term governmental studies. It is a comparative project in content and contrasts the 5-year period of 1964–69 with 1969–74 as they relate to blacks and their economic and social status.

Highlights of the report include:

First. The gains and economic progress made by blacks during the last half of the decade of the 1960's have been halted if not reversed since 1969. The report states:

> From 1969 to 1973, the median income of black families did not grow after an appreciable increase during the preceding four year period.

The median income for an average black family of two adults and two children was $5,999 in 1969.

The median income for this family in 1972 was $6,864 and 7,269 in 1973. Although these figures show an increase of median income of 21 percent since 1969, they are figures before adjusting for price changes due to inflation. After adjusting them for the impact of inflation, the new figures indicate that in reality the average family earned 0.2 percent less in 1973 than it did in 1969.

Second. In the years spanning 1970–73, income advances of black families have not kept pace with inflation, while earnings of white families have outstripped price increases by approximately 6.1 percent.

The average black family earned $5,999 in 1969. Between 1965 and 1969 "real" income of this family, after adjusting for inflation, rose 32 percent.

The average white family earned $9,794 in 1969. Between 1965 and 1969 "real" income of this family increased 16 percent.

Between 1969 and 1974, "real" income for the average black family decreased by 0.2 percent.

During the period 1969–74 income for whites increased 29 percent and after adjusting for inflation, "real" income had increased by 6.1 percent.

Third. The income "gap" between whites and blacks which had narrowed significantly in the 1960's is widening.

In 1969, black median income was $5,999, 61 percent of the median income for the average white family of $9,794.

In 1973, black median income was $7,269, 58 percent of the $12,595 for whites.

Fourth. There are more blacks living below the "poverty level" now than in the previous decade. There are less whites below that level.

The Census Bureau reports that there was a decline in the number of blacks living in poverty—below $3,000 annual income—in the 1960's.

From 1969 to 1973, the number of black families with income below the poverty level increased by 160,000 while the number of white families below that level declined by over 350,000.

Fifth. There has been a severe decline in the rate of growth of college-aged blacks enrolling in universities.

Of all college-age blacks, 10 percent were enrolled in colleges or universities in 1965; 15 percent were enrolled in 1970—a 5-percent gain in 5 years. Only 16 percent were enrolled in 1973—a 1-percent gain in 3 years.

Sixth. Blacks and minority group Americans were twice as likely to be unemployed last year as whites.

With these facts and figures in front of us, we can see that the social and economic needs of blacks and other minority group members are not being met. These figures should serve as a reminder and an index for future policy—facts to be considered as we continue our fight against spiraling inflation and our battle to cure our Nation's economic ailments—problems which have a greater impact on minority groups than on the general population.

I have no panacea that will cure the economic and social problems of our blacks and other minorities. We should, however, reiterate and continue to emphasize this tragic and frustrating situation. Our minority populations do suffer the most from the financial and economic crises of our day-to-day existence.

One cannot begin the work needed to solve a problem until that problem is recognized. I hope that the facts outlined here will encourage us all in the Congress and in the new administration to work to improve this depressed situation of our minorities just as theirs is an individual responsibility on the part of every member of a minority for self-achievement. With acknowledgment of the economic plight and the existence of the economic woes of our minorities as has been exemplified in the Census Bureau report, combined with the use of our compassion and our brainpower, we will be on the proper road to real progress in improving their economic conditions.

THE INTERNATIONAL POLICE ACADEMY

Mr. ABOUREZK. Mr. President, two excellent articles by Joseph Novitski, and an editorial on the situation in Chile appeared in the Washington Post over the weekend. In addition, Jack Anderson provided us with additional information on the International Police Academy on Saturday, August 3.

They come at a very pertinent time since it is this week that the House and Senate Foreign Relations Committees are marking up on the foreign aid bill. It is the information provided in these articles which, in part, led me to introduce three amendments to the bill this year. Hopefully, it will also be taken into consideration when each committee member considers the adoption of the amendments in markup.

Mr. President, I ask unanimous consent that these articles and editorial be printed in the RECORD.

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

OAS GROUP URGES CHILE STOP TORTURE

(By Joseph Novitski)

SANTIAGO, CHILE. The Human Rights Commission of the Organization of American States has recommended to the Chilean military junta that it stop physical and psychological torture, punishment without trial and pretrial detentions that amount to prison terms.

The recommendations, made privately to the government on Monday and given to the press last night, were the result of the first on-the-spot investigation of human rights violations in Chile by an international organization. Members of the Human Rights Commission spent two weeks in Chile talking to government officials and detainees and visiting prison camps, detention centers and military courts. They were not permitted to visit three military installations identified by detainees as torture centers.

The eight members of the commission did not make public the findings of their investigation. However, the 11 recommendations they made to the government clearly implied that they had gotten behind the increasingly easy-going normality of daily life in Chile and looked at the continuing expression of known or suspected Marxists since President Salvador Allende was overthrown last year.

The commission's recommendations indicated that it had found evidence that torture is used in interrogations of political prisoners, that people detained without charges are required to do hard labor, that Chileans sometimes disappeared for days or weeks after being seized by police or military intelligence services and that military courts have limited lawyers' access to their clients and tried people under wartime rules, for acts committed before the Sept. 11 coup.

The Human Rights Commission, a permanent body of the OAS, is limited in its ability to investigate charges of human rights violations by requirements that it work with the government that has been accused. The government of Cuba, Guatemala and Brazil, for example, have refused to allow commission representatives to visit their countries.

The OAS as a whole has never taken action on allegations of human rights violations by a member country, and in June tabled a commission report on torture in Brazil.

The government's decision to permit the commission to visit Chile appeared to be part of an effort by the junta to improve its international image. The jurists from the United States, Argentina, Brazil, Bolivia, Chile, Mexico, Venezuela and Uruguay said the government had cooperated with their mission.

Carlos Dunshee de Abranches, of Brazil, vice president of the commission, called the Chilean foreign minister's response to their recommendations "positive." That response was not made public immediately, but Santiago's pro-government newspapers published, the commission's recommendations prominently today without comment.

In the military view, Chile's image has been hurt, over the last 7 months by the very reports that the OAS commission came to investigate. Government officers have dismissed the reports of violations of human rights as Communist propaganda. They have termed the individual Chilleans, foreign journalists, and church groups they have reported on the details and dimensions of repression here Communists, had Chileans or Marxist dupes.

"They told me that they're always being lied about," U.S. Secretary of the Army Howard Callaway said last month at the end of a courtesy visit to Chilean army officials. "They categorically and adamantly denied that this (torture) was happening and showed me orders that had gone out. They said some soldiers had disobeyed these orders and had been punished."

There is no doubt that Communist and Socialist parties outside Chile, particularly in Western Europe, have organized a continuing campaign to denounce repression of leftists and others in Chile.

However, no communist or socialist countries belong to the OAS, a regional diplomatic grouping of the United States and 22 Latin American and Caribbean countries.

While the commission was here, according to an official estimate, 5,800 people were being held for political offenses in Chile, a country of 10 million.

About one-third of those held have had no charges lodged against them.

Hundreds of people, most of them women, went to the offices set up by the commission to add to the list of complaints before it. According to members of the commission, many came to report that relatives had disappeared after being detained.

While the commission was here, Jorge Montes, a Communist senator during Allende's government, was arrested with his wife and daughter. Relatives could not find out from junta officials where they were being held for more than a week.

Also during the commission visit, an air force court-martial condemned a Socialist lawyer and three air force men to death for treason, for their role in supporting the Allende government.

The sentences, junta spokesmen emphasized, are subject to review by the commander of the Santiago air force garrison and by Gen. Augusto Pinochet, the leader of the junta. While the OAS commission was here, officials hinted that one or both of the officers would probably be moved to commute the sentences.

CHILE JUNTA DEALS DEMOCRACY OUT OF LONG-TERM PLANS

(By Joseph Novitski)

SANTIAGO.—The Chilean military junta, after governing for 10 months with improvised policies and structures, has settled down for a long stay in power.

The junta, which replaced President Salvador Allende after the coup in which he died last September, began its tenth month by reordering the country's government, burning the national voter registry and breaking off relations with Chile's largest political party, the Christian Democrats. It all added up to a declaration that the military plans to govern for an indefinite span, without elections or organized civilian political support.

Government spokesmen, when asked how long military rule may last, answer, "We have plans, not deadlines."

The plans are for the long term and on a large scale.

"If we don't do big, lasting things, we might as well go home now," an adviser to the junta said recently.

Thus far, in what it calls "the second stage," the junta has made known its intention to rebuild the economy, to make it grow with the help of foreign investment, to

reduce and reorganize the government bureaucracy and to enforce a total ban on civilian political activity by continuing the detentions and military-court trials that have been the rule since last September.

The first step of government reorganization came late in June, when the armed forces agreeded to shift from a four-man junta to a one-man presidency. Since the military overthrew Allende and uprooted his Marxist-oriented government, the commanders of the army, the navy, the air force and the *carabineros*, Chile's national police force, had exercised the powers of the presidency. They also took over the law-making power of the Congress, which was closed last year.

Now, Gen. Augusto Pinochet, commander-in-chief of the army and leader of the junta, has been named president for an indefinite term with the formal title of "supreme chief of the nation."

The point of the change, government sources said, was efficiency. The four-man junta had been slower in reaching decisions than one man would be they said, the commanders of the army, navy, air force and police have retained the role of drawing up laws for promulgation by decree.

Pinochet's rise also represents and ascendancy of the Chilean army over the navy, air force and police. Some civilian observers, believing that the army officers in government had shown more moderation than air force and navy officers, thought this might mean an easing of repression. This has not yet been the case.

Chilean families report that men and women are still disappearing for days and sometimes weeks. A businessman told friends recently he had been arrested, held for four days alone in a tiny cell and then released without charges.

While Gen. Pinochet was forming a new Cabinet of 14 military men and 3 civilians, two of them technocrats with international reputations, the government burned the national voter registration records. A government spokesman explained that the lists of 4 million voters were "notoriously fraudulent." No plans were announced for making new lists or reregistering voters.

The remote expectation that the junta might call elections to carry out its announced aim of restoring Chilean democracy disappeared with the electoral records. There remained another possibility, suggested to the junta by leaders of the Christian Democratic Party. The party leadership, who opposed Allende and publicly accepted the coup as a necessary evil, had hoped for a return to civilian government within three to five years.

That hope, according to Christian Democrats familiar with party affairs, disappeared when the junta publicly broke off its semi-public relations with the party last week. Formally, there has been no political party activity in Chile since the junta outlawed the country's Marxist parties and declared the others, including the Christian Democrats, in recess.

During the recess, Christian Democratic leaders continued to meet privately. Last January they presented a memorandum to the government that criticized the military's treatment of prisoners and its disregard for legal and human rights. Also in January, former Sen. Patricio Aylwin, recognized by the junta as the party's president, suggested privately to a military minister that Christian Democrats saw no need for more than five years of military dictatorship in Chile.

It was not Christian Democratic political opinions but censorship imposed on a Santiago radio station owned by the party that caused the party's complete break with the junta.

After an exchange of letters, the government called the party an "instrument of international Marxism" and told Aylwin bluntly to keep a respectful tongue in his head when he spoke to the military government.

Christian Democrats said the government's move looked like a signal from the army that its contacts with Christian Democrats were at an end.

Some party leaders said the break helped the party overcome the reputation of having helped in the coup. Even former President Eduardo Frei, the grand old man of Chilean Christian Democracy who had gone, with other former presidents, to a thanksgiving Mass with the junta last year, was reliably reported to be critical of the military government now.

"In the end it's probably better this way," said a Christian Democratic lawyer. "They tell us to shut up and we stop arguing. It shows everyone that this is a dictatorship and that's that.

Seventy-Three Socialists on Trial in Southern Chile

Santiago, August 1.—Seventy-three members of the outlawed Socialist Party are being tried on charges ranging from the illegal possession of arms to treason by a court martial in the town of Linares, about 172 miles south of Santiago, lawyers for the accused said today.

The lawyers said the prosecutor had demanded death penalties for four of the defendants charged with assisting the enemy during a state of internal war.

Questionable Means of Interrogation

(By Jack Anderson)

Students at the International Police Academy, a school run by the State Department to train foreign policemen, have developed some chilling views about torture tactics.

After a lengthy investigation, we have found no evidence that the academy actually advocates third-degree methods. But we have read several student papers which discuss the use of torture to break suspects.

"As a last resort . . ." wrote a Nepalese inspector, torture is "practical and necessary."

A South Vietnamese policeman wrote that "threats and force can put out any truth in a minimum time."

A Zaire officer agreed "force or threats" will expedite an investigation but warned: "This tactic must not be known by the public."

Another student from Nepal told how "carelessness" by interrogators had caused death, thereby creating "another trouble."

The State Department-run academy has been accused of teaching torture tactics. The movie "State of Siege," for example, showed the school's graduates torturing political prisoners.

An investigator for Sen. James Abourezk (D–S.D.) told us he had seen a number of theses written by the academy's students in support of torture tactics. The papers were written in English, Spanish and French, he said, and were kept in locked, steel cabinets.

My associate Joe Spear, accompanied by Spanish and French translators, paid a call upon the police academy, which is located in an old streetcar garage called the "Car Barn" in Georgetown.

They were shown evidence, selected by the school's administrators, which tended to prove the school doesn't teach torture tactics. Their own documents, however, reveal an ambivalent attitude toward torture.

For example, the lesson plan includes instruction in "Interviews and Interrogations." This teaches foreign policemen to question suspects in soundproof, windowless rooms with "bare walls."

They are instructed to use such interrogation techniques as "emotional appeals," exaggerating fears," and psychological "jolts." They are taught to observe the "physical state of the subject" for "sweating," "color changes," "dry mouth" and rapid pulse and breathing.

The lesson plan also states, however, that "so-called third degree tactics" should not be used. It is argued that these techniques lower the interrogator's "self-respect," impair "police efficiency," lower "the esteem of the police in the public eye," and lead to "false confessions and miscarriages of justice."

The foreign policemen, who come to the academy from such repressive governments as Brazil, Chile, Pakistan, South Vietnam and Uruguay, are told "a prisoner must be treated according to legal and humanitarian principles."

But our examination of the student papers showed many students graduate without showing much effect of their "humanitarian" training. Here are a few excerpts:

Tdan Dinh Vol, South Vietnam—"Based on experience, we are convinced there is just one sure way to save time and suppress stubborn criminal suspects—that is the proper use of threats and force."

Lam Van Huu, South Vietnam—"What do we mean by 'force and threat?' Physical force—beating, slapping, electrocuting. Threats—physical, shaking a fist in the face of the subject; verbal, saying 'Listen, I'm going to break your neck if you don't confess.' "

Inspector Madhav Bickrum Rana, Nepal—"Many a times police officers have gained valuable clues by the use of (drugs) . . . The water torture is a simple and ancient method of letting a tap to drip on a man's head at a certain interval. This is very effective in breaking a tough man and can make a raving lunatic of any human being after an hour . . ."

Gonzalo Wilches Sanchez, Colombia—is undeniable that in innumerable cases, the interrogator is forced to use systems of moral or physical coercion to obtain truth that the person knows."

Bemonatu Mpanga, Zaire—"The use of force or threats during an interrogation can be seen as one of our police tactics to be used for the expedition of an investigation . . . Above all, the press . . . should not have the slightest information about our methods of procedure."

Footnote: Abourezk has introduced legislation that would eliminate the State Department's Office of Public Safety, which runs the International Police Academy.

"Justice" in Chile

The "justice" of the victors is being relentlessly administered in Chile by the officers who overthrew the Allende government last fall. Given the chaos of his last days, it is conceivable that some of Allende's supporters sensed that a coup was coming and hoped to forestall it by creating a power center of their own within the Chilean armed forces. At any rate, the coup came, destroying any such hopes, and the would-be hunters became the prey. The officers who had seized power looked about them for a dramatic way to legitimize their authority, to convince others inside and outside Chile that they had indeed saved the country by their own intervention. For Chileans are, despite their recent trauma, a law-minded people, and even the new leaders appreciate the benefits of winning their countrymen's respect. To fulfill this vital legitimizing pupose, they decided on a mass trial of Allende supporters, who were accused of trying to take over a substantial part of the Chilean air force. Sentences were handed down in that trial the other day.

Now, only in a country as politically riven as Salvador Allende's Chile could a group of 54 air force men (and 10 civilians) have contemplated a kind of coup within one branch of the armed forces in order to assure military support to keep the elected government in power. That is a fair measure of how

things were in Santiago at that time. But only in a country as politically restrictive as General Augusto Pinochet's Chile would these defendants have been tried with so little a sense on the government's part of its own basic illogic.

Note that, despite government promises of a prompt public trial, a considerable number of Allende's civilian officials have remained in prison or otherwise under detention for almost a year, untried and uncharged. But apparently the military was offended by the thought that some of its own—air force men—supported Allende. The military perhaps also wanted to intimidate would-be dissenters still within its ranks. These seem to be the particular reasons why the 60-odd defendents were brought to trial before an air force court martial. That court sentenced four of them—a former Socialist Party leader, and a colonel, captain and sergeant—to be shot, while 56 others received prison terms. Carrying out those sentences in a virtually certain way to build more hate and bitterness into Chilean society, which is desperately in need of a turn toward domestic peace.

In a trial where the crime charged is essentially loyalty to the previous government, there can be no question whether the trial is political: It is. Nonetheless, the Pinochet leadership permitted foreign observers to attend the sessions that were open—presumably to bear witness to the correctness of the proceedings or, at the least, to attest to the good faith of the Santiago junta. Whether the observers, simply by going, sanctioned the purpose of the trial would seem to be a fair question. Anyway, the reports of the several American observers, made to the Kennedy and Fraser congressional subcommittees, hardly gave the junta the clean bill of health it desired. The torture of political prisoners still goes on, the observers reported. Due process is an occasional thing The exodus of political refugees runs high.

Official American interest in how the Chilean government lives up to international standards of human rights is hard to perceive. American military aid is high and getting higher. And in respect to Chile there is not even the excuse, offered most recently, for instance, in respect to police excesses in South Korea, that the United States has strategic interests requiring it to look the other way.

SERVING CHILDREN HAVING UNMET HEALTH NEEDS

Mr. PERCY. Mr. President, the American Academy of Pediatrics, in cooperation with the Federal Government, has embarked upon a unique venture designed to develop and demonstrate methods for delivering health care services to underserved pediatric populations. This innovative approach to attacking the problem of maldistribution of health care resources is an excellent example of the partnership which can exist between the public and private sectors.

So that my colleagues interested in improving access and availability of medical services might examine this program, I would like to present here an overview of this project since its inception in 1972. I ask unanimous consent that the report prepared by Dr. Walter D. Campbell, director of the Department of Community Services of the American Academy of Pediatrics and Mr. Richard L. Zandstra, assistant project director of this program, be printed in the RECORD.

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

SERVING CHILDREN HAVING UNMET HEALTH NEEDS

"A number of identifiable groups of children do not now have access to the continuous, comprehensive care provided by physicians serving middle class American families. In fact, large numbers of our children, particularly those living in remote rural areas or in urban ghettos, can only obtain health care for acute and serious illnesses and even this with difficulty." [1]

This statement was contained in the 1970 Report on the Delivery of Health Care to Children by the Council on Pediatric Practice of the American Academy of Pediatrics which reviewed the current health status of children along with factors that influence child health and the delivery of child health care. When compared to the findings of the Academy's 1949 Report on Child Health Services and Pediatric Education, the problem of providing health services appears to have intensified.[2] Increasing numbers of articles in the lay press and medical journals refer to the growing unmet need for health services. Collectively, the observations of several authors define a crisis in health care.

Although the health of the population in general has improved significantly, the disparity in health status among population subgroups has been progressive.[3] The poor, the racial minorities and the geographically remote have been most affected. Their plight is evident in high infant and maternal mortality, in prevalent chronic and debilitating illness, and in shortened life expectancy. Underlying these problems are multiple and interrelated factors of socioeconomic nature.

The advance of technology during the past 50 years has greatly affected health care and health care delivery.[4] Diseases have been eliminated, illnesses have been relieved, organs have been replaced, consumer expectations have been raised and problems have become apparent. Newly developed, complex and lengthy treatments require facilities with expensive up-to-date equipment and expanded numbers of properly trained personnel. Health providers seek and find specialty practice surrounding hospitals in or near affluent suburbs. Consumers respond to the maldistribution of providers by using emergency facilities for acute problems of minor nature. Costs continue rising at a rate which places services out of reach, and the resulting care without follow-up, experienced guidance or human feeling has led to public discontent, increased expense and crisis care. As the cycle repeats, health care becomes less available, accessible and acceptable.[5]

Numerous programs have been instituted and existing programs have been continued to fill the growing health-care void. Federal, state and local governments have increasingly financed medical assistance plans, resource development efforts and categorical service programs. Private foundations have encouraged and progressively supported innovative health care delivery. Charity and volunteer programs continue assisting in situations creating special needs. Nevertheless, these fragmented efforts are only partially effective, varying in quality and inefficiently using scarce resources.

Developing coordinated, efficient and effective solutions is of course difficult. Health problems and accompanying circumstances require unique considerations. Many specific approaches have been tried with results ranging from modest success to frank failure. As new efforts are launched, the active and continuous involvement of all participants or their representatives appears to be the determinant of success or failure regardless of other variables.

Consumers now play a small role in the planning, policy making and evaluation of health care. But, with expertise about themselves, their needs and their environments, they have much to contribute to this process.[6] Providers, although unable to meet the current public demand for health services, are essential to the exploration of more efficient service arrangements. Institutions have need to seek new relationships with both consumers and providers. And, fiscal intermediaries must develop additional support for consumers, providers and institutions.

Footnotes at end of article.

AAP INVOLVEMENT

In 1972 the American Academy of Pediatrics (AAP) initiated an effort to demonstrate leadership in developing health care programs which:

1. are accessible and acceptable to the medically underserved;
2. meet the health needs of target populations;
3. function at a high level of efficency;
4. make maximum use of provider ability, and
5. progress toward financial independence from government grant support over a 3-year period.

Funds were granted from the Office of Economic Opportunity (OEO) for the purpose of organizing and delivering child health care in combination with family planning services and other forms of health care to children and their families with basic unmet health needs. Initially, AAP chapters were polled for their interest in:

1. delivering health care in areas currently having inadequate health care services;
2. identifying and defining problems related to expanding the delivery of child health care;
3. planning and implementing alternative methods of health care delivery together with the target population;
4. establishing new working relationships with other agencies and organizations.

Interest was unexpectedly high, with over 30 chapters seeking additional information. Those wishing to pursue their interest were instructed to contact Community Action Program CAP agencies and OEO regional offices for assistance in identifying potential target areas. Areas selected as potential sites were studied for documentation of need and the target populations were sounded out on their receptivity to the anticipated program. On selection of the site by the chapter ter work was begun with the target population to set minimal health objectives, develop a plan and determine policy for providing acceptable medical care for up to 10,000 infants, children and adolescents. When the chapter plans had been favorably reviewed by the representative areawide planning agencies, they were presented along with a detailed management plan and a projected 12-month budget of approximately $150,000 for joint consideration by the AAP and the OEO.

ORGANIZING THE PROGRAM

Following approval of the proposed program, attention focused on the formation of a free-standing, nonprofit corporation and a board of directors. (Operationally the corporate structure was felt to be most suitable able.) While corporate papers were being prepared and filed by legal counsel, candidates for board membership were selected. At least 51% of each board consists of "consumers" or consumer representatives from among parents of future enrollees, local CAP directors, social service personnel and/or nonmedical community professionals. The remaining board membership is representative of health providers and includes physicians and nonphysicians. When the board had been constituted, agreement between the AAP and the corporation was negotiated on the contract, the work statement and the budget.

Other early functions of the board were the selection of a facility location and the

recruiting and hiring of top administrative and medical staff. Population density was the prime consideration in deciding the type of facility needed. Large patient populations within a small geographical radius required stationary clinic facilities for two programs. In the other programs the populations were spread out, necessitating unique arrangements.

Organizational plans set forth by the AAP call for an adminstrator and a core pediatrician in each program. Administrators were hired in the mobile and multisatellite programs, while the fixed base programs have thus far employed administrative assistants under the direction of the core pediatrician.

Three programs were built around pediatricians already practicing in or near the target areas. The other program was established and the pediatrician was recruited and moved into the area. In all cases, administrative personnel were recruited in a conventional manner, and the core pediatrician was identified through the efforts of the AAP chapters.

Short-term objectives to be achieved by the administrator and the core pediatrician during the first month after funding are many and varied:

1. Administrator finalizes lease arrangements.

2. Administrator applies for tax-exempt status.

3. Administrator and pediatrician review budget to determine financial constraints on renovating facilities, obtaining equipment and hiring staff.

4. Administrator establishes an accounting and bookkeeping system in accordance with guidelines issued by the funding source and the AAP, keeping adequate records of expended grant funds, clinic income, free care and bad debts.

5. Administrator secures bonding for any individual to be involved in financial transactions.

6. Administrator obtains insurance coverage on building, automobiles and individuals, including liability, theft, property damage, collision, malpractice, etc.

7. Administrative and medical staff determine equipment needs, and administrator places orders.

8. Administrator and pediatrician plan outreach and patient-enrollment procedures.

9. Administrator and pediatrician arrange referral with associated services and backup with appropriate institutions.

10. Administrator and pediatrician recruit and hire additional administrative and medical staff.

11. Administrator and pediatrician provide orientation to program staff.

12. Pediatrician and medical staff initiate health services.

OPERATION OF PROGRAMS

Four programs had successfully completed these short-term objectives and initiated patient services as of October 1, 1973. They are located in West Central Missouri, Inner city Philadelphia, Maverick County, Texas, and several communities throughout Maine. Each program has attempted to develop an operational routine capable of meeting the child health needs of the area.

The Wescenmo project area is geographically extensive and has a total population of 227,468 (1970 census). Children under age 21 years in families earning less than $3000 annually number 26,920. Child-health services are primarily available from a few family practitioners, a single pediatrician and programs like Head Start. In 1971 a multidisciplinary Head Start Health Program documented the health need of children in this area covering portions of 13 counties.

The proposed program, funded in February 1973, called for a base clinic-administrative-communication center and a mobile, multidisciplinary team to provide outreach community health services. The base of operations is located in Sedalia, Missouri, and functions as a "drop-in" clinic, a subspecialty clinic and a 24-hour communications center. Professional coverage is maintained by a pediatric nurse practitioner with backup and supervision by the core pediatrician. The communications center handles emergency problems by professional advice and referral to the patient's nearest hospital, local area physician or the Wescenmo clinic.

The mobile team for outreach examination and care maintains a rotating site schedule utilizing various available structures. Coordination and administration in the field are handled by the health services coordinator who doubles as a part-time clinical psychologist. Equipment necessary for these extended health services is minimal and portable. Consumer communities within the target area have provided local volunteers to augment the mobile staff.

Convenant House is located in the Wister section of lower Germantown in northwest Philadelphia. The seventeen census tracts making up this area register more than 17,000 children under the age of 15 years, with over 50% coming from families receiving welfare payments. There are three private pediatric practices within the area, each drawing a majority of patients from outside the target area. Pediatric services from the one local hospital have been sharply curtailed, the local city health unit provides only well-child supervision of preschoolers and the school-health program limits health activities to screening and referral.

Based on the demonstrated need for additional health services, the proposed expansion of the Covenant House pediatric program was approved in February 1973. The program sought to enlarge the staff, increase enrollment, develop contract service agreements with local schools and preschools, and ultimately expand facilities. Services are provided by two pediatrician equivalents and pediatric nurse practitioners working in close association from a fixed base. As activities have increased, the Board has given its approval for the construction of a modular unit to allow additional expansion of services.

Mavrick County, Texas, is located southwest of San Antonio along the Rio Grande River. The county population is 23,000 and consists of large numbers of seasonal and migrant farmworkers whose health characteristics have been reported elsewhere. There are approximately 8,500 children under the age of 15. Eighty percent of the population are of Mexican descent; a majority have incomes below the poverty level and about 24 percent of the families are on public assistance.

The need for pediatric health services in this area was reported in a proposal prepared jointly by the Maverick County Hospital Board and the Texas Chapter of the AAP. The clinic was established in Eagle Pass and agreements were worked out to house the program in a wing of the old County Hospital. Following the successful recruitment of a Spanish-speaking pediatrician, services were initiated in late July 1973. Strong outreach by program aides and the core pediatrician plus cultural identity with clinic personnel have led to an overwhelming response from consumers, which has necessitated program expansion. Service agreements are now being developed with area child-care and school programs.

The Maine program was the last activity to be proposed and funded. This proposal directed attention to the need for health services in the remote areas of the state where poverty populations are small by comparison to other areas. Support was requested for several satellite clinics located in such areas, staffed by pediatric nurse practitioner-health aide teams and backed up by pediatricians in established practices.

With funding approved, a central administrative office was established and a part-time health services coordinator was employed to work with the administrator on the development and coordination of clinic activities. Services were initiated in two clinic sites shortly thereafter. Each clinic is providing health maintenance, acute and chronic care and follow-up. Twenty-four-hour emergency care and referral are available by telephone communication with the backup pediatrician. Efforts to identify appropriate sites and establish satellites are continuing. Negotiations with several institutions, providers, service programs and consumer representatives are being diligently pursued to attain these objectives.

STAFFING THE PROGRAMS

The supportive staff of each program is somewhat unque. All programs have one or two pediatric nurse practitioners, registered nurses and/or LPNS, a secretary-bookkeeper and outreach workers. In addition, volunteers have contributed significantly when given the opportunity.

The pediatric nurse practitioner (PNP) is responsible for assisting the administrator and physician in purchasing all supplies and equipment for the clinic medical activities. In the beginning a considerable portion of time is invested in orientation of PNPS to clinic activities. They work closely with the physicians during this period and more independently as ability and mutual trust develop. Medical orientation of RNS, LPNS and volunteers is a task for the PNP during the early period of clinic activities.

RN and LPN involvement gets into full swing with the advent of patient activity. At this time nurses should be prepared to assume responsibility for all immunizations and most routine procedures. In addition, orientation and training of volunteers to perform height, weight and head circumference measurements, and hearing and vision screening is to be done by the nursing staff.

Outreach workers have a twofold task. First, they must acquaint the potential population to the purpose, scope and availability of the clinic. Second, they are to enroll individuals and encourage them to take advantage of all clinic services. A thorough knowledge of enrollment forms and procedures is essential. An explanation of how to complete these forms is given initially by representatives of the AAP. Further clarification, if necessary, is the responsibility of the administrator.

Health-service coordinators are responsible for enhancing outreach and patient transportation arrangements. Their knowledge of the rural areas served and their administrative skills in the field are needed to reduce delays in providing needed health services.

At this time all four clinics have turned their attention to objectives which hopefully will assure a continued operational capacity as initial contract funds are gradually withdrawn over a 3-year period. These include:

1. exploring manpower agreements with medical schools and providers in relatively close proximity to the target area;

2. arranging referral agreements with subspecialists to assure attention will be given to specific medical problems identified;

3. implementing a standard set of charges and a sliding fee scale to help offset the costs of operations;

4. negotiating an adequate reimbursement fee with state Title XIX and other third party payers;

5. pursuing contractual service agreements with schools, Head Start and other programs seeking health care services.

EVALUATING THE PROGRAMS

The prime long-range objective for the PNPS, health coordinators, RNS, LPNS, secretaries and outreach workers is to acquire the expertise needed to work independently. The effectiveness of the PNPS is measured in

their ability to perform and carry out patient care objectives with minimal supervision. Ultimately, the support function of the RNS, LPNS, secretary-bookkeepers, health coordinators and outreach workers plays a vital role in the success or failure of delivering health care in these areas of unmet need.

The evaluation of health care needs and their resolution depends upon assessing the health status of individual patients and patient populations. The efficient delivery of health services requires monitoring of the process. To do both in a pediatric program necessitates a health-management information system built around a pediatric-patient data base and a problem-oriented approach to child health care. As a minimum, the system needs to:

1. determine the success of enrolling the target population;
2. identify the health characteristics and health needs of the target population;
3. determine the success of the program in meeting the health needs and changing the health characteristics of the target population;
4. assess manpower needs and utilization;
5. demonstrate the positive impact of providing pediatric services in combination with family-planning services for other members of the family.

The major components of health-care delivery in the ambulatory setting are health maintenance or preventive health promotion and problem resolution. Either or both components may be adequate or inadequate depending on reference criteria. When the health needs of the patient have been met, the health status will be adequate in both components. Given similar information for numbers of individuals, the health status of populations can be determined.

Health maintenance is assessed in relation to establish critical experiences and periodicity on a two-dimensional matrix which is easily used to record and tabulate experiences, outcomes and providers. Problem resolution is reflected on a chronologic problem list containing dates, problem description, therapy and current status. The matrix and the problem list clearly summarize individual health status and expedite the obtaining of information from the health record. This information is easily collected on standard registration and encounter forms designed to meet the specific needs of a particular operational routine. Once collected and properly identified, the additional information which can be extracted is considerable and includes in part:

1. enrollment and registration data
2. demographic data
3. service data—past and projected
4. task delegation data
5. problem data
6. tracking data
7. appointment data
8. delinquent data
9. cost and billing data.

Assessing health status and managing the provision of services are largely a function of medical record keeping. A well-organized record system in the ambulatory setting can be the basis for planning, managing and evaluating the delivery of health services to individual patients and populations.

The status of program operations can be portrayed in a number of ways. However, because of the short duration of clinic activities, observations are limited to enrollment, health characteristics, problem resolution, manpower utilization, procedure cost and family-planning enrollment data. The following table shows progressive numbers of enrollments and encounters. Enrollment to date—6,320. Encounters to date—9,528.

	3 mo	6 mo	9 mo
ENROLLMENT			
Clinic 1	926	1,620	2,473
Clinic 2	417	969	1,560
Clinic 3	900	[1] 1,589	
Clinic 4	698		
ENCOUNTERS			
Clinic 1	1,291	2,537	4,022
Clinic 2	589	1,410	2,502
Clinic 3	1,134	[1] 2,406	
Clinic 4	598		

[1] After 5 months.

The health characteristics of the enrolled population are reflected in the prevalence of abnormals on health maintenance procedures administered. Any procedure with n of less than 300 after 9 months, 200 after 5 months and 100 after 3 months was not included.

PERCENT ABNORMAL

Description	Clinic 1	Clinic 2	Clinic 3	Clinic 4
Initial history	27	32	13.0	4
Interval history	18	36	53.0	26
Height, weight, hair color	6	5	2.0	4
Blood pressure	2	1	1.0	0
Physical examination	14	25	16.0	15
Vision	26	18	8.0	9
Color blind		3	1.0	1
Audiometric hearing		10	9.0	4
Speech	4	33	6.0	3
Development	4	41	6.0	
HB/HCT	7	3	7.0	3
Urinalysis	2	1	6.0	2
Immunizations) [1]	0	0	1.5	0
TB	0	0	3.0	3
School readiness			7.0	
Dental	10	38	29.0	35

[1] DPT, polio, measles, rubella, mumps.

The best indication of clinic success in meeting population health needs at this time is in the resolution of identified health problems. Through the first 9 months there have been 7,249 problems identified.

	Comp. res.	Maintenance prescription	Curative prescription	Referred	Number of prescription indicated
Clinic 1–4	(1) 379	(2) 1,394	(3) 3,121	(4) 1,180	1,175

[1] Problem completely resolved at time of encounter.
[2] Optimum status of chronic problem.
[3] Treatment instituted with complete resolution anticipated.
[4] Referred for diagnosis of prescription.

Manpower utilization is reflected in the percent of each maintenance procedure done by the different provider types. The ranges provided represent the high and low for two clinics. There was a great deal of variation among clinics on this measure, but early observations indicate that as procedures are delegated the service output generally goes up and the cost per procedure comes down.

	Provider											
Procedure clinic	M.D. (1)	Percent (2)	PNP (1)	Percent (2)	RN (1)	Percent (2)	Aid (1)	Percent (2)	Vol. (1)	Percent (3)	Other (1)	Percent (2)
Init. hx	17	10	11	26	0	15	22	0	0	47	49	1
Interval hx	50	42	48	56	0	1	<1	0	0	0	2	0
Ht., wt., HC	62	1	37	10	0	29	<1	0	0	59		
Blood pressure	78	2	22	10	0	54			0	31		
Phys. exam	62	45	39	55	0	7			0	0		
Vision	86	2	14	6	0	13			0	79		
Audio. hear	71	2	29	6	0	10			0	78	0	4
Speech	79	46	21	40	0	6			0	3	0	5
Develop	60	43	40	44	0	5			0	0	0	7
HB/HCT	60	<1	40	6	0	92			0	1		
Sickle cell	75	0	25	12	0	87			0	1		
Blood lead	60	0	40	0	0	100						
Urinalysis	67	<1	33	3	0	95						
Immunizations [1]	54	1	43	7	0	91	3	0				
School read	84	82	16	12	0	6						
Dental	84	41	16	57	0	2						

[1] DPT, measles, rubella, mumps, TB testing.

	Number of procedures by provider								Cost per procedure
	M.D.	PNP	RN	Aide	LPN	Volume	Other	Total	
Clinic 1	8,656	4,410		372		4	780	$14,222	
Percent	(60.5)	(31)		(2.5)		(<1)	(5.5)		
Funds expended 9 mos								$114,157	$8.00
Clinic 2	5,185	4,063	5,912			4,495	280	19,935	
Percent	(26)	(20.5)	(29.5)			(22.5)	(1.5)		
Funds expended 9 mos								$114,981	5.75
Clinic 3	6,077		8,307		254		8	14,646	
Percent	(41.5)		(56.5)		(1.5)		(<1)		
Funds expended 5 mos								$55,566	3.80
Clinic 4	628	2,106	621				882	4,237	
Percent	(14.5)	(49.5)	(14.5)				(20.5)		
Funds expended 3 mos								$26,493	6.52

Family-planning enrollment also varied greatly from one clinic to another. No doubt there are a number of reasons for this, but success is greatest in fixed-base facilities where family planning is in operation in or near the facility providing child-health care. In those clinics which are mobile or located in multiple remote sites, family planning is not readily available, and referral impact is low.

	Number of families	Number in family planning	Percent
Clinic 1	1,395	396	30
Clinic 2	1,162	148	13
Clinic 3	490	240	47
Clinic 4	320	30	9
Total	3,278	804	25

FUTURE OF THE PROGRAMS

In conclusion, there are many pediatric populations with unmet health needs. Several underserved and low-income areas were identified by AAP chapters in anticipation of obtaining support for health-service efforts through a grant to the national organization by the Office of Economic Opportunity. Four programs developed jointly by consumers and providers have been approved and funded under a 3-year decreasing support arrangement to provide ambulatory child health care for up to 40,000 children. All programs initiated operations during 1973 with staff and format adapted to the needs and characteristics of the areas served. Our experience to date indicates that medical organizations can assume an active role in making health care available in low-income areas of unmet need in a manner acceptable to the target population. As we move beyond the period of implementation, our attention will be directed to gaining financial independence through improved efficiency, better use of provider ability and increased service volume, while maintaining high quality and holding the line on total costs.

FOOTNOTES

[1] American Academy of Pediatrics—Lengthening Shadows: A Report on the Delivery of Health Care to Children, 1971.

[2] American Academy of Pediatrics—Child Health Services and Pediatric Education: A Report of the Committee for the Study of Child Health Services. New York. The Commonwealth Fund, 1949.

[3] U.S. Department of Health, Education and Welfare: Toward a Comprehensive Health Policy for the 1970's. No. 0-427-047, Washington, D.C. U.S. Government Printing Office, May 1971.

[4] Wegman, H. E.: Medicine and the Public Health 1972. Address at the Yale Medical Alumni Day, June 1972.

[5] Abdduhl, J. W.: The Crisis in Medical Care. Pediatric Clinics of North America, Vol. 16, No. 4, Nov. 1969, p. 775.

[6] New Mexico Region Medical Program. The Role of the Consumer in Assuring Quality Health Care. University of New Mexico Printing Plan, 1973.

THE FOREIGN ASSISTANCE ACT OF 1974

Mr. ABOUREZK. Mr. President, at hearings before the Senate Foreign Relations Committee on July 24, 1974, to discuss the Foreign Assistance Act of 1974, the Reverend J. Bryan Hehir, director of the Division of Justice and Peace for the U.S. Catholic Conference presented one of the finest and clearest positions I have heard on the matter.

I strongly urge my colleague to consider the weight of his statement, made in behalf of Catholics all over the United States, and ask unanimous consent to print it in the RECORD.

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

STATEMENT ON S. 3394

Mr. Chairman and Members of the Committee: My name is J. Bryan Hehir. I am the Director of the Division of Justice and Peace of the U.S. Catholic Conference; the Division serves as the foreign policy office for the Catholic Conference and I appreciate the opportunity of presenting its testimony before the Senate Foreign Relations Committee.

The focus of this testimony is the Military Assistance Program provided for in the Foreign Assistance Act. Specifically, I wish to testify in support of the three amendments to the Foreign Assistance Act offered by Senator James Abourezk which would:

Terminate programs and support for foreign police and prison training in the United States or abroad (=1511);

Prohibit military assistance for any country which did not agree to inspection of its prisons by selected international agencies (=512);

Require written reports from appropriate agencies on a country by country basis describing what measures have been taken to implement Section 32 of the Foreign Assistance Act of 1973 (=1552).

We see the Abourezk amendments in terms of the broader issue of the relationship of human rights and U.S. foreign policy. Last November at their annual General Meeting the Catholic bishops of the United States, in a resolution commemorating the twenty-fifth anniversary of the Universal Declaration of Human Rights, stated:

"Internationally, the pervasive presence of American power creates a responsibility of using that power in the service of human rights. The link between our economic assistance and regimes which utilize torture, deny legal protection to citizens and detain political prisoners without due process clearly is a question of conscience for our government and for each of us as citizens in a democracy." (Resolution of the U.S. Catholic Conference on the Twenty-Fifth Anniversary of the Universal Declaration of Human Rights)

Seeking to assist Catholics in fulfilling this responsibility of conscience, the U.S. Catholic Conference has tried during the course of the last year to identify and actively support specific legislative measures which relate to the impact of U.S. foreign policy on human rights in other countries.

The Abourezk amendments provide a means of relating specific human rights criteria to our military assistance policies. The relationship of human rights and foreign policy is a complex and delicate issue. The fragmented nature of the international system creates a substantial gap between the ideals proclaimed in the Universal Declaration of Human Rights and the actual practice we observe, tolerate and at times abet in and through our foreign policy. Since there exists no effective mechanism to guarantee the enforcement of human rights in the international system, the burden of enforcement falls upon individual states in their mutual relations.

This is a fragile instrument of control; it can be strengthened only if states, especially the leading actors in the system, take seriously the consequences of their policies regarding human rights. I do not wish to ignore the practical difficulty of according a priority to human rights criteria. This constitutes only one objective in the complex policy of a state. The essence of policy formulation involves making choices among competing indeed at times conflicting, objectives. Too often, however, it is the human rights criteria which are suppressed in this process of choice. Frequently they are subordinated to other objectives which appear more tangible or defensible to the general public, but which are not tested for validity with sufficient care or discrimination.

An example of how human rights criteria can be subordinated to other objectives is provided in testimony already submitted to this committee by Secretary Schlesinger in support of the FY 1975 Military Assistance Program (MAP). In discussing the MAP for Latin America, Mr. Schlesinger justified support of such programs principally in terms of the need for global deterrence and regional stability. No serious analyst today questions the need for a stable deterrent in the present strategic configuration of the international system. In our relationship with the Soviet Union a stable deterrent may be a tragic necessity of the nuclear age, but it is a necessity.

The applicability of the general notions of deterrence and stability to areas beyond the "relationship of major tension" between the superpowers, however, requires careful scrutiny. If the term stability is not confined to its proper context it can, like the term security, be used to rationalize and justify not only superfluous policies but indeed counterproductive policies.

The stability which is maintained in much of the developing world, including areas of Latin America, is a condition which benefits only a fraction of the population in the midst of socio-economic systems which wreak havoc in the lives of millions. Stability in these conditions often means preserving the status quo when minimal standards of justice cry out for change and reform.

Although Secretary Schlesinger explicitly noted that objections have been raised in the Congress and elsewhere against our MAP in Latin America, he failed to deal with one of the most persistent criticisms: the opposition within the United States and in Latin America against the training of police and military personnel at the International Police Academy and in American sponsored schools in the Canal Zone. To say, as the Secretary did, that these training programs serve both the interest of Latin Americans and the United States leaves several pertinent questions unanswered. Whose interests are served in Latin America by such programs, the interests of the majority of the population or the interests of a minority military elite? Moreover, how do we determine our own long-term interest in a region like Latin America: is it really in our interest to be the source of training and techniques which are often later used to violate human dignity and suppress human rights? Mr. McNamara of the World Bank in commenting on the social conditions existing in much of the developing world has said:

"When the distribution of land income and opportunity becomes distorted to the point of desperation, what political leaders must often weigh is the risk of unpopular but necessary social reform—against the risk of social rebellion."

Is it really in our long term interest to provide the means of suppressing those voices calling for "necessary social reform" in inequitable structures and systems?

A recent study by the Center for Defense Information in Washington points out that in the proposed FY 1975 budget the Administration is requesting 2.5 billion dollars in military assistance for 27 countries which forbid political opposition. Closer examination of this list reveals that in some of these receiving countries, such as Brazil, Chile, Bolivia, South Vietnam, and the Philippines there have been continuing allegations made by Church and international organizations that torture and other similar tactics are employed as a means of political control. I submit that it is not at all in our interest to be even marginally associated with financing governing elites or training their members who employ these forms of coercion. I recommend that the Committee vote to ter-

minate such programs in the name of human rights.

Because of her transnational presence and system of communication the Church has been one voice identifying the forms of repression which exist in several countries presently receiving our military assistance. A particularly striking passage from a statement of the Brazilian Bishops of the Southern Region of Brazil in March, 1973 offers the following dialogue with Brazilian military authorities:

"It is not lawful for you to arrest people the way you do, without identification of agents, without communication to judges, without sentencing. Many of the arrests are kidnappings. It is not lawful for you to submit people to physical, psychological or moral torture in order to obtain confessions even more so when this leads to permanent damage to the health, psychological breakdowns, mutilations and even death."

I use this passage only as an illustration of the kinds of human rights violations which are alleged in a country destined to receive over sixty million dollars in military assistance this year and from which over seven thousand members of the military have been trained in the Military Assistance Training Program. In the face of repeated assertions of human rights violations the Administrative Board of the U.S. Catholic Conference last February issued statements of solidarity with the Churches of Chile and Brazil. The intent of these statements was not to speak to foreign governments but to our own government here in the United States, asking it to assess its policies of assistance to both Chile and Brazil in light of how human rights are being observed in those countries. Although the statements mentioned economic assistance, our concern in this testimony is with the military assistance program.

The decision to deny another country economic aid is always a very difficult choice because of the positive purpose economic assistance is designed to fulfill. The decision to withhold or terminate military assistance in the face of human rights violations perpetrated by military regimes presently in power can be made with greater clarity and assurance. The balancing factors in the decision on military aid are much less compelling.

The Abourezk amendments provide a means to make this decision and to make it with precision. They force us out of the business of offering training which can later be used to implicate us in fundamental crimes against the dignity, rights and freedom of others. They allow us to announce a standard of performance required of any who would seek our aid for military purposes. I submit that these amendments are not undue interference in the internal affairs of others. Rather, they are minimally necessary safeguards lest we use American power for objectives outside our borders which our own citizenry would never tolerate here at home.

The link between the standards we seek to achieve within our own country and the uses of our power and wealth which we tolerate abroad touches the moral basis of the argument being made in this testimony. Although we often fail in practice here at home, we are constitutionally committed to a system of government based on the dignity of the person and the protection of the basic rights which assure human dignity. Implied in our constitutional system is the moral premise that where human rights are abused with impunity anywhere they are threatened everywhere. Any human community, including political society, is held together by bonds of trust and respect which are made visible and effective in the exercise of responsibility for one another. When we refuse to accept responsibility for the life and dignity of others then the road is open for rule by terrorism, torture and brute force.

The exercise of responsibility is especially needed in the international community. Since individual states are still the primary agents of authority and action in international politics, the responsibility for assuring the protection of human rights rests principally with them. If we cannot maintain a certain consistency between our national ideals of government and our international behavior, we weaken the very claim to universal validity which our own rights are founded upon. An unscrutinized military assistance program can be the instrument of moral bankruptcy, a means of corrupting in the world around us the ideals we are pledged to maintain at home. We believe the Abourezk amendments give us a means of testing our military assistance program against our most deeply held moral and political beliefs. Those beliefs can be a vital force in shaping an international system founded on the dignity of the person, and committed to building a community of nations in which the political, social and economic rights of the person are acknowledged, protected and fostered. To fail to test all our programs against these moral and political beliefs is not only to sacrifice the rights of others, it is to deny our own best instincts and to deprive the international community of the fruits of our political heritage.

GUIDE TO PRACTICE OPEN HOUSING LAW

Mr. PERCY. Mr. President, since 1968 homeseekers who are victims of ethnic, racial, or religious discrimination have been able to successfully use the law to gain open housing. Each new success has brought more and more minority homeseekers looking for legal advice and the help of the courts.

The legal action program of the Leadership Council for Metropolitan Open Communities, under contract with the U.S. Department of Housing and Urban Development, has taken an active part in expanding the comprehensiveness of relief in cases of housing discrimination. Based on the council's experience in litigating hundreds of housing discrimination cases since 1968, the legal action program has prepared a "Guide to Practice Open Housing Law."

This guide presents an easily understandable and succinct outline of different methods, forms, and procedural steps of action to be taken in prosecuting fair housing cases, by both the private client and the prosecuting attorney. Filled with scores of examples and references to court cases, this guide covers all the principal elements involved in the handling of a major housing suit.

This guide is available to the public for $2 per individual copy, and $1 per copy for bulk orders of 25 or more.

Orders should be sent to Robert G. Schwemm, chief trial counsel, Leadership Council for Metropolitan Open Communities, 407 South Dearborn Street, Chicago, Ill. 60605.

BRAZIL

Mr. ABOUREZK. Mr. President, U.S. foreign policy has, for several years, favored Brazil over all other Latin American countries, because of its openness to investment and industrialization and because of the avid anticommunism of its present government.

There has been increasing pressure by a number of international human rights organizations, including the Human Rights Commission of the Organization of American States, on the Government of Brazil. The reason for this is the overwhelming frequency of political imprisonment, torture, and murder of Brazilian political dissenters and people associated with them.

I think the three following articles help clarify the intent of my amendments—1511 and 1512—to cut off military assistance to certain countries and police training and assistance to all foreign countries.

I urge my colleagues to review these articles and ask unanimous consent that they be printed in the RECORD.

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

BRAZIL CHARGES A CONGRESSMAN

(By Marvine Howe)

RIO DE JANEIRO, April 4.—An opposition Brazilian Congressman appeared before the Supreme Court in Brasilia today to be charged under the national security law with public offense to Chile's chief of state.

The charge stemmed from a speech in Congress last month in which the Congressman, Francisco Pinto of the opposition Brazilian Democratic Movement, described the chief of Chile's military junta, Gen. Augusto Pinochet Ugarte, as a "fascist" and "the oppressor of the Chilean people."

If convicted, the Congressman faces two to six years in prison.

FIRST SUCH CHARGE

This is the first time that Brazil's military Government has formally charged a member of Congress with public offense to a chief of state, although other members have used strong language to denounce other leaders, among them President Nixon, President Juan Domingo Perón of Argentina and Premier Fidel Castro of Cuba.

The Pinto case has stirred much comment and concern in opposition circles here in view of widespread hopes that the inauguration last month of Gen. Ernesto Geisel as President of Brazil was a step toward liberalization.

General Geisel has publicly declared that he favors a "gradual but sure" return to democratic rule in Brazil and has promised a new voice in policy making to Congress, which had been made powerless in recent years.

Mr. Pinto himself expressed the view that the Government's action against him was intended to placate not only General Pinochet but also Brazil's hardline military leaders, who have expressed concern over a slight relaxation of censorship.

The Congressman's five-minute speech, which included a warning against what he described as the Chilean leader's plea to create an anti-Communist axis with Brazil, Paraguay and Bolivia, was published in the Congressional Record but has not appeared in full in the Government-censored press.

CITES "LEGAL DUTY"

The general public learned of Mr. Pinto's stand when the Minister of Justice announced last week that he would be fired. Considerable press coverage has been given to the Pinto case but most articles in defense of him have been censored.

"I was acting according to my conscience and my constitutional and legal duty," Mr. Pinto declared in an interview here in Rio de Janeiro before taking off for Brasilia. He pointed out that the Brazilian Constitution gives Congress the exclusive right to discuss foreign treaties, conventions or international acts.

"My protest against Pinochet and his plan for an axis was above all made as a democrat and a Christian" Mr. Pinto declared, adding that he felt he was voicing a strong consensus not only of Brazil but also of the world.

His attack coincided with the arrival here of the Chilean leader for the inauguration of General Geisel as Brazil's fourth military President since the army took power 10 years ago.

[From the New York Times, July 9, 1974]

BRAZIL: COST OF GROWTH

(By Graham Hovey)

BRASILIA.—Is the practice of political repression—censorship, arbitrary arrest, police and army persecution—essential for Brazil's 10 per cent growth rate?

Must the price of Brazil's spectacular economic development continue to be a widening gap between rich and poor—even a net drop in real income for those lowest on the economic scale?

These questions are of concern not only to international human rights groups, to Brazil's silenced politicians and civil libertarians or to Dom Helder Camara and his fellow Roman Catholic bishops of the impoverished, underdeveloped Northeast.

In fact they concern the man who became President of Brazil last March. At the first meeting of his Cabinet, Gen. Ernesto Geisel promised "sincere efforts for gradual but sure progress toward democracy." And he said that a fairer distribution of income would be his Government's "first priority" in social policy so that "the benefits of development can be universal."

Six months before his inaugration, General Geisel had startled some fellow officers and not a few economists by linking democracy to development. He declared that an "economic, social, racial and political democracy, in accord with the Brazilian people's character," was an essential condition for "the creation of a modern, competitive and dynamic economy."

Clearly this cautious conservative—the least "military" of the four army generals who have served as President since the overthrow of João Goulart in 1964—believes it possible gradually to expand democracy while acting concurrently to give the country's poor a greater share in the "economic miracle."

Few doubt the President's good intentions; many doubt he can carry them out. They cite a drearily familiar pattern of Government and police behavior toward press, political dissidents, even the Congress in the first months of the new regime: modest liberalization followed by harsh, abrupt crackdowns.

The word has gone out that the press under General Geisel would have greater freedom to commit on economic policy—and this seems generally true. Yet, censors cut out of news dispatches on the President's first Cabinet speech the section in which he called for better income distribution.

Despite Government promises that police violence would no longer be tolerated, five men were arrested last month and disappeared completely. The Brazilian Legal Foundation has sent to General Geisel a nine-page documentation on the torture of a São Paula lawyer for 27 days by soldiers in civilian clothes.

From the outset, President Geisel acted to expand the functions, if not the actual powers, of the Congress. But this worthy effort was largely undone when the Government arrested an Opposition member on the charge that he had violated national security laws with a speech in the Chamber of Deputies in which he called President Augusto Pinochet of Chile a fascist and an oppressor.

No doubt General Geisel dislikes mindless censorship, arbitrary arrest and torture, and prosecution of a deputy for exercising free speech in Congress. But he cannot yet control censors or security forces accustomed to a large measure of independence. And he must always take account of the opposition of army hard-liners to any political leavening or "decompression."

General Geisel may be similarly thwarted in his drive for fairer income distribution. Specialists say that so long as the Government remains committed to a 10 per cent growth rate, both political repression and uneven development, with lopsided distribution of benefits, are bound to continue.

They say this rate can be maintained only if the Government retains pervasive political and economic control, investing where early returns are likely and insuring that wages lag behind gains in output. And it might be politically hazardous for the new regime to settle for a more modest advance when the 10 per cent rate is hailed as Brazil's greatest achievement under the generals.

"The priority has become growth for its own sake, growth as a panacea for all ills," Prof. Albert Fishlow of the University of California at Berkeley wrote of Brazil last year. "Distributionism has become an enemy of the state."

Antonio Delfim Netto, architect of the "economic miracle" under the previous two Presidents, dismissed plans for fairer income distribution as "a veritable confidence game which would end up leaving the nation dividing the misery more equally." His successor as Finance Minister, Mário Enrique Simonsen, says: "Economic growth itself, by increasing the value of manpower, is one of the most effective automatic instruments of distribution."

Mr. Simonsen agrees with the goal of fairer distribution, but he would accomplish it over time by continuing Brazil's already massive expansion of public education, by expanded assistance to the poor in health and nutrition, by creating institutions to promote savings by workers, and by the income tax, which twelve million Brazilians now pay.

At best, then, the formula for General Geisel's "gradual but sure progress toward democracy" and his "first priority" for fairer income distribution is likely to be two modest steps forward, one step back—with a wary eye always on the military leaders who arranged his election and who might throw him out if he pushed "decompression" at the sacrifice of 10 percent growth.

[From the Washington Post, Mar. 20, 1974]

BRAZIL TORTURE GOES TO OAS

(By Lewis H. Diuguid)

The Inter-American Commission on Human Rights, thwarted at every turn in a four-year effort to investigate torture charges in Brazil, will make unprecedented public charges at next month's general assembly of the Organization of American States that "serious cases of torture, abuse and maltreatment have occurred."

The commission also will detail Brazil's refusal to permit "independent judges, not subject to military or police influence" to investigate allegations of torture. From the outset, the military-dominated government has refused to let the commission pursue investigations in Brazil.

The seven-member human rights commission of the OAS was established in 1960, with powers limited to moral suasion. It is constrained by safeguards against public embarrassment of OAS member governments, making impossible all but the most bureaucratic and bland response to cases brought before it.

Nevertheless, a case presented by the United States Catholic Conference here alleging generalized torture of political prisoners, including churchmen, has run the gauntlet of safeguards and resulted in confrontation.

The commission's executive secretary, Colombia's Lius Reque, wrote The Rev. Frederick A. McGuire of the bishops' conference that findings against Brazil will be presented at the OAS general assembly in Atlanta, April 19. The Catholic Conference made the letter available to The Washington Post.

In addition to the Catholic Conference charge of generalized torture, the commission will report on a specific case involving a Brazilian trade unionist killed in 1970 after handing out leaflets.

Praising the commission's decision, Rev. McGuire said: "The Brazilian government is sensitive to mounting adverse international public opinion. Hopefully, this public outrage will be effectively translated into economic sanctions." He called for an end to U.S. and other foreign aid in Brazil.

The human rights commission, whose seven members are elected by the OAS Council to four-year terms, includes several prominent jurists from the hemisphere, who are free to consider any case involving human rights brought by any claimant.

However, the affected government must be consulted at each step of the investigation.

In following up the Catholic Conference U.S. denunciation of Brazil, the commission presented case histories with the names of prisoners and their alleged torturers.

Brazil was asked to confirm or deny these allegations and to punish "the military and police authorities whose names are indicated" if they are found to have participated.

This stage of the case was reached two years ago in strictest secrecy, although a copy of the commission's presentation to Brazil later was leaked to the press.

Reque's letter reveals that Brazil rejected the request for a third-party investigation, saying a governmental "inquest" found no basis for the charges.

At a meeting late last year, in Cali, Colombia, the commission rejected Brazil's response and decided to put the case before the OAS General Assembly. The 23-nation assembly can approve, reject or ignore commission findings.

If the assembly chooses to ignore the report, the commission's only remaining option is to make public its detailed findings rather than the summary version, which excludes names, that will be presented to the assembly.

SIDNEY MARGOLIUS ON NUTRITION HEARINGS

Mr. PERCY. Mr. President, I know my colleagues are aware of the national nutrition policy study hearings which were held in June by the Select Committee on Nutrition and Human Needs.

I had the privilege to chair the session which heard the report of the study panel on nutrition and the consumer. A valued member of that panel was Sidney Margolius, a journalist and freelance writer who specializes in nutrition topics.

A succinct and perceptive summary of the high points of the select committee's hearings prepared by Mr. Margolius recently appeared in the Washington Star-News. I ask unanimous consent that his article be printed in the RECORD.

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

SENATE HEARINGS—NUTRITION: FEARS, GRIEVANCES

(By Sidney Margolius)

You wouldn't have thought 10 years ago that food experts would be so worried about national eating habits and food costs and availability that they would pour into Washington by the hundreds to voice their fears and grievances.

First there was the 1969 White House Conference on Food, Nutrition and Health. Now, in 1974, a series of special hearings by the Senate Select Committee on Nutrition and Human Needs has just finished.

The hearings, chaired mainly by Sens. George McGovern (D-S.D.) and Charles H. Percy (R-Ill.), were especially intense and often angry because they were held in a year of gyrating prices, threats of worldwide scarcity and some actual shortages, controversies

over meat prices and the availability and costs of protein foods in general, concern for the amount of income poor people have to pay for food and for the inadequate and even health-endangering food choices of more well-to-do families, the proliferation of what participants usually castigated as "junk foods" and many other fears and even resentments.

From the testimony of hundreds of witnesses and scores of reports by committees of experts, here are some facts and views that may be useful in planning your own family's nourishment and spending:

Even though the prices of wheat and other grains have subsided from last year's record levels, we're not out of the woods yet, because of world needs and the threat of famine.

The availability and cost of grains is of vital importance because they are a basic foodstuff used both for direct consumption and in producing meat, poultry, eggs and other protein foods. Thus you may not be able to expect the present reduced prices on meat, poultry and eggs to continue.

The United States has a unique agricultural capacity and thus a responsibility for cooperating with other nations in sharing food supplies but, it was warned, a national export policy is needed to assure adequate domestic supplies. The bargain wheat deal with Russia was specifically criticized.

The direct inflation has hit low-income consumers especially hard because of the relatively sharp rise in the usual lower-priced staples such as rice, beans, grain products and margarine.

And it was reported that many poor people eligible for food stamps fail to get them. But even when families do have enough money for an adequate diet they often make poor choices, overspending for snack foods with heavy content of sugar, fats and low-nutrition starches.

These poor food choices have become a serious threat both to medical and dental health, charged many doctors and dentists at the hearings.

They recited specific effects such as widespread obesity, heart disease and teeth loss. Many of the doctors, dentists, and nutritionists at the conference seem to believe that many American families are "nutritional ignoramuses" and did not mind saying so.

Some consumer representatives believe that the public really needs more information about what it is buying in modern processed foods.

To correct this, a consumer panel chaired by Esther Peterson, president of the National Consumers League, urged that packages list three kinds of information: The actual nutrients—protein, vitamins and minerals—provided by a particular food; the percentages of actual ingredients, such as how much chicken in canned chicken soup and how much meat in canned beef stew; the official quality grade, such as whether the product is Grade A, B, C or whatever the standard is.

There was sharp criticism of some low-grade processed foods, particularly of promotions of high-sugar cereals and beverages for children.

Suggested remedies ranged from banning all TV commercials aimed at children to banning commercials for any product with more than 30 percent sugar by weight or 10 percent by volume.

They disagreed on the best method to control these promotions, but all indicated serious concern that parents, possibly through lack of knowledge, were unable to control children's demands for products.

THE HEALTH CARE CRISIS

Mr. ABOUREZK. Mr. President, for the benefit of the Members of this body who are concerned with the health care crisis, I would like to insert in the RECORD an article by Mr. Alfred Baker Lewis. Mr. Lewis is the chairman of the Connecticut Council on Health Security, and is extremely well-versed on the issue of national health insurance.

In his statement, Mr. Lewis reflects upon the inconsistent fact that although we in the United States spend more money on medical research than any other country, quality medical care is available to only a relative few.

Mr. President, I ask unanimous consent that Mr. Lewis' remarks be printed in the RECORD.

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

STATEMENT ON NATIONAL HEALTH INSURANCE

I am Alfred Baker Lewis, Chairman of the Connecticut Council on Health Security, a retired member of the American Federation of Teachers, affiliate of the A.F.L.-C.I.O., National Treasurer Emeritus of the N.A.A.C.P., and I was also president of a small accident and health insurance company, the Mount Vernon Life Insurance Company (It has since been merged with another company.). So I know first hand some of the facts about the cost of health insurance written by private insurance companies.

We need free hospital and medical care for everyone through a system of government health insurance.

We should have the best health care in the world because we spend more money on medical research than any other country. Probably we have the best medical and hospital care for those comparatively few who can pay for it. But too often it is not available to those who need it.

An important reason for this failure to deliver the best health care for everyone is the cost to the individual person who becomes sick or injured in a non-industrial accident (industrial accidents are already covered by workmen's compensation). The cost of medical and hospital care has risen in the last few years higher and faster than other components in the increasing costs of living.

Good health care should be the right of any inhabitant of our country, just as the chance to get an education is a right. Yet they do not have such care as a right, and the care they do get is not as good as it should be.

There are two proofs of that last statement.

The best test of good health care is infant mortality. If we had the best medical care of any country, we would have the lowest infant mortality. We don't We are 17th from the lowest, and every country with lower infant mortality than ours has some form or other of government health insurance. This is a fact which we cannot ignore. We must face it. To ignore it, as do the opponents of government health insurance, can only be done at the expense of the nation's health.

The second proof is that Negroes have a substantially higher rate of infant mortality and a lower rate of longevity by 10 or 11% than do whites. This is clearly due to the lack of proper delivery of health care to those who need it. For Negroes are basically as healthy and hardy as whites if not more so. If you doubt that, you have only to look at the figures for the Olympic games.

In the 1964 Olympics, one college, Tennessee A&M in Nashville, with 15,000 Negro students, had 7 gold medalists. No other college had more than one gold medalist except the University of California, which has some 90,000 students, over 90% of them whites; and it had two gold medalists. When 15,000 Negro students turned out 7 gold medalists and nearly 90,000 white students won 2 gold medals, no one can say that Negroes are not healthy and hardy. They are. If they don't live quite so long—and they don't—and have a higher infant mortality rate than whites—which they do—it is because of the harder economic conditions under which on an average they have to live, and part of these harder economic conditions is poorer medical care.

The 1968 Olympics told the same story. The proportion of Negro to white gold medal winners on the American team was higher than their proportion to the general population.

It has been argued that we should maintain our present medical system, which is mainly on a fee for service basis, because we have made progress in increasing health and longevity. That is true. We have made such progress. The countries, however, which have government health insurance have also made such progress and at a greater rate than we. We are now 17th from the lowest in infant mortality. Fifteen years ago we were 9th from the lowest. While we have made progress in reducing infant mortality and increasing longevity, the countries with government health insurance have made greater progress. The figures are given in Exhibit A.

ARGUMENT ABOUT COST

The big argument used by the opponents of having free hospital and medical care for everyone is the cost. The argument is fallacious. There is absolutely nothing in government health insurance that will increase the total social cost of health care, though it will add to the federal budget. The inhabitants of our country already bear in full the cost of illness and non-industrial accidents. If a man becomes ill or injured in a non-industrial accident, the cost is borne by him if he can afford it. His family pays part of the cost for he may have to draw on his savings for his old age or for the higher education of his children. His employer suffers the loss of his work, and in a sense the whole community loses from the loss of his productive labor. Some of the financial cost may be borne by an insurance company, which means in the long run by the premiums of the policy holders. If he is indigent, or the illness forces him to become so, the state and local taxpayers, who pay for public welfare relief, carry the load. The cost is there. Someone in the community pays it. All that health insurance does is to distribute the cost around in a more just and equitable manner.

Part of the trouble with health care is that the availability of it is very unevenly distributed. If you live in a poor community the chances are that there is not good medical care readily available even if you can afford it. Most physicians, like others, want to live and practice where the money is. So poor communities have far fewer doctors or dentists in proportion to the population than richer ones.

We recognized this fact by trying to stimulate the building of hospital and health centers in places which lack them through the Hill-Burton Act. This has reduced somewhat but not eliminated the present maldistribution of medical care.

If you are unfortunate enough to be on relief, the situation is worse. Most relief costs are paid for by local taxes, mainly real estate taxes, with some subsidies from the State governments. This means, if relief is to be adequate, that the poor would have to be taxed heavily to support the destitute living among the poor, of whom there are many; while wealthier persons living in richer communities are taxed only lightly to support the destitute living among the rich, of whom there are few. This is clearly unjust. Also, it intensifies the maldistribution of medical care because the poorer localities simply cannot pay the taxes to provide adequate relief including medical care for those who need it and cannot pay for it.

Government health insurance would transfer the cost of sickness and non-industrial

accidents for persons on relief from the state and local taxpayers who now pay most of the cost of general public welfare relief to the federal government. This would be a gain in social justice. For the states raise most of their money by sales taxes. Sales taxes bear much more heavily in proportion on the poor than on the rich. Nearly every penny spent by a poor person is hit with a sales tax. But many expenditures typical of a rich family totally escape a state sales tax, such as expenditures for domestic service, for trips abroad, or for investments. The local government bodies raise most of their money by taxes on real estate. This hits small homeowners. It also hits all tenants, because the landlords add the cost of the taxes to the rents. Taxes on real estate are not an accurate reflection of wealth, and therefore of ability to pay. For most of the wealth of rich people is held in the form of stocks and bonds, which are intangible personal property, and which the taxes relied on by local governments hardly ever reach. The Federal Government on the other hand raises most of its money from the graduated personal income tax and the corporation profits tax. Despite loopholes favoring the rich in the graduated personal property tax, the federal government's tax system is, roughly, taxation in proportion to ability to pay.

GOVERNMENT HEALTH INSURANCE WOULD REDUCE THE COST OF HEALTH CARE

There are sound reasons why the social cost of medical care would almost certainly be less under a system of government health insurance than it is now.

Too many people, when they begin to get sick, put off going to the doctor because of the expense. Inevitably, when they finally do have to go, the disease is apt to have a stronger hold and the cure is likely to take longer than would have been the case had he or she sought medical care earlier. If they could get medical care by government health insurance without personally paying for it through the fee-for-service system, they would be less likely to put off going to the doctor until too late.

PRESENT ACCIDENT AND HEALTH INSURANCE COSTS ARE TOO HIGH

A good deal of accident and health insurance costs are now carried by private insurance companies. Most of the policies are not sufficiently comprehensive. Some are only for disaster insurance, paying the cost of hospitalization if it goes above a certain fairly high level. Nearly all the group insurance policies that I know exclude mental illness and dental care. Nearly all individual policies exclude the cost of care for illness growing out of a pre-existing physical condition. The cost of maternity coverage is very high for those in the marital and age bracket that need it most.

Above all, all the policies are unnecessarily expensive because of the high acquisition costs. These acquisition costs are mainly broker's fees and advertising expense. They are totally unnecessary from a social point of view, and would be eliminated entirely by government health insurance.

You can get some idea of the unnecessary cost of health insurance carried by private companies from the figures on the relation between premiums and benefits collected and paid by private insurance companies.

The figures given in the Statistical Abstract of the U.S. for 1974 on page 464 show that the benefits paid out by private insurance companies were around 75% of the premiums taken in. For Blue Cross and Blue Shield, however, where the competitive acquisition costs do not exist so that they are in this respect similar to government health insurance, the benefits paid out were 93% of the premium income.

Government health insurance is needed; it would reduce the total social cost of illness and non-industrial accidents; it would cover practically all the medical and hospital costs of ill health, which private insurance companies don't do; and it would distribute the cost of health care in a more equitable way.

A rough estimate of how the cost of health care would be paid for under the Kennedy-Griffith Bill is included as Exhibit B.

BRIEF CRITIQUE OF OTHER BILLS

There are a number of other bills on health insurance before Congress. They are not satisfactory to those who favor full health care for all through the Kennedy-Griffith Bill for two main reasons. First, they do not fully cover health costs. For the costs that they do cover, they have co-insurance of 20 or 25% to be paid by the sick person plus deductibles which must be paid in full first by those getting health care before they get benefits. Good health care is a right, and should be so treated. There is therefore no more reason to require those who need medical or hospital care to pay part of the cost when they need it than there is to require those who have children in school to pay directly part of the cost of their children's education. In both cases the cost should be covered by taxes.

In the case of the Long-Ribicoff Bill for catastrophic health insurance, the deductible amount is very high for most persons so that poor persons would not benefit.

The other bills also use private insurance companies wholly or in part to provide the insurance. This increases the cost by profits for some companies and by competitive acquisition costs above what is necssary to cover the cost of claims for the reasons already explained.

EXHIBIT A

[1974 Ency. Brit., p. 727—Infant Mortality Rate]

United States	18.5
Hong Kong	17.5
Japan	12.4
Denmark	14.2
Finland	11.3
France	16.0
East Germany	18.0
Ireland	18.0
Luxembourg	13.6
Netherlands	11.4
Norway	12.5
Sweden	11.1
Switzerland	14.4
United Kingdom	17.6
Canada	17.5
Australia	17.3
New Zealand	16.5

We are 17th from the lowest.

[1959 Ency. Brit., p. 106]

United States	26
Denmark	23
Netherland	17
Norway	21
Sweden	17
Switzerland	23
United Kingdom	23
Australia	21
New Zealand	20

We were 9th from lowest.

EXHIBIT B

Estimated Total Health Costs by fiscal 1977 when any bills would be fully operative, $115 billion.

Amount covered by Health Security Program under the Kennedy-Griffith Bill, $76 billion.

The gap of 39 bills is made up as follows:

21 bills in medical expenses of the Dept. of Defense, Veterans Benefits, state programs for the mentally ill and long term nursing home care, which, apparently, the Kennedy-Griffith program would not take over, plus workmens compensation.

18 bills out of pocket expenses by consumers (patients) such as drugs, eyeglasses, hearing aids, dental care above 15 years, and fringe medical expenses such as for chiropractors, osteopaths, naturopaths, etc.

The 76 bills for the Health Security program would be paid by Health Security Payroll taxes, $38 billion.

This would be 3.5% paid by employers on their payroll, plus 1% by employees up to $15,000 income, and a 2½% tax of the first $15,000 income of self employed people.

General Federal Revenue, $38 billion.

Of this 38 bills, 20 bills would be money already being paid by the Federal Government as follows:

Medicare, $5 billion.

Medicaid, $10 billion.

Tax exemptions for medical costs and insurance, $4 billion.

Other government general revenue health costs, $1 billion.

The new revenue costs to be raised by general Federal taxes would be $18 billion.

Taxpayers would save a good deal more than the 18 bills as follows:

Premiums paid to insurance companies Estimated for 1977, $29 billion.

(It was 19.8 bills in 1971 according to the Statistical Abstract of the U.S. 1973, P 465, and rising about 2 bills a year.) And the Health Security Program would give far more complete coverage than any private insurance company now provides. What this difference in cost would be, I don't know.

Reduction of State and local taxes now levied to cover state and local share of medicaid, and costs of health care for persons on relief, which the Federal Government would take over, $4 to $6 billion.

Reduction in medical and hospital costs by prompter recourse to a physician when ill, whereas now such visits to a doctor are apt to be postponed and deterred because of the cost, so that the disease gets a stronger hold and takes a longer time and more expense to recover from, (* * *)

TRIBUTE TO SENATOR MANSFIELD

Mr. HATFIELD. Mr. President, yesterday, when many of my colleagues paid tribute to the distinguished record of the majority leader, I was tied up in a conference with the House on the interior appropriations bill. As a result, therefore, I was unable to join at that time in adding my warm words of praise for the job Senator MANSFIELD has done.

I am reminded of the old adage, usually applied to kinds of old, that a ruler can be either respected or loved, but not both, and it is better to be respected than loved. In my opinion, MIKE MANSFIELD disproves this completely, for he is both. As a friend, my affection for him is complete. His personal qualities of humility, hard work, intellectual acumen, and integrity should be an example for every young man and woman in the country to emulate. It is not just the fact that this milestone in length of service was reached by the majority leader but also it gives possibility for these tributes. It really just gives us all an excuse to express our appreciation to him for a job well done. The quality of his leadership is more important than its length, and it is for this reason that I want to add my congratulations, and my personal thanks, to this unique gentleman from Montana.

COMPASSIONATE TREATMENT FOR YOUNG AMERICANS

Mr. PELL. Mr. President, I applaud President Ford for the position he has taken to provide compassionate treatment and understanding to those young Americans who, during the Vietnam war, failed to subscribe to the provisions of our selective service laws.

Last December I introduced with the cosponsorship of Senator TAFT legisla-

tion to grant "earned immunity" from prosecution to those who refused military service during that war.

As I stated at that time, "this bill would not grant a blanket pardon to all those so accused, but it would provide a way for them to come out of hiding, and to return to their country, if they agree to serve their country in a manner in keeping with their conscientious convictions."

I note with pleasure a quotation from President Ford's address today to the Veterans of Foreign Wars:

I want them to come home if they want to work their way back.

His words parallel my own beliefs in this regard. Senator TAFT's and my legislation calls for immunity from prosecution, provided those accused agree in writing to 2 years of military service or alternate service.

The wounds of our country in many areas need to be healed. In this one, which so concerns young Americans, they need to be healed with tempered justice.

I look forward to early consideration of the legislation I have introduced and I congratulate the President for the initiatives he has taken today to make manifest his convictions and those of his new administration.

A CUTBACK IN THE COVERAGE OF MENTAL HEALTH CARE

Mr. ABOUREZK. Mr. President, on August 2, 1974, the Washington Post carried a front page account of Blue Cross-Blue Shield's proposal to the Civil Service Commission suggesting a cutback in the coverage of mental health care. The proposed modification would affect inpatient as well as outpatient psychiatric treatment.

The news of this proposal was deeply distressing to me. Over the past decade, the portentous myths and connotations usually associated with persons afflicted with emotional disorders have gradually begun to disappear. And in the wake of this diversion has been a gratifying awareness and acceptance by the American public that difficulties of the mind are, in essence, no different than difficulties of the body.

This awareness has come about just in time; because never before in medical history has there been such a vital need for a comprehensive, superior system of mental health care—and an accompanying system of paying for it.

While I do not profess to be an expert on emotional disorders, I have acquired enough knowledge on the subject to make some viable assumptions: perhaps the occurrence of mental illness is on the upsurge because of the frenetic pace of life in our society; perhaps the reason lies in the very nature of our system of values—values which seem to be endlessly changing. It may be that the speed with which young people are now forced to grow up makes it tough for them to find a comfortable spot in an unquestionably chaotic world. Or it may just be that the incredibly powerful contradictions being imposed upon the country by some of its highest officials have made it difficult for many people of moral conscience to maintain their sanity without the utilization of professional assistance.

That this may be the case is certainly understandable.

Clare Foudraine, who is associated with the Washington Psychiatric Institute, has commented on the fact that within the past few months there has been an enormous increase in the number of young people requiring hospitalization, and that it is possible that their problems have been heightened and compounded by this shattering of their beliefs—compounded to the point that professional counseling, even hospitalization, are necessities.

But for whatever reasons there may be, as members of an intelligent society we must accept the fact that there are many people in the United States who need the services offered by those in the psychiatric profession. Should these unfortunate victims of society—or their families—be penalized? Should their care be left up to third-rate hospitals, already overburdened and understaffed? Should the human potential of our Nation be either sacrificed or jeopardized by some inordinate proposal?

I believe that if such a proposal is accepted, it will prove disastrous to countless citizens, and will be a tremendously unfortunate step backward for the status of the mental health profession.

Mr. President, I ask unanimous consent that the Washington Post article by Victor Cohn be printed in the RECORD.

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

[From the Washington Post, Aug. 2, 1974]

BLUE CROSS MAY REDUCE MENTAL CARE

(By Victor Cohn)

Five and a half million federal employees and family members face a possible cut Jan. 1 in their almost unlimited mental health insurance.

A confidential Blue Cross-Blue Shield proposal to the Civil Service Commission would wipe out much of a seven-year attempt by those health plans to compensate government workers as fully for emotional as physical illnesses.

Blue Cross-Blue Shield officials say the coverage has helped double the mental share of all federal Blue Cross-Blue Shield payments—up from 5 to 10 percent since 1967, and currently $100 million of a $1 billion national total.

Blue Cross-Blue Shield's present "high option"—chosen by almost all federal Blue Cross-Blue Shield users—pays 80 per cent of all bills from psychiatrists and other mental health professionals after the first $100 a year. It pays for an unlimited number of hospital days.

What Blue Cross-Blue Shield has proposed, according to informed sources, is a cutback to 50 per cent of the doctor-bill coverage and a 45-day annual limit on hospitalization.

"We thought handling mental illness the same way as physical was a great goal," Robert Laur, Blue Cross-Blue Shield's negotiator, said yesterday. "It has simply turned out that we can't do it.

"Some patients, even whole families, stay in treatment an extremely long time—months or years—and there are no ways like utilization review that can measure the results very well.

"There is certainly the opportunity for some abuse."

Dr. John P. Spiegel of Brandeis University, president of the American Psychiatric Association, has written the Civil Service Commission to argue that the proposed cut would create "an unconscionable hardship" on low and middle-income workers.

He also protested the fact that the negotiations are being held behind closed doors, with participants unwilling to discuss details. There are no other representatives of federal employees present.

Dr. Naomi Heller, a Washington Psychiatric Society council member, said, "Those who suffer the most will be mainly the lower-income employees who have been able to get private psychiatric treatment only because their health plan has been paying 80 per cent."

The cost of mental care can mount quickly. An hour's visit to a psychiatrist costs $40 in the Washington area and no less than $25 elsewhere. A patient seeing a psychiatrist twice a week here would run up a $2,080 bill in six months.

And $2,000 is the average cost per patient for the 50,000 federal employees and dependents getting treatment each year.

Only federal workers who have Blue Cross-Blue Shield coverage would be affected immediately. Of the 40 per cent who choose other coverage, nearly half are covered by Aetna Life and Casualty, whose mental benefits roughly equal the Blue Cross-Blue Shield.

Administration and congressional sources differed on whether Aetna might seek to change its benefits in January. "It seems obvious that if Blue Cross makes the change, other insurers are likely to follow suit" sooner or later, said Dr. William Granatir, Washington Psychoanalytic Society president.

Gordon Brown, assistant chief of the Civil Service Commission's legislative and policy division, said an announcement of any benefits change will be made after negotiations are completed in October. Then federal employees will get a two-week period—Nov. 15 to 30—to change plans if they like, he said.

Any Blue Cross-Blue Shield cut would come on the heels of a July 1 cut in mental benefits for 7 million military dependents, who are now limited to 40 out-patient visits and 120 hospital days in a year.

Both Blue Cross-Blue Shield and military cuts are likely to further flood already flooded state and local public facilities, said Dr. Heller, "and funds for them have been cut back too."

Psychiatrists, she conceded, also will feel the effect, "but we don't expect anyone to feel sorry for us, nor should they."

The generous federal benefits are far greater than those received by most other workers. They have attracted so many psychiatrists to the Washington area—home of a fifth of all Federal employees—that it now has more psychiatrists per capita than any other.

"We do hope to offer some alternate ways of compensation," said Blue Cross-Blue Shield's Laur. "We're not out to cut the present dollar flow, just to keep it from growing."

"No one likes to cut benefits," said J. S. Nagelschmidt of the Blue Cross Association. "But costs are costs."

THE COST OF LIVING COUNCIL

Mr. BUCKLEY. Mr. President, President Ford has wisely made the fight against inflation his first legislative priority. There is no doubt that he has the full support of the Congress and the American people in this effort.

However, I must dissent from the repetition of the sterile formulas of the past which seem to be suggested by the President's proposal to exhume the Cost of Living Council. Although proposed for the purpose of simply providing "information" to the Government on changes in wages and prices, it would in fact become an instrument of coercion and in-

timidation on vulnerable sectors of American business and labor. This amounts to nothing more than a de facto form of wage and price control employing extra-legal methods to be effective. For such a program to be effective in reducing prices and/or wages, it must rely on the implied threat to compel a reduction in wages and prices either through the later addition of necessary control authority or through the direction of unfavorable publicity to a business or union as a consequence of a price increase deemed inappropriate by the COLC.

If such a technique could be effective, it would have at least that to recommend it. However, we have had nearly 4 years of experience with virtually every form of wage and price control which could be enacted into law in a democratic society. The result was widespread shortages, gross inequities to wage earners resulting in the first decline in the level of real income since wage and price controls were abandoned after World War II, and a more intense level of inflation than we have experienced in recent economic history.

We should not forget the experience of the "jawboning" technique when it was applied in the steel industry in the early 1960's. President Kennedy was outraged by a price increase proposed by major U.S. steel producers in the early 1960's. The result was an intense extra-legal effort on the part of the Kennedy administration—now called "jawboning"—to "encourage" steel producers to reduce their prices. The results were not immediately apparent, but became painful as we entered the dramatic economic expansion of the 1970's. As a result of the extralegal pressure on steel prices, profitability was reduced over what would have obtained had ordinary free market pricing obtained. As a result, investment in the steel industry was inadequate. Consequently, we are enduring a vast "crunch" in the supply of domestically produced steel which has sent the price of many important steel products into the stratosphere. Furthermore, our failure to expand our domestic capacity has contributed to existing unemployment.

There is no way to reduce the price of goods and services and increase their availability other than to permit the unhindered operation of free markets to direct the investment to areas of shortages by the signal of higher than average prices.

Any attempt to interfere with this mechanism, whether directly by government intervention in price and wage decisions by private individuals and organizations, or indirectly through government extralegal persuasion will inhibit the ability of the price mechanism to perform its function.

Let us not be led to the all-too-easy belief that there are pain free ways to extract our economy from the excesses of an inflationary boom. It is with reluctance that I vote against a measure that is President Ford's first request of the Congress. I do because the Cost of Living Council will not only fail in its objective; its creation will mislead the American public into thinking it is a positive step in the fight against inflation when it is not. This is not the time to offer false hopes for easy solutions. We need to enlist the American people's cooperation in a call for fiscal restraint that alone will restore price stability.

TRIBUTE TO SENATOR MANSFIELD

Mr. MAGNUSON. Mr. President, on August 15, Senator MIKE MANSFIELD reached a milestone in American history. On that date he served a total of 13 years and 255 days as majority leader of the U.S. Senate. That is the longest period of time any individual has so served this Country.

The highest tribute that can be paid to Senator MANSFIELD is expressed in that record. No other man in the history of the U.S. Senate has had the confidence and respect of both his constituents and his brother Senators such that he was allowed to serve as leader of his peers for such a long period of time

I am proud to have been a Member of the Senate during the years MIKE MANSFIELD has served as the majority leader. I am pleased to call MIKE MANSFIELD a close and personal friend. Under his leadership, the U.S. Senate has emerged in the public view as something much more than a debating forum. Senator MANSFIELD has presented to all of us a standard of fairness, integrity, and moderation which has been the signal of true leadership. In the last 13 years and 258 days the U.S. Senate has moved toward real democratic reform. Senator MANSFIELD is responsible for creating the environment and leading the changes. I am confident Senator MANSFIELD'S position in American history is well preserved. I join the many other Members of this body who hail him on this memorable occasion.

MICHIGAN BENEFITED BY ERTS

Mr. MOSS. Mr. President, the State of Michigan is using imagery from ERTS and high flying aircraft in several of their departments and individuals within these departments.

Mr. James G. Ahl, economic analyst, Office of Land Use, State of Michigan, has written to me about how this imagery has benefited these users. Here is part of his letter:

NASA's ERTS and Skylab programs have benefited the state in terms of some information gathered and should probably be changed to an operational rather than research framework.

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

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

STATE OF MICHIGAN, DEPARTMENT OF NATURAL RESOURCES,
Lansing, Mich., July 25, 1974.

Hon. FRANK E. MOSS,
Chairman, Committee on Aeronautical and Space Sciences, Washington, D.C.

DEAR SENATOR MOSS: Several of the various state departments, and individual divisions within these departments, are aware of and are using ERTS and RB-57/U-2 imagery in their programs. The Office of Land Use in the Department of Natural Resources has developed and is presently field-testing a land use classification system based upon the proposed USGS system which utilizes both ERTS-1 and underflight photography.

NASA's ERTS and Skylab programs have benefited the state in terms of some information gathered and should probably be changed to an operational rather than research framework. The most relevant part of NASA's program has been the use of RB-57 and/or U-2 underflights for varying land and water information. It is recommended that this part of NASA's program be maintained. There is a wide variety of utilization of aerial photographs taken by NASA at elevations of 40,000 and 60,000 feet.

If further help is needed, please contact Mr. Karl R. Hosford, Chief, Office of Land Use, Michigan Department of Natural Resources, 7th Floor Mason Building, Lansing, Michigan 48926.

Sincerely yours,

JAMES G. AHL.
Economic Analyst, Office of Land Use.

THE SITUATION IN CHILE

Mr. ABOUREZK. Mr. President, just last week the Senate Foreign Relations Committee marked up a $20 million cut in aid to Chile, not more than $11 million of which may be used for military assistance.

There has been so much worldwide pressure on the year-old Chilean junta that it seems repetitive to describe the situation there once more. But it is more than justified by the staggering numbers of reports of murder, torture and detention without charge of junta opponents. There are many Members of Congress, including myself, who believe that the pressure ought to be maintained until these atrocious activities cease.

I urge my colleagues to review the following two reports in considering, when the foreign aid bill comes up, to cut aid to Chile even further than the $20 million that the standing amendment provides for. I ask unanimous consent to print reports from the Chicago Commission of Inquiry and from Amnesty International in the RECORD.

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

TERROR IN CHILE

I. THE CHICAGO COMMISSION REPORT

(What follows are excerpts from the report of the Chicago Commission of Inquiry into the Status of Human Rights in Chile, which visited Santiago in February, 1974. Large sections of the report are omitted, as in the separate volume of documents and other supporting evidence referred to in the text by roman numerals. The full report can be obtained by writing to Joanne Fox Przeworski, 1320 East Madison Park, Chicago, Illinois 60615, or Doris Strieter, 1600 South 14th Avenue, Maywood, Illinois 60153, or other members of the Commission. The report and documents cost $1.50, plus fifty cents for mailing costs.)

The Chicago Commission of Inquiry

The Chicago Commission of Inquiry Into the Status of Human Rights in Chile (henceforth referred to as "the Commission") was constituted as an *ad hoc* group of Chicago citizens concerned about the conditions of human rights in Chile after the military takeover of September 11, 1973. The Commission was formed upon the initiative and with the assistance of the Chicago Citizens' Committee to Save Lives in Chile, a loose coalition of groups and individuals. Members of the Commission hold differing political views and religious beliefs. They also vary in their attitudes toward the policies of the Popular Unity government headed by the late President Salvador Allende.

The members of the Commission are:

Ernest DeMaio, General Vice President, United Electrical, Radio and Machine Workers of America (UE)

Abraham Feinglass, International Vice President, Amalgamated Meatcutters and Butcher Workmen

Geoffrey Fox, Instructor of Sociology, University of Illinois, Chicago; Vice President, Chicago Circle Federation of Teachers.

Father Gerard Grant, S.J., Professor of Philosophy, Loyola University

George Gutierrez, Counselor, Chance Program, Northern Illinois University; Member, Human Relations Committee, DeKalb

Anna Langford, Lawyer and Alderwoman, Chicago City Council

Dean Peerman, Managing Editor, *Christian Century*

Joanne Fox Przeworski, Pre-Doctoral Fellow, Committee for the Comparative Study of New Nations, University of Chicago

Jane Reed, Associate General Secretary, Board of Church and Society, United Methodist Church

James Reed, Pastor, Parish of the Holy Covenant, United Methodist Church

Doris Strieter, Village Trustee, Maywood, Illinois

Frank Teruggi, Sr., father of Frank Teruggi, Jr., murdered in Chile

The members unanimously endorse the full contents of this Report.

Summary of the Findings

Given the limitations of time and resources, the Commission cannot estimate the frequency of detentions, torture, and executions in Chile. Moreover, because of the necessity to protect several of its sources, no documentation can be made public with regard to several cases of searches, seizures, detentions, and torture. [These limitations are discussed in detail in the full report of the Commission.]

The principle findings of the Commission are the following:

(1) The campaign of terror developed by the Junta seems to have assumed a systematic and organized character;

(2) Cases of politically motivated detentions are numerous: (a) the estimate of the number of persons detained as of January 20, 1974, exceeds 18,000; (b) an estimated total of 80,000 have been detained in the past six months; (c) a single list, made available to the Commission, of persons who have been detained and are presently missing contains over 250 names.

(3) No legal procedures are followed on a systematic basis, not even those appropriate for the "state of war and the state of siege" in the light of Chilean laws. Detentions continue indefinitely without charges being preferred. The access of lawyers to their clients is curtailed in violation of the Code of Military Justice, Codigo de Justicia Militar, Libro II, Tituto IV, Art. 184. Proceedings of military tribunals are secret in contravention of Art. 196. The request of the Commission to observe a trial was denied by the Vice Minister of Justice. Additional sentences are arbitrarily imposed after military tribunals pronounce their sentences.

(4) The use of torture continues. The Commission has obtained (a) written depositions of family members, (b) eyewitness accounts, (c) testimonies of released prisoners detailing the nature of wounds inflicted. As of December 11, 1973, there have been at least forty-two published reports of more than 410 persons killed "while attempting to escape."

(5) The use of economic sanctions with regard to those suspected of sympathies toward the government before September 11 is widespread: our estimate is that a total of approximately 160,000 were expelled from their work for this reason. An unknown number has been forced to retire prematurely, forfeiting the accumulated social security and retirement benefits. Those on the government blacklist are barred from other employment.

(6) Of 137 national unions, 30 of the less important are functioning; the rest were either dissolved or suspended. The national and regional bodies of the Central Federation of Workers (CUT) were disbanded. All delegated labor bodies and meetings of such bodies were abolished and prohibited. Several union members were picked up at random and shot in the presence of other workers, for example eleven railway repair and maintenance workers in San Bernardo.

(7) Unemployment is estimated to have reached 20 percent. The work week was extended by four hours. Inflation since the takeover has been 1,000 to 1,100 percent. Wages were raised by decree from 200 to 300 percent depending on work category on January 1, 1974. Unemployment compensations are based on 75 percent of the average wage during the past twelve months, but because of the inflation, such compensation, even when provided, is below the level of subsistence: hunger is widespread.

(8) All universities and several private elementary and secondary schools are under military administration. Several university schools and departments are closed. Police and nonuniformed agents are often present in classrooms. No extracurricular activities are allowed. Tuition has been instituted and access to education made much more difficult. The estimated number of students expelled reaches 20,000 (6,000 in Concepción alone); 300–400 professors are seeking employment and many more of those expelled have left the country. New educational programs are expected to drastically curtail the study of the social sciences, journalism, and public health.

(9) All periodicals which the Junta views as opposition have been closed. Of the eleven major newspapers which appeared daily in Santiago prior to September 11, only six continue to be published. Of these six, three are controlled by the Edwards family. Moreover, *La Prensa*, the Christian Democratic newspaper, recently announced that it will discontinue publication. Copies of newspapers (1971–September, 1973) sympathetic to the Popular Unity government were removed from the National Library and other libraries. After a period of self-censorship, prior censorship has been reinstituted by the Junta. Some bookstores were closed, their books confiscated and burned. Most of the books dealing with philosophy, politics, and social problems are dangerous to own. Many people voluntarily burned their books, journals, and posters out of fear.

(10) From the early days of the takover, there was an intense campaign against foreign residents in Chile. According to *El Mercurio*, as of February 17, 3,647 foreigners were given safe conduct passes to leave the country. A total of 7,317 persons obtained safe conduct passes while 243 persons are said to remain in foreign embassies. All embassies party to the right of asylum (Montevideo-Convention, 1961) are carefully patrolled and access to them is prohibited.

(11) The Embassy of the United States seems to have made no serious efforts to protect the American citizens present in Chile during and after the military takeover. It refused to aid Charles Horman, directing him to seek assistance from his local police; it maintains not to have known anything about the arrest of Frank Teruggi, Jr., until notified by Stephen Volk on September 24, 1973. This must be contrasted with the conduct of several Western European embassies which threatened to break diplomatic relations if any of their nationals suffered at the hands of the military. The United States Embassy is one of the embassies where no asylum was given. The U.S. consular officers continue to reject those seeking refuge in the United States whom they consider to have leftist sympathies.

(12) Contrary to the assertion of the Chilean Junta, Mr. Frank Teruggi, Jr., was murdered while in military custody at the National Stadium. He was tortured and shot seventeen times. Contrary to the statements of the U.S. Embassy, protection was sought on his behalf the morning after he was detained and before he was murdered. Contrary to the assertions by the Embassy, no thorough investigation has been made with regard to the circumstances of his death by the Junta. Actually, the information concerning his death was unearthed by Frank Teruggi, Sr., while in Santiago.

(13) The Church high schools and Catholic University have been placed under military control along with state schools. At least 130 priests have been forced to leave Chile; at least three were killed and many tortured. . . . The Junta campaign in the press includes "letters" to the editor which denounce the Church as infiltrated by Marxists and as being an agent of international communism.

Interviews with the Junta representatives

During its stay in Santiago, the Commission had various interviews with official representatives of the Junta. It is the impression of the Commission that the Junta representatives made no attempt during these interviews to present us with a portrayal that would be in any way compatible with the situation known to them and easy to observe by anyone outside their offices. To the contrary, we were impressed by the fact that those Junta representatives felt most assured that they can present obviously transparent lies with utmost impunity.

We were told, for example, that every prisoner is given the charges against him (Vice Minister of Justice Max Silva, Lt. Col. Mario Rodriguez) and even that the former Minister of Foreign Affairs, Clodomiro Almeyda "is in his house" (taped interview with Max Silva). Upon telephoning Almeyda's wife, the Commission learned that he had been held on Dawson Island and removed to Santiago military hospital for treatment. He is allegedly no longer in the hospital, but she has no idea of his whereabouts.

When the Commission requested to see José Toha, former editor of *La Ultima Hora*, former Minister of Interior, Defense and Agriculture, the Minister of Justice responded that he was in a military hospital in Santiago and could not receive visitors. (He has since been reported dead under mysterious circumstances.)

It is clear that the Junta is bewildered by the fact that anybody might actually be concerned about the status of human rights in Chile. Anyone who does not uncritically accept the pronouncements of the Junta is regarded as an enemy. Their vilifications range from the United States Senate ("infiltrated by Marxists"), Senator Edward Kennedy ("agent of international communism"), the Ford Foundation ("not only infiltrated but controlled by Marxists, including admitted communists"—*La Segunda*, December 20, 1973), to Ambassador Harald Edelstam of Sweden ("the Red pimpernel"—*La Segunda*, February 22, 1974).

General atmosphere of "State of War," "State of Emergency," "State of Siege"

The campaign of terror developed by the Junta seems to have assumed a systematic and organized character. Repression is more selective than during the first months following the takeover, but it is thorough and well prepared. Names of prisoners, their location and details of arrest are computerized; it is assumed these lists include potential prisoners as well. For example, while persons who spent three months or more in Cuba were arrested during the first wave of detentions, persons who spent two months there were

arrested subsequently, and those who were one month in Cuba are being detained at present (II, 13).

Official reasons cited for continuance of the "state of war" include reports of assaults, enemy plans, sabotage, resistance, arms caches, etc. People in general said there is no way of knowing the truth since the mass media are completely controlled and carry primarily local news. Arbitrary arrests and seizures are known only to the family affected and neighbors; people are afraid to report those missing for fear suspicion would be cast on themselves.

[Among the means used to sustain terror are the following:]

Cadavers found in rivers and on streets

a. There is widespread talk among the population about bodies being found in the Mapocho River in Santiago and elsewhere. The Junta authorities are anxious to discredit such accounts. However, we learned from numerous sources that this was true. For example, a resident of a high-rise apartment building overlooking the Mapocho River confirmed shooting on the river bank with the bodies falling into the water. (III, 14)

b. Seven Brazilians were routed from their apartment in September; only one had been engaged in politics. They were shot on the river bank; one of them was not killed. Falling into the water, he remained there, floating down the river until nightfall when he managed to find refuge. (II, 12)

c. A Spanish priest of the Salesian order, Juan Alsina, 29 years, was arrested at San Juan de Dios Hospital where he was the director of hospital personnel. His body was found in the Mapocho River and claimed through the help of the Spanish Embassy. He had died from torture. (II, 2; II, 12)

d. On January 8, 1974, the bodies of five prisoners were found in the Pilmaiquen River (IV, 9, 22)

e. Two dead bodies were found lying outside an elementary school. One died with his identification card in his extended hand. Some army men passing by commented to the teachers and students gathered in front of the bodies, "It must have been the police. We take our cadavers to the morgue." (II, 22)

Searches and lectures

In spite of General Oscar Bonilla's television speech in November during which he explained the rights of citizens during search and seizure operations, the military and paramilitary patrols enter homes with no search warrants, make arbitrary arrests and take articles of value. Many searches occur during the night, but they are equally common in daytime.

a. Evidence includes a detailed account of a house search and arrest by unknown individuals on January 30, 1974. Three members of the family were taken away after the family and their factory employees were terrorized. In addition various personal items and valuables were stolen. As of February 23, there is no news of the whereabouts of the father, son, and daughter who were taken. (IV, 3)

b. In the working-class areas, periodic searches are common. For example, in La Legua area of Santiago, military arrive every two or three days, some twenty to thirty prisoners are taken each time; some are released. (II, 12)

c. When the military searched a home in Las Barrancas, Santiago, the wife apparently complained that it was the third such search and wouldn't they please leave her family in peace. As the military departed, they said to the little boy outside, "So long, kid, you won't be seeing us around anymore." The child, surprised, inquired, "You mean you found my Daddy hiding in the roof?" The military reentered the house, brought the father downstairs, and shot him in front of his family. (II, 20; III, 12)

Turning oneself in

a. According to Decree 81 of November 6, 1973, any person cited for presentation in the *Diario Oficial* must appear before the authorities within five days. Failure to comply is punishable by prison sentence regardless of the verdict on any other charges that may be pending against the person.

b. Among the persons who did turn themselves in, the fate of three is known. Pediatrician Jorge Mario Jordan Domic was killed October 16. Dr. Jorge Avila, young and recently married, turned himself in September 19 or 20; shortly thereafter, he disappeared; his death was confirmed in December (IV, 6; IV, 13). On September 22 a high school student, 17 years, turned herself in after hearing her name over the radio. She was four months pregnant. Electric current was applied to her genitals during interrogation. She was afterward treated at a hospital where the prognosis was grave mental damage to her unborn child. She remains a prisoner in Santo Domingo. (V)

Economic pressures

a. According to Decree 6 of the Code of Military Justice, during a "state of war," everyone is only provisionally employed.

b. Workers, political leaders and intellectuals find themselves in the most distressed situation economically. The number of those dismissed for political reasons exceeds 150,000. Under the *Law of Desahucio*, prior to September 11, 1973, a fired worker was entitled to severance pay for a determined period of time. Junta decrees permit firing employees without this compensation. Further, in limited cases where payments are made, the effects of inflation (between 1000–1100 percent from September to February) outweigh the compensation which is determined by the average income for the previous year.

c. Workers are being fired or forced to resign and thereby lose all rights to pension plans provided by the state system and retirement benefits.

Detentions and executions

The Commission found that the National Congress building now houses the Bureau of Detention and Prison Camps which is in charge of all prisoners.

Frequency and manner

a. It is not Junta policy to inform families where prisoners are taken; if they do find out, it is through their own means. Letters to prisoners at Estadio Chile from their families indicate that many relatives did not know where prisoners are being held (III, 8). There are hundreds of cases of missing persons, either those taken at home or those who never returned home after leaving for work or an errand; whereabouts is unknown. (IV, 30; V)

b. There are numerous cases of multiple rearrests by different groups. Of particular importance is the seeming arbitrariness of these arrests and the autonomy of different branches of the armed forces. For example, x (name known to us) was interrogated five times. First, his house was searched, a day later he was arrested by military intelligence; the third time, a month later, he was arrested by policemen; the fourth time by a patrol of military and policemen. His present whereabouts is unknown (V). Y (name known to us) was arrested on three different occasions and is presently missing. Z (name known to us) was arrested four times; the last time by plainclothesmen (V).

Charges and sentencing

Those arrested are presumed guilty. Interrogation and torture are used to extract confessions. Often, only after such methods are used, the prisoner is released because no charges are placed. Those released are generally threatened with death if they reveal maltreatment; they frequently must sign releases which certify that they have been well treated.

Most of the 223 prisoners at Estadio Chile are being held without charges. None seemed to know what charges might be leveled at them. Their relatives, waiting outside the prison to deliver messages, are not aware of any charges. For some the military was in the process of gathering charges; according to Rodriguez, these would be for crimes under the previous regime as well as acts deemed criminal by the decrees and laws instituted by the new government [applied retroactively].

A worker in the south of Chile turned himself in the week following the takeover. He was held six weeks during which time he was tortured by electric shock applied to four parts of his body. He was eventually released because there were no charges against him (V).

Legal counsel

a. We are told repeatedly that lawyer involvement usually begins when charges are already drawn up and the case is ready. The lawyer can see the statement of charges against the defendant some 24 to 48 hours prior to sentencing. We are told that in the north, lawyers are given one to two hours. Frequently the only opportunity for lawyer and client to meet is the moment of sentencing. Hence the only recourse of the lawyer is to request clemency. In the case of a student from Africa, his meeting with his lawyer took place three hours before the trial and lasted three to five minutes. (II, 4, 5, 11, 18; III, 8; IV, 16)

b. Further, lawyers are appointed from a roster of the Chilean Bar Association and tend to be ultraconservative (see its document "Illegal Acts Committed under the Allende Government and the Bar Association Support for the Junta"). Lawyers who would be sympathetic to the client's case are threatened. Trials are absolutely secret. (II, 4, 11, 18; III, 8)

Torture

The use of torture is widespread, although treatment depends on various factors: who the prisoner is or is thought to be, the individual in charge of the local or regional center, and the branch of the armed services conducting the interrogation. It is general opinion of people interviewed that the Chilean Air Force is the most brutal, most likely to torture and kill. In contrast, the prisoners and populace in general regard the *carabineros* or national police force as more humane.

a. The most striking evidence came from some of the prisoners at Estadio Chile. Although Lt. Col. Rodriguez had arranged formal interviews with seven prisoners, there was a covert opportunity to communicate with other prisoners by leaning over the balcony. This was at first done by signaling: (pointing) what happened to X's arm (in sling). This person would then casually walk by the balcony and let his arm hang down, limp, while making a slicing sign indicating it had been broken. As the men got bolder, more and more walked by, lifting shirts, showing inside of arms to indicate electric shock burns. They told us where they had been tortured: Tejos Verde, Cerros de Chena. (These places were later confirmed as sites of torture by our evidence.) By the end of the hour and one half, they were carrying on a full conversation, in English or French, once they learned of our other languages. (11, 4)

b. There is widespread belief that Brazilian military, skilled in the use of methods of torture, were brought in immediately following the military takeover to interrogate Brazilian prisoners and Chileans as well. A number of sources told us that US and Brazilian torture equipment is used: electric shock units, nail bar, etc. [unconfirmed]. Other sources indicated that training in such methods was received by the military prior

to the takeover in US training schools in Panama and in Texas. (II, 24)

c. Methods of torture being used include electronic shock applied to various sensitive parts of the body, fingernail extraction, shooting off guns next to the ear—along with more "conventional" brute methods—beating with gun butts, knife slashing, cigarette burns, sexual molestation and rape.

d. The cases are numerous: that of Victor Jara, internationally famous folksinger and artist is well known (IV, 1, 2). For details of others see documents IV. Documents which would compromise the sources are being shown to selected persons in the United States and abroad. These documents include several testimonies of persons who were tortured and released. For example, X was exposed to electric shocks, a gun was shot next to his ear drums, he was blindfolded for a week. Y was given electric shocks, he was blindfolded for fourteen days. Z's death certificate said he died of bronchial pneumonia. Upon exhumation several lacerations were discovered on his body. (V)

e. The torture is being used at the present time. A mother found the body of her son on February 13, 1974. His hands and genitals had been cut off. His body was covered with burns from cigarettes and slashed with knives. (II, 8)

f. According to a letter dated February 14, 1974, which was smuggled out of X prison and given to the Commission, a man was arrested in the middle of January and tortured until he signed a confession. (IV, 17)

Executions and the "Ley de Fuga"

When pressed by the Commission for an estimate, Vice Minister of Justice Max Silva stated that in the early days of the military government, there were some thirty persons executed, but there are none now. [Interview taped; available from Ms. Anna Langford] The evidence makes this statement ridiculous.

a. An unusually large number of escapes while under police custody are reported. This usually occurs in the following manner: "While being transported from x prison to y, the following prisoners attempted to wrest guns from their guards (or simply, to escape) during a breakdown of the vehicle. They were shot by the guards." However, it is generally known that prisoners are bound and under heavy guard while being moved.

b. According to 42 separate newspaper accounts, approximately 410 persons were shot while "attempting to escape" as of December 12, 1973, or during three months. The latest evidence is as of January 31 in Puerto Montt which reports the names of four prisoners "shot while attempting to flee." This seems to indicate this method is still being used. (IV, 7, 9)

c. There are repeated cases of alleged suicides of prisoners. Most recently, former Minister Jose Toha allegedly hanged himself in the military hospital to which he had been transferred for medical care. Toha, who was six feet, three inches tall, reportedly weighed less than 112 pounds when brought to Santiago from Dawson Island. In another case of an alleged suicide while in custody, X was said to have hanged himself with his shirt. He was dressed in a short sleeve cotton shirt; his body when claimed at the morgue was found covered with lacerations on the stomach and legs. (New York Times, March 17, 1974; V)

d. Many cases are reported of prisoners being executed after military tribunals have sentenced them to a definite period of time. While some of these cases could be attributed to the responsibility of local commanders, a series of such assassinations were a direct order from Santiago, carried personally by Chief of the Santiago area General Arellano Stark. This mission of death started in mid October in La Serena where 15 people were shot on October 16. The source of the order became public knowledge in La Serena after Jorge Washington Peña Hench, a respected musician and founder of La Serena's Symphony Orchestra, Conservatory and Children's Symphony, was killed. As there are 80 families in the symphony, his assassination became known. When the townspeople protested in outrage, the district military commander, Lt. Col. Ariosto Lapostol, published a statement in *La Provincia* newspaper saying that he was under orders from Santiago (III, 11; IV, 6)

e. The estimates of the total number of executions between September 11 and the visit of the Commission range very broadly. The official Junta figure is 2.170 including military men killed in the takeover (*Chicago Daily News*, February 2). Aside from Max Silva's figure of 30, the most conservative estimate encountered was 1,000 given by Gil Sinay. Informed foreign observers say that at least 5,000 deaths have been accounted for. The prevailing figure among our sources was 20,000 to 25,000, but the range reaches 80,000 if we are to accept the estimate of a conservative Chilean businessman. (II, 2, 5, 11, 12, 14, 25) Some names of those murdered were obtained by the Commission (IV, 31).

Partial list of those persons detained by military or paramilitary and whose present whereabouts is unknown is appended (IV, 30).

Economy

Salaries

a. In January, wage and salary levels were readjusted with an estimated increase which may or may not be the real increase after February changes. The long-announced "readjusted" salaries were scheduled for February, 1974. But no one knows what this will mean, in fact. Guesses are that salaries will approximately double or even triple. Minimum salary per month will be about 18,000 Escudos. The following figures are approximate and change monthly, but nonetheless they provide some idea of the economic situation as of January 31, 1974:

Wages per month (in Escudos)

Unskilled worker, from 10–15,000.
Skilled worker, 20–30,000.
Piece worker (piece work now discontinued), 20.000 up.
Doctors working for government hospitals, 40.000+.
Readjusted wages, new doctors, 80.000.
Bank clerk, 40–60,000.
Social worker, 50–60,000.
Univ. professor, 5 years experience, 80,000.
Hotel maid, 5,000+ %.
Newspaper vendor, 5% sales.
Icecream vendor, supper, up to, 20,000.

b. The work week was increased by Junta decree a mandatory four hours. This means a 48 to 52 hour work week for workers; a 40 in-school week for teachers and university professors (II, 6, 22, 23).

Prices

a. The Commission noted that the stores seem to have a plentiful supply of goods, although few people can afford to do much buying. The Junta is running an economic campaign with such slogans as these: Chilean, Learn to Buy! and Free Competition is a Just Price.

b. The economic situation and purchasing power can be seen by the following examples:

(1) Rent: According to *El Mercurio*, February 15, 1974, the price of rents was allowed to increase five times over January, 1974.

(2) One family of five which the Commission interviewed spends an estimated 9000 Escudos on bread and milk alone (II, 13).

(3) The Commission was impressed by the fact that:

A worker who takes one bus to and from work, six days a week, 4 weeks per month, spends . . . 2160 E.

If he buys 1½ kilos of bread for his family per day, bread at 130 E./kilo, 1.5×130 × 30 days . . . 5850 E.

[Total for transportation and bread 8,010 E.]

If he should be a pack a day cigarette smoker and smoke the cheapest brand (range 130–220 E./pack), 130 × 30 days . . . 3900 E.

Approximate total [transportation, bread, cigarettes] . . . 12,000 E.

In other words, just for minimal transportation to and from work and bread for his family, a worker spends approximately 44 percent of what will be the minimum wage. Should he be a smoker, the cigarettes and bus fare (just for himself) and bread for his family will total 67 percent of the minimum wage.

(4) Articles of clothing have gone beyond the means of reach for the average worker. A blouse costs (average) 3000 E.; a man's shirt. 4500 E.; shoes, 5000–8000 E.; children's shoes, 3000–5000 E.

Trade unions

1. The Central Federation of Workers (CUT) is closed; any union activity whether written or by any other means is outlawed as of September 17, 1973 (Decree no. 12 of the Junta). The Commission found a padlock on the doors of the CUT offices. Funds of unions have been frozen. All delegated labor bodies and meetings of such are abolished and prohibited (II, 1; IV, 4).

2. Of 137 national unions, only thirty of those less important are functioning. The remaining 25 percent do not exist as unions because there can be no grievances filed, no collective bargaining; and union meetings cannot be held except with prior approval of the agenda by the police. Such meetings are limited to an explanation of military degrees. Election of union officers is also forbidden. The Junta has been attempting to replace former union officials by their own approved men (II, 1; IV, 4).

3. Many workers are not entitled to any compensation because they were not fired but left "voluntarily" when their employers threatened to denounce them to the authorities as "extremists." Many other workers are dead or missing (IV, 30). There is no official fund for widows and orphans. Trade unionists who collect funds for widows, orphans, and unemployed run a grave risk of punishment.

4. It seems the military are trying to physically eliminate union leaders. Leaders of CUT have been imprisoned, harassed, killed, or forced into exile (IV, 4). Two men were shot during searches of their homes: Luis Rojas Valenzuela, regional secretary of CUT in Arica, and Luis Almonacid, provincial secretary of CUT in O'Higgins. In the case of the General Secretary of CUT Rolando Calderon, the military tried to shoot him near the interior of the Swedish Embassy; he received facial wounds in the forehead and eyes (IV, 4).

5. The following table illustrates the status of the trade union movement in Chile at the present time:

Total number workers, total dismissed

Health workers (laborers)	45,000	18,000
Health, professional and technical (doctors, nurses, etc.)	18,000	6,000
Municipal workers	16,000	3,500

Health and Social Services

There are systematic campaigns of persecution against the doctors, medical personnel, and students who did not participate in the strike of professionals [in protest againt the Allende government] and who were politically active prior to September 11. Many physicians and hospital functionaries were tortured and killed. Many more were expelled or suspended from the medical profession (Chilean Medical Association and National Health Service) (IV, 13).

A detailed plan of persecution was designed by Dr. Augusto Schuster Cortes and followed by military prosecutors (IV, 11; IV, 12). De-

tails of this persecution are given in statements by these prosecutors citing charges against professors, students, and functionaries and the subsequent suspensions and firing of same (IV, 14; IV, 15). Similar measures were taken in all branches of the School of Medicine in Santiago, the School of Veterinary Medicine, and the National Health Service.

Among the many physicians and personnel of the health service arrested are the director of the Linares Health Zone, Dr. Carlos Azmorano; the former Minister of Health Dr. Mario Lagos; nutrition expert Dr. Giorgio Solimano Canturias; director of Health for greater Santiago Dr. Gustavo Molina; director of the third Health Zone Dr. Asbalon Werner V. Other names are appended to the Report (IV, 30).

The military seems to be initiating a campaign against socialized medicine to the effect that the practice of medicine cannot be good quality unless services are "paid for." The charges for services are presently 3000 Excudos for a visit with a doctor of nine years experience or less; 4000 E. if ten years or more; 5000 E. if twenty or more years (II, 7, 8).

Education

1. All universities and several private elementary and secondary schools, including the pontifical Catholic University, are under military administration; rectors have been replaced by military officers. The Rector of the University of Chile, a Christian Democrat, protested the violation of university autonomy; he is presently in exile. San George's School, one of the most progressive institutions in Chile and run by the Holy Cross Fathers, has been intervened in by the military; the gymnastics teacher was made principal (II, 6, 12, 15, 16, 20, 22, 23).

2. The Junta is attempting to develop an elite educational system. Access to education has been made much more difficult since tuition is being instituted 18,000 E. [unconfirmed]. The work-study programs have been abolished; moreover, many students who participated in them have been suspended or expelled on the grounds that "they did not demonstrate a sufficient interest in their subjects." Students must now show means of support (e.g., working wife, family support) in order to attend the university.

3. The most conservative estimate that the Commission heard was 10 to 20 percent of the professors, functionaries, and students were suspended, forced to resign, or expelled. However, this figure does not accurately reflect the situation in the universities since some departments were particularly hard hit. For example, in Concepión, between 200–300 university professors (of 1,200) were suspended; approximately 6,000 of 18,000 students were suspended and or expelled (II, 7, 16, 20, 23, 25).

4. In the School of Public Health, which had an outstanding reputation in Latin America, 70 of 120 persons have been suspended; it is not clear how many will be allowed to return. Charges against those dismissed or expelled are vague; for example, students and faculty in the Department of Economics, School of Political Economy were cited "for one of the above mentioned charges" after a listing of four or five counts was given (IV, 10).

5. The Junta has instituted changes in curriculum and dress code. Uniforms and briefcases are required for all students. According to one educator, "the military doctrine for all high schools and elementary schools will be reduced to discipline, cleanliness, obedience and uniforms" (II, 23). There also will be decided emphasis on military history and nationalism (II, 15).

6. No group meetings are allowed on university campuses. When the State Technical University reopened, the new rules included no talking outside of the classroom. The universities are continually patrolled by the Chilean police. Within the classrooms, intellectual dialogue is inhibited by fear of plainclothesmen and right-wing students, etc. (II, 15, 20).

7. Publishing will be under strict guidelines; scholars are fearful to even present a manuscript which might contain material anathema to the military censors. There has been evidence of pressure on the substance of teaching and of writing, particularly in the social sciences, social work, and education (II, 7, 23).

8. Educators have been taken prisoner, tortured, and killed; they are still being arrested. The day the Commission was leaving Santiago, it received the news that a professor Meruane from the Catholic University had been taken at 4 p.m. the previous day (II, 23; IV, 30).

Mass media

Freedom of the press, radio, and television has been effectively brushed by the Junta. All communication systems have been seized, leftist publications banned and offices closed. Of the eleven major newspapers which appeared daily in Santiago prior to September 11, only six continue to be published. Of these six, three are controlled by the Edwards family. Moreover, ***La Prensa,*** the Christian Democratic newspaper, recently announced it will discontinue publication. Prior censorship has been reinstituted.

1. Copies of the newspapers shut down have been removed from the historical records of the National Library and other libraries throughout the country. Selected books and works of certain authors are being removed from the library collections (II, 10).

2. Leading bookstores of radical and leftist literature, records, and posters (such as PLA, Frensa. Latina-Americana) are closed and their property confiscated. All bookstore owners must present a list of inventory for review. Those books censored must be removed, at a loss to the owner. Even if the newly ordered books are confiscated at customs, the owner must repay the bank for dollars advanced for the order. All political science books, right or left, are banned; also, social science books relating to Chile and any Marxist literature pertaining to Chile (II, 9).

3. Since some books are dangerous to own, and this category remains underfined, many people have burned their libraries. A sociology professor told a member of the Commission that he burned his doctoral thesis because it pertained to aspects of the Popular Unity government (II, 23). A middle-class woman, communist, burned her entire library out of fear; her first husband was in exile; her second husband, a communist, had been killed; her father had been killed as a "political extremist" (II, 20).

4. Of 6,000 people employed in the mass media, approximately 2,000 have been fired and most of these are unable to find other work. Even foreign correspondents have been given harsh treatment; a few have been taken into custody for up to fourteen days; some have been held at gunpoint while their quarters were searched (II, 11).

II. THE AMNESTY REPORT

(By Rose Styron)

Amnesty International, an apolitical world organization dedicated to protecting nonviolent "prisoners of conscience" and basic rights for people in all countries, receives reports almost daily of kidnapings, closed trials, arranged deaths, summary executions, expulsion, barbaric torture, and government by intimidation throughout Chile.

AI's sources are numerous. They include leaders of the American clergy who have worked in Chile or visited there since the coup as well as members of a women's group, of a trade union, and of several university faculties who have gone to Chile on fact-finding missions; also the United Nations and its High Commissioner for Refugees, who have set up sanctuaries there; commissions of both French and American jurists; and Amnesty's own three-man mission to Santiago. The junta rejected Amnesty International's January report as "biased and superficial" and "full of imaginary concepts about torture." But AI has compiled confirming evidence for all its charges.

Reports of torture have gone from many eyewitnesses, for example the wife of an Argentine lecturer held in Estadio Chile. (This is the larger of the two sports arenas which have been turned into detention centers in Santiago; at one time it held as many as 5,000 people.) She was stripped twice, and abused, searched by soldiers for "dynamite in her vagina" while she listened to the cries of her husband being beaten nearby. At one point she saw him in a room, naked and hung by his arms and legs, being given shocks with an electric goad. Several witnesses to the death of folksinger Victor Jara have testified to what happened to him in the same stadium; his captors gave him a guitar and commanded him to play while they broke, then cut off, his fingers; when he began to sing, they beat and then shot him. "As an example," one report states, they left his body "strung up in the foyer of the stadium."

Friends of Paulina Altamirano, wife of the leader of Allende's Socialist party—who was "the most wanted man in Chile" until he escaped to Cuba—report that she was forced to listen to faked tapes that led her to believe that she was hearing her children screaming.

The sophistication and systematic use of such methods of repression and revenge is the most depressing aspect of the current regime. A few weeks ago I was shown a crumpled piece of blue paper with minute writing edge to edge, smuggled out of the Santiago stadium. Its author is a very young man. I quote from it here:

In case this anguished message arrives soon in the hands of any one in my family, I am going to tell what they did with us since Friday the week of January 18, 1974, when civil personnel in the presence of Sr. Guillermo Alvarez K., delegate from CORFO, "invited" four of us to take part in an interrogation which would last "two hours." We tranquilly got into vehicles, cream and blue. . . . They proceeded to put adhesive tape over our eyes and there we understood that it was a kidnaping. . . . In a closed truck, blindfolded and tied, we traveled two or three hours. . . . I heard the noise of weapons which chilled me to my soul. I said goodbye to myself with my eyes full of tears for all my loved ones. I thought they were going to shoot us because they put us against wooden beams with our hands up and our legs spread behind. I didn't know what to think. My God, but why do they do this?

. . . Monday they took us in a small truck . . . we went down a stairway . . . hooded, our hands tied behind. They made us undress, tied us again, put us in small cells . . . and the inferno of terror began.

The first one they took to the torture table did not emit screams, they were howls. My body trembled with horror, one could feel the blows and hear the voice of the torturer, "Who painted it? Who went?" . . . I spent many hours there listening to the tortures. . . .

My turn came. They tied me to a table. . . . They passed cables over by naked body. They wet me and began to apply currents to all parts of my body and the interrogator did not ask me, he assured me, "You did this thing." I denied the monstrosities and the blows began to my abdomen, ribs, chest, testicles, etc. I don't know for how long they massacred me, but with the blows in my chest, my throat and bronchial tubes filled up and it was drowning me. I was dying. They were laughing but assured me they were not kidding and threw acid on my toes. They stuck me with needles. I was numb. They took me down. I could breathe.

They took us back to the camp. There no one slept because of our moans. The prisoners cried with us.

They took us another day and it was worse. They did things that cannot be told . . . threats of death if we didn't sign what the interrogator wanted. "No one knows about you," he said, and he tortured us. He was making fun of us. We were no longer men. We were shadows. . . .

Eight days later we were transferred from Tejas Verdes, the place of our capture, to the Estadio Chile where we are isolated from the rest for being dangerous. . . . We signed the criminal declaration because we wanted to live and prove our total innocence. . . .

Why do they do this to us? . . . At the company all the workers that day saw the vehicles. Are they guilty by chance? . . .

This is our ordeal. Why, my God, why? We trusted in justice.—Estadio Chile, Feb. 14, 1974

The real purpose of the torture seems to be not so much to extract confessions as to induce conformity by terror, dehumanization, and the destruction of the will by prolonged pain. Much has been learned from the regime in Brazil, and, more specifically, from the Brazilian officers who were invited to Chile to give courses in interrogation to the armed forces and police. Amnesty has received reports of torture from the following prisons and detention camps:

—Quiriquina Island, where 500 prisoners on meager rations have been building their own jail.

—Chacabuco, the mine in the northern desert of Antofagasta (temperatures 110 by day, 32 by night), where approximately 1,600 middle-level officials and professional men and the relatives of ministers are being held. Among them is the musician Angel Parra, son of the singer Violetta and nephew of the poet Nicanor Parra. (In spite of conditions of hunger and maltreatment a remarkable mass by Angel Parra was said to have been performed there at Christmas.)

—Three "detention ships," including the *Lebu*, docked off Valparaiso, where, according to Amnesty's sources, men are dropped into the dark hold and all but abandoned.

—The Women's prison, called Casa de Mujeres el Buen Pastor, in Santiago. Here electricity applied to the gums produces hysteria: applied to the uterus of a pregnant woman, it produces brain lesions and abortions. Young girls are sent here pregnant from other torture camps, with their hair pulled out and their nipples and genitals badly burned.

—Tejas Verde, 250 kilometers south of Santiago, where paramilitary organizations have taken their victims.

—The concentration camp at Cerro Chena, where teenagers are subjected to sexual assaults, shock treatment, the burning of extremities.

The Antarctic Dawson Island camp, not far from Tierra del Fuego.

In September, thirty-six members of Allende's government were taken to Dawson Island from Santiago after being interrogated. Nineteen had turned themselves into the police as a radio announcement requested them to do, rather than take refuge in the embassies that offered it. They included José Toha, Minister of Defense, a man six feet four inches tall, who, when last seen alive, was down to 112 pounds, and could hardly see, hear, or walk. The junta has listed him a suicide, but there are convicing reports that he died by strangling. Daniel Vergara, one of two deputies who was shot in the back after he tried to negotiate with soldiers in La Moneda during the coup, was suffering from gangrene from his untreated wounds; it is feared that his arm may have to be amputated. His only son has been held for months in Chacabuco, for no other reason than being his father's son.

Before the Dawson Island camp was closed down in late April, the prisoners there suffered from extreme cold, hunger, lack of medical attention, and denial of privileges to read or write. They were forced to do manual labor too severe for them. Now they await the trials being planned for prominent political prisoners—expected sometime in May—and are being held incommunicado in secret locations near Santiago.

Trials of the junta's remaining enemies in the military services have already begun. Just before the coup more than a hundred officers and soldiers whose loyalty to the junta was in doubt were murdered. Others were shot during the takeover. The regime not only cannot afford to have experienced military opponents at large but seems determined to make examples of them. On April 17, fifty-seven air force officers and ten civilians were put on trial for treason and conspiring against the regime—the group is described as *"Bachelet y Otros,"* after General Bachelet, who mysteriously died before the trial began.

The air force under the junta, it is generally agreed, is the most brutal of the four branches of the military (the carbineros are the mildest), all of which have the power to arrest and interrogate. Some civilians have been arrested and then released by three of the military services and gloomily await arrest by the fourth. Such people may be given "conditional release" if they sign a statement that they were well treated and agree to return once a week to "cooperate." Arrested members of the military service, however, are not released at all.

The trials of allegedly disloyal army and navy officers and the Dawson prisoners will follow. Aside from the death sentence, the penalties being asked range from eighteen months to life, fifteen to thirty years being common for younger men. One military student is facing the death penalty because he protested flagellation. A thirty-two-year-old officer named Patricio Carbacho, described as a model soldier, has been accused of conspiring with dissenters months before the coup, although he carried out all orders unhestitatingly when it took place. Unaccountably, he also faces a death penalty. At least two generals who supported the coup have recently resigned. One is General Baeze, whose own nephew died by torture while he tried helplessly to intervene.

The military trials, though not discussed in Chilean newspapers, are "public." But secret trials and executions go on all the time throughout the country. In the province of Osorno, for example, dozens of farmers and workers disappeared last autumn and were located only when their sentences were announced or their bodies found. On March 29, Senator Kennedy's office learned that two Osorno, women had been condemned to death and 39 others given sentences of six to twenty years. At least thirty corpses of people who had been missing, some without arms, legs, or feet, were washed up on river banks in Osorno during the winter after relatives had given them up for lost.

In the "private" trials, the state-appointed lawyers usually have been given less than the legal forty-eight hours notice of trial, and often less than twelve hours, with no advance information about the charges, and only a few moments in which to see their clients. The prosecutors and judges are rarely lawyers and are frequently men with little education. A young school teacher was condemned to thirty years for allegedly instructing "(conscientization") his elementary school pupils in Marxist doctrine.

Four young students from the University of Chile at Arica were arrested for nothing more than participating in political discussions at the university. One of them, twenty-three-year-old Enzo Villanueva, received an arbitrary nineteen-and-a-half-year sentence (although the prosecutor had asked for five) after seeing his lawyer for five minutes. Another, Jorge Jaque, received thirteen years. Suffering from a disease of the joints, he was both severely tortured and denied medicine by his captors. One hand and his toes were amputated. The other two men, Miguel Berton and Sergio Vasquez received twenty-five and eighteen years respectively. They are all in La Serena jail with little hope of appeal.

Amnesty has extensive reports not only of persecutions in the colleges and among educators but of the torture and terrorizing of children in order to intimidate their families. Amnesty was informed in March that a nine-year-old girl and a four-year-old boy were tortured to death in front of their parents. There have been dozens of documented cases of kidnapings—particularly in the poorer districts—and of threats of kidnaping made to families whose children were at school. Kidnaped children have often been returned to their families after being maltreated by the police.

One of the regime's most feared instruments of terror is the paramilitary intelligence group called the DINA, which General Pinochet set up in December as a plain-clothes terror apparatus directly under his control. It is apparently modeled on the death squad in Brazil, where some of its leaders are known to have been trained. It specializes in brutal raids on factories and the houses of the politically suspect, sometimes kidnaping the inhabitants; it tends to be used in cases where the police and military forces want to avoid legal inquiries about missing persons.

Members of the medical profession have been selected for particularly vicious treatment. Since September 11 at least sixty-five doctors have either been shot or have died as a result of torture and untreated wounds. Seventeen psychiatrists were murdered in various parts of Chile the first day of the coup and psychiatrists in general have been persecuted, jailed, or kept under house arrest. Many doctors, nurses, and medical assistants have been arrested as potential threats to the junta, apparently because they were not against Allende—as a good many doctors were—and because they were much respected in working class communities and therefore seen as dangerous. Those who did not take part in a strike against the Allende regime by doctors and other professionals last summer became highly visible. A large number of them have since been under attack and, if not imprisoned, refused the right to practice. Several sources have estimated that over a thousand have been dismissed from hospitals.

Silvia Morris, the head nurse at the children's hospital in Valvaraiso, was condemned and tortured, for no greater offense than suggesting that her patients needed more nourishment and medical attention. Doctor Ernesto Luna Hoffer, a well-know neurosurgeon from Valdivia, was given a year in jail for raising the Chilean flag at half-mast as a sign of mourning for his fellow doctor, President Allende. Dr. Danilo Bartolin, a heart surgeon whose friends in Santiago despair now of his surviving, was taken to the Estadio Nacional in Chile in September, whipped and tortured, and taken to the mine at Chacabuco. Dr. Elena Galvez, after being removed from the Hospital Sotero del Rio, was abused in the stadium for refusing to take reprisals against certain hospital functionaries; she has just been released from jail.

On March 26, Amnesty International received a distressing new appeal from a group of Chilean doctors. Painstakingly documented, it lists eighty-five doctors now in prison. None had specific crimes charged against him. Nine have been condemned to death. Six well-known doctors were arrested January 13 (an ad in *The New York Times* and pressure from US colleagues helped to bring about the release of one of them, Dr. Gustavo Molina). It is now feared that death sentences will be handed down in secret trials to Alejandro Romero, Patricio Cid, and Bautista von Schowen. Earlier in March Amnesty heard that von Schowen, thirty

years old, picked up December 13 after police had kept watch on his parent's home for two months, had been so beaten and mangled that he was taken to a military hospital.

Catholic priests and other clergy have been doing more than anyone else to help the victims of terror in Chile and they have emerged as the only group that has been openly challenging the regime. At increasing risk to their immunity, they have been pursuing every legal means available to secure information on people who are missing and to arrange the release of prisoners or publication of charges against them. They give moral and financial help to the thousands of Chilean children who have recently become orphans, to families in which the wage earners are dead or jailed, and to those who want to emigrate. Much of their time is spent trying to find lawyers to defend the poor, weak, and ignorant. (In fact, because so many lawyers have been persecuted or disbarred, they are also helping to find counsel for the well-to-do.)

The Lutheran bishop Helmut Frenz has recently organized the "Committee for Cooperation and Peace" along with Fernando Ariztia, the Auxiliary Bishop of Santiago, and Fernando Salas, a young Jesuit priest. Prominent Jewish and Protestant clergymen support this committee, which is trying to help political prisoners and their families, as well as the unemployed. In the last few weeks Bishop Frenz's committee has sent 131 writs of habeas corpus to the minister of interior, with no response.

Since the coup, Cardinal Raul Silva, the highest-ranking Roman Catholic in Chile, has been walking a tightrope. A year ago he tried to hold off civil war by inviting the leaders of opposing political parties to meet with him privately in the hope that Marxism and Christianity could coexist in Chile. After the coup, he continued to try to keep his office neutral, and was criticized by Catholic and Protestant leaders abroad for defending to the Vatican a policy of accommodation with the junta.

Since March, however he has become openly critical of the regime. Over official objections he held a public mass for José Toha—a symbolic refusal to accept the junta's claim that Toha was a suicide. In his Easter sermon, delivered under guard because the junta claimed that his life was being threatened by left-wing extremists, Silva accused the generals of ignoring the wishes of the church and continuing to violate "sacred human rights" ("We have said it in every voice and we have not been heard!"). On April 24, the Catholic bishops of Chile issued a strong statement accusing the junta of arbitrary detention and the use of torture and of creating unemployment and economic havoc for the poor. Chileans, they declared, were "living in a climate of insecurity and fear."

The junta has tended to be more careful in the pressures it applies to the clergy than it has with other groups. As General Leigh put it, the regime has "great respect for the church, but like many men, without realizing it, they are vehicles for Marxism." Immediately after the coup, however, American and other foreign priests were herded into Estadio Chile. A Spanish priest, Juan Alsina, was assassinated in the hospital where he worked. Most foreign clergymen left the country.

At Christmas, Ulysses Torres, a Methodist minister from the southern city of Chillán, was jailed with several young people who, according to military intelligence, had used his machine to mimeograph anti-junta remarks. He has not been released. Father Raul Hasbrun, a priest sympathetic to the right, ran the Catholic University's TV station until April. He was fired when he refused to accept the directives of Admiral Swett, the new rector appointed by the junta. Bishop Frenz was arrested and taken to the police to "talk about Marxism," and then sent home. On April 19 a Methodist minister, Samuel Araya (who had been fired from his post as head of Santiago's theological institute in February), was arrested while teaching an evening class at the seminary and taken to Estadio Chile. Father Joel Gajardo was taken to the stadium the same day and is still being held. Araya was released only after appeals were made by church leaders in Europe and the US as well as by former ambassador Nathaniel Davis, who had been Pastor Araya's parishioner.

William Wipfler of the National Council of Churches, who helped with the appeals on behalf of Samuel Araya and many others, has warned that "only the most intense and united pressures from outside Chile will be able to save the clergy and the laymen still in prison there." Indeed it should be clear that pressures from abroad, and particularly from the US, are the principal hope (if a slim one) for the victims of terror in Chile. The Nixon Administration, having done much to undermine the Allende regime, now has been supporting the junta with economic and military aid and remains silent about its atrocities and its absolute suppression of rights. It has refused asylum to Chilean refugees (by contrast with Canada, France, West Germany, Sweden, and other countries which have admitted thousands).

What is urgently needed is that American congressmen, lawyers, and other professionals visit Chile as observers of trials, prisons, hospitals; [1] that protests be made to General Pinochet in Santiago and to the Chilean embassy in Washington; that Congress, the White House, and the State Department be brought under pressure to cut off all aid to Chile until constitutional rights are restored, and to allow the refugees from Chile to enter the US.

Those who want to learn about such efforts (or contribute to them) can write to Amnesty International at 200 West 72 Street, New York, New York 10023, or to the National Council of Churches at 475 Riverside Drive, New York, New York 10027.

Freedom Under Allende

During the Allende regime private schools and universities continued to receive government subsidies, the Catholic television station became a bastion of Allende's opposition, two-thirds of the radio stations were controlled by the opposition, and by late 1972 in all the universities except one there had been elected rectors and governing bodies who were opposed to the government. Six weeks before the coup one could find on the same newsstand in downtown Santiago magazines of the extreme Right justifying the violent overthrow of the leftist government and others published by the Left calling for resistance by soldiers to their military superiors. *El Mercurio*, the principal opposition newspaper, continued to publish throughout the Allende period (it was closed for one day in June, 1973), while the government-owned *La Nacion* and the government subsidized *Chile Hoy* and the Quimantu publishing house, as well as two of the three Santiago TV stations, presented the Allende government's point of view.

Chile under Allende had a greater range of freedom of expression for political views of all kinds than any other country in the world. It is true that the Allende government tried to put economic pressure on the only independent paper company, but this was successfully resisted, as was a plan announced in March, 1973, to establish a unified national school system.

. . . the total number of politically related deaths during the three years of the Allende regime is surprisingly low. Not more than a half dozen were killed in street fighting in the entire period, and none of these deaths was attributable to police action. *Libro Blanco*, the White Book published by the military junta after the coup, lists ninety-six deaths under the Allende government. Twenty-two of them took place during the military uprising of June 29, 1973. Only one came from the action of troops against lower class settlers (in August, 1972), and Allende immediately went to the settlement and apologized.—Paul E. Sigmund, Professor of Politics at Princeton, in *World View*, April, 1974.

[1] Senators Kennedy and Abourezk and Congressman Don Fraser of Minnesota have been the most active US legislators on behalf of the victims of persecution in Chile. Recently the "Fair Trial Committee for Chilean Political Prisoners" has been organized and has been sending observers to the trials in Santiago and trying to assist Chilean lawyers. The Committee's address is: 1215 NW 16th Street, Corvalis, Oregon 97330.

CONCLUSION OF MORNING BUSINESS

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that morning business be closed with the understanding that following the remarks of Senators under the orders previously entered there will again be a brief period for the transaction of routine morning business.

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

The Senator from Idaho is ready to proceed, and he will be recognized under the previous order of the Senate for not to exceed 15 minutes.

May we have quiet and also order at the same time?

ORDER OF BUSINESS

Mr. ROBERT C. BYRD. Mr. President, will the distinguished Senator from Idaho yield to me briefly?

Mr. CHURCH. Yes, I am happy to yield.

Mr. ROBERT C. BYRD. Mr. President, on Friday I had entered orders for the recognition of various Senators with whom I had cleared the suggestion their time today would be allotted to Mr. CHURCH for his use. These Senators indicated their approval of my securing these orders.

They will not be here to claim the time, but they understand that it will be yielded without objection to the distinguished Senator from Idaho.

I, therefore, ask unanimous consent, Mr. President, that the time allotted to me, the time allotted to Mr. ALLEN, the time allotted to Mr. Moss, the time allotted to Mr. MANSFIELD, and the time allotted to Mr. TOWER, with all of whom I had cleared this matter, be yielded to the distinguished Senator from Idaho so that his remarks will not show interruptions in the RECORD.

The ACTING PRESIDENT pro tempore. Is there objection? The Chair hears none, and it is so ordered.

The Senator from Idaho is recognized.

SUBSTANCE AND SHADOW OF DÉTENTE

Mr. CHURCH. Mr. President, the first requirement toward an assessment of

what is called détente in Soviet-American relations is an appreciation of what the word means and what it does not mean. In classical usage "détente" refers to a lowering of tension, an abatement of hostility; it does not mean amity or partnership, or even reconciliation. In long-term perspective, a détente may carry promise, or at least the hope, of future friendship, but in present fact, it represents no more than the imposition of restraints on an otherwise costly and dangerous rivalry.

Perhaps some day the Soviet Union and the United States can be friends, partners for peace in a rejuvenated United Nations. But before that becomes a possibility, the two superpowers must tend to the prior business of ending almost three decades of cold war and surrogate hot wars around the globe. Above all—and this must be the guiding principle in all their dealings—they must cooperate to free the world from the threat of nuclear war Whether dealing with trade, arms control, European security, the Middle East or even cultural relations, they must never forget the danger they pose to each other and to the world; they must remember the warning of Albert Einstein, whose formula made possible the nuclear bomb, that "at the end, looming ever clearer, lies general annihilation." [1]

Again and again these days we hear the questions asked: "Is détente working?" and "Is it workable?" These are fair and appropriate questions, but they must be refined in terms of what détente is and what it is not. There is no use asking, for instance, whether the Soviet Union has acted as a partner for peace in the Middle East. Clearly she has not, but that was not to be expected, because we and the Russians are not friends; we are rivals. The right question from the standpoint of détente is whether the rivalry has been restrained by an awareness of the danger of confrontation. The answer to that, I think, is "yes"—by and large, the détente held up through the Middle East crisis. The Russians, it is true, threatened last October to intervene unilaterally in Egypt after we declined to intervene jointly; we then called an alert, perhaps unnecessarily, and they then drew back. Since that time, the Russians have gone along, grudgingly, with Mr. Kissinger's disengagement diplomacy, dragging their feet here and inciting obstruction there, but on the whole going along. We, in turn, while rebuilding our influence in the Arab countries, must recognize that the Russians cannot be excluded altogether if they are to be prevented from making trouble. Accordingly, now that the Syrian-Israeli disengagement has been achieved, we should be ready to take the great, substantive issues of an Arab-Israel peace to the Geneva conference where the United States and the Soviet Union will preside as cochairmen.

I have spelled out this example in order to illustrate what seems to me a reasonable, realistic criterion of détente. But within the modest limits of this conception, other questions must be raised. We must ask, for instance, whether the arms control agreements thus far reached and now in prospect will really limit or only rechannel the nuclear arms race. We must ask whether trade with and investment in the Soviet Union will be to our long-term economic benefit or merely to the Russians' immediate advantage. We must ask whether the European security and troop withdrawal talks now in progress are likely to get somewhere and reduce tensions, or whether the two conferences add up to nothing more than pomposity and futility. Finally, we must ask whether the détente policy promises to extricate the United States from dubious commitments in Asia and elsewhere, or only to suspend these involvements until the Vietnam reaction dissipates, or the next crisis occurs, or new leaders come on the scene. We must ask, in short, of each of the components of détente: Which is the durable and which ephemeral? Which is public policy and which public relations? Which is substance and which mere shadow?

I. PERSPECTIVES

I start with the assumption that détente is desirable and possible. Its desirability hardly seems contestable, except to those who actually prefer the cold war and the ever-present threat of hot war. The feasibility of détente is something else, because there are still competent and respectable observers who maintain that the Soviets are insatiable in their ambitions and relentless in their drive for world domination. This view is held not only by anti-Communists who fear the messianism of Communist ideology. Interestingly enough, among the most ardent proponents of the theory of Soviet insatiability are their fellow Communists in Peking, who see the Russians as no longer Communists at all, but rather as "fascists" who have come to the stage of "imperialism" in the Marxian dialectic.

Here in the United States, the same general proposition—of a relentless and unalterable Soviet drive for world domination—is still propounded by old-time cold warriors and ranking military figures. They recall Khruschev's famous threat to "bury" us, or his equally colorful prediction that ideological competition between the Soviet Union and the United States would not disappear "until the shrimp whistles." Gen. Matthew Ridgway wrote recently that détente, in his opinion, poses the potentially gravest danger to our Nation of all the problems we face." The reason is a kind of congenital perfidy and fanaticism which General Ridgway attributes to the Soviet leadership, based upon the "fundamental objective of spreading its form and concept of government throughout the world—in short, its aim of world domination."[2] The assumption of unlimited Soviet ambition was until recently virtually unquestioned as the guidepost of American policy. President Kennedy, speaking of Russia and China in his first state of the Union address, warned that "We must never be lulled into believing that either power has yielded its ambitions for world domination. . . ." Even today, our more redoubtable cold warriors maintain that Soviet policy is expansionist and unreliable, and that you cannot do business with the Russians because they will betray any agreement they make. By an ironic twist, some of our latter-day cold warriors, hearing their own suspicions echoed from Peking, would now embrace Communist China as an ally against the Soviet Union.

If the cold war perspective remains valid—if indeed the Soviet Union is unalterably committed to world domination—then détente can never be more than an occasional, carefully circumscribed truce between inveterate enemies. There can be no hope of ending the arms race, or of abating our frenzied dance with nuclear oblivion. In arms control as in all other areas of Soviet-American negotiation—trade, troop reductions, the Middle East—it would have to be assumed that the Russian motive in entering into any agreement would be only that of securing some advantage over us, an advantage that we might not even perceive. In such an atmosphere of mistrust, of course, not very much can be negotiated, and the cold war and the arms race would have to be accepted as permanent and unalterable.

The alternate perspective is that the Soviet Union has evolved into a more or less traditional great power—not a very nice one perhaps, but nontheless a conventional State, with conventional ambitions and conventional inhibitions. In this view, to which our Soviet experts now generally accede, the Soviet Union has gradually changed over the half-century of its existence; time, experience and the practical problems of running a huge country are seen as having relegated the Leninist doctrine of exporting revolution from the realm of policy to the realm of scripture. In other words, preaching and practice have diverged—an occurrence not unknown in Christian societies. Revolutions have a way of running out of steam—people can put up with a Cromwell or a Robespierre or a Trotsky for only so long. Sooner or later, the fire-breathing radicals die off, or cool off, or are displaced, as the popular desire for normalcy and security reasserts itself. As Prof. Crane Brinton wrote in his classic study of revolutions, "There is no eternal fanaticism or, at any rate, there has not yet been an eternal fanaticism." [3]

The retreat of the Soviets from fanticism has not always been apparent to us, partly because it has occurred in fits and starts, partly because our perception has been distorted intermittently by a fanaticism of our own—the fanaticism of uncritical, crusading anticommunism. In the early years of the cold war, President Truman and his Secretary of State, Dean Acheson, deliberately incited the popular view of communism as a conspiracy for world conquest. They did this in order to gain support for their otherwise sound policies of sustaining Greece and Turkey, the Marshall Plan and NATO. Once aroused, however, these sentiments acquired a virulent life of their own, so that subsequent Soviet initiatives toward improved relations could not easily be evaluated on their merits. When Khrushchev said "We will bury you," we read the statement as a threat of nuclear war.

Footnotes at end of article.

Khrushchev was asked about this statement when he visited the United States in 1959, and he replied with some anger that he had been talking about economic competition. "I am deeply concerned over these conscious distortions of my thoughts," he said. "I have never mentioned any rockets." [4]

The Eisenhower-Khrushchev détente, known as the "Spirit of Camp David," was short-lived. It was shattered by the U-2 affair in 1960, an ineptitude of our own making, and there followed a period of renewed cold war climaxed by the Cuban missile crisis in 1962. Khrushchev fell from power in 1964, partly perhaps, because of the rebuffs he had suffered from the United States. President Kennedy briefly revived the spirit of détente in 1963 with the conclusion of the partial nuclear test ban treaty, but the Vietnam war subsequently put Soviet-American relations back in the deep freeze.

As the Vietnam war drew tortuously toward its end, the spirit of détente revived and has now been carried further than at any previous time. Prior to the 1974 summit, to which I shall return, a number of noteworthy agreements were reached, although most of these were more significant for their future promise than for their actual substance. In addition to the 1972 ABM treaty, which was significant in itself, and the interim agreement on strategic arms, agreements were reached in Moscow in 1972 and Washington in 1973, providing for cooperation in such fields as space, science, medical research, agricultural research, oceanography and atomic energy. In addition, President Nixon and General Secretary Brezhnev issued in Washington in June 1973, a general declaration for the prevention of nuclear war, under which the two superpowers agreed to "act in such a manner" as to "avoid military confrontations" and to "exclude the outbreak of nuclear war" between themselves and others. Nothing more clearly illustrates the ambiguities of détente than this general declaration on nuclear war: depending upon subsequent agreements and policies, and the perspectives in which these are rooted on both sides, the declaration to prevent nuclear war may prove to be a mere shadow, like the Kellogg-Briand Pact to "outlaw war" in 1928, or it could, conceivably, prove to have been a milestone of great substance, an agreement of "historic significance" as Mr. Brezhnev pronounced it.

What are we to make of these Soviet overtures? Do the Russians really want stable, mutually beneficial political and economic relations with the United States? Was Mr. Brezhnev sincere in telling Members of Congress last year that "we came here to consolidate good things, not to quarrel?" Or are they just trying to get themselves out of a hole, or to milk our technology and then use the results against us? What indeed did General Secretary Brezhnev have in mind when he spoke to the West German people last year of a "radical turn toward détente and peace?" and how, if at all, can that statement be squared with the planting of an East German spy in Willy Brandt's Government? Was it just rhetoric when Mr. Brezhnev told the American people that "Mankind has outgrown the rigid 'cold war' armor which it was once forced to wear?" [5] Or is there an opportunity here for real arms control agreements, despite the disappointment in Moscow this year, and for a real and durable peace?

Since it is not to be supposed that the heirs of Lenin and Stalin have embraced Wilsonian idealism, we must seek the answers to these questions in the tangible incentives the Soviet leaders have—or do not have—for peaceful coexistence. On the whole, it seems to me, the incentives are real, and perhaps compelling. Consider what some of them may be: [6]

First, the state of the Soviet economy militates powerfully toward cooperation with the West. The 5-year plan begun in 1971 has fallen far short of expectations, and the effects of low agricultural and industrial production, as well as shortages of industrial manpower, have been compounded by a series of poor harvests.

Second, apprehensions of China give the Soviet Union a powerful impulse toward accommodation with the United States. By all available evidence, the Soviet Government greatly fears a Chinese-American alliance, or even extensive American aid to China. In what was probably the single most brilliant stroke of an often productive diplomacy, President Nixon and Secretary Kissinger gave the Soviet Union a powerful incentive toward détente by ending the sterile and ineffectual American boycott of mainland China. It is ironic indeed that while welcoming their own new relationship with the United States, the Chinese now warn the West against détente with the Soviet Union. Having wisely resisted any temptation to play Russia and China against each other, the United States has utilized their mutual suspicion only to give both an incentive for good relations with the United States. At the same time, by including in the Soviet-American agreement to prevent nuclear war the commitment to avoid nuclear conflict with others as well as with each other, Secretary Kissinger believes he may have reduced the danger of a Soviet attack upon China. It seems evident that the benefits to the United States of this triangular relationship would be lost if we were to join with China in an opportunistic—and possibly quite dangerous—alliance against the Soviet Union.

A third solid incentive for normalizing relations with the West is the desire of the Soviet Union to consolidate its position in Eastern Europe. As far as Eastern Europe is concerned, the Soviet Union has become a conservative, status quo power; the Russians want the West to acquiesce in, and in effect legitimize, the division of Germany and Soviet hegemony over Eastern Europe, and they would like to avoid the embarrassment of another Hungary or Czechoslovakia. This has largely been accomplished through Willy Brandt's Ostpolitik, the 1972 Berlin agreement, and the imminent Western recognition of East Germany. The Soviets would now like to put the seal on these developments through some final act of the conference, now in progress, on security and cooperation in Europe.

Incentives on the Soviet side do not mean that accommodation is written in the stars. As was demonstrated at Moscow in June, Brezhnev is as much under pressure from his military hardliners as Secretary Kissinger is from military and civilian hardliners in the Pentagon. Like some of their American counterparts, Soviet military leaders are apprehensive of the SALT talks, defense budget cuts, and possible troop reductions in central Europe. In addition, as in our own country, there is deep ideological suspicion of détente in the Soviet Union. The orthodox, cold war faction of the Communist Party sees nothing but trouble in détente—a loss of militancy, subversion by Western ideas, growing difficulties with intellectuals and nationality groups, and American gains in an ongoing arms race under the cover of SALT. Brezhnev, under the circumstances, will have to deliver if he is to prevail over his opposition. He will have to show tangible political and economic benefits from improved relations with the United States if he is to escape the fate of Khrushchev. The choice, therefore, is largely ours. We can encourage a moderate Soviet foreign policy by making such a policy rewarding for its proponents, or we can provoke renewed cold war by thwarting Mr. Brezhnev in trade, in the SALT talks, and in other areas of negotiation.

But encouraging Soviet moderation cannot involve encouraging new giveaways at the expense of our own economy. We should not, for example, provide large financial subsidies to develop Soviet oil and gas reserves. Nor need we rush into hastily conceived and incompetently executed deals such as the Russian wheat sale. To encourage the Soviet Union to believe that exaggerated economic benefits can be immediately realized—though not missiles—launchers—is as dangerous as a rigid denial that there are any benefits to be obtained from improving United States-Soviet trade and financial relations. What is called for is a realistic step by step testing of what are the outer limits of mutually beneficial economic ties—and I stress mutually beneficial because without such mutual benefits, which are perceived by American public opinion as mutual, détente cannot survive politically within the United States.

Which course we take depends upon our conception of our own interests and our perspective as to Soviet intentions. For the reasons I have suggested—most especially the need to obviate the danger of nuclear war—I believe it to be in our national interest to normalize relations with the Soviet Union in all feasible ways. The basic, long-term purpose of American foreign policy is to create a world environment in which we and other free societies will remain secure in our freedom. Clearly, the advancement of this purpose, as far as our relations with the Soviet Union are concerned, can best be served by drawing the Russians into an orderly world system, into what Secretary Kissinger has called "an agreed concept of order," or what President Woodrow Wilson once called "a concert of power."

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But both we and the Russians must realize that there are certain limits to such a "concert of power." It cannot be a 19th century style "concert of power" to freeze the status quo. It must take account of our own character as a nation. We are committed to fundamental concepts of humane treatment of dissident elements of a society although it may seem that we are too often willing to sacrifice these concepts in our relations with foreign powers in the "interest of stability"—a stability which as often as not turns out to be more ephemeral than real. It is unrealistic for us to expect to change the nature of Soviet society. It is equally unrealistic of the Soviet Union to expect us to be impervious to egregious abuses of the human person. We will and we ought to react to such abuses. That is why I supported the Jackson amendment and I am encouraged by the recent seeming recognition on both sides that accommodation may be possible on this issue.

As to our perspective, again for the reasons suggested, I believe Soviet-American détente to be possible as well as desirable. It remains, however, to convince certain of our policymakers, including influential Members of Congress, that the cold war and arms race need not be permanent and immutable. It remains for us to make our own unequivocal commitment to détente, and to carry that commitment beyond the shadow of vague declarations into the substance of specific agreements. Obviously, this will mean expanded trade—not the showy improvidence of the 1972 wheat deal but solid, durable, businesslike transactions. It will also mean the negotiation of new political accommodations—in Europe, the Middle East, and elsewhere. But above everything else it will require an end to the arms race—not just showy, cosmetic agreements under which neither side gives up anything its military really wants, nor even, just limited measures of arms control, but positive, substantial measures of arms reduction.

II. ARMS CONTROL

We must reduce the danger of nuclear war by bringing some sanity and sense of proportion to bear upon the management of weapons of mass destruction. A promising start—but only a start—was made with the ABM treaty signed in Moscow in 1972, which confined each superpower to no more than two antiballistic missile sites, and which has now been amended to allow only one ABM site on each side. The real significance of the ABM treaty is the implied commitment to permanent coexistence. By abandoning the futile effort to make themselves invulnerable to attack, the superpowers implicitly reconcile themselves to the survival of each other's power and social system. One may even read the ABM treaty as the implicit—or at least symbolic—abandonment on the Soviet side of the Leninist goal of world revolution. Of lesser importance was the 5-year interim agreement reached at Moscow in 1972, which put limits on each side's land-based and submarine-launched missiles.

Since the Moscow agreement of 1972, there has been little to cheer about. All that the Washington summit of June, 1973, accomplished was an agreement on "basic principles" to guide the second round of SALT talks so as to reach a permanent treaty limiting offensive strategic weapons by the end of 1974, and that objective, most unfortunately, was abandoned at Moscow in June 1974. In practice, the two sides have pressed on with the arms race in a feverish competition to accumulate "bargaining chips" for SALT II, and hope for a permanent treaty before 1985 has now been abandoned. To a great extent, the SALT debate has been shifted from Geneva, and even from the summit, to the domestic arenas of both countries as Soviet and American leaders have found themselves beset by warhawks at home.

Secretary Kissinger went to Moscow in March of this year seeking a "conceptual breakthrough." He failed, and he and the President failed again at the June summit, not only because Soviet military leaders are holding out for an agreement which will give them an advantage, but also—as the Secretary has acknowledged—because American military leaders wish to be free to complete certain of our arms projects while binding the Russians to terminate theirs. Specifically, the Soviets reject the American proposal for a freeze on the deployment of multipleheaded missiles—MIRV's—because they are several years behind the United States in this field. American military men, in turn, are calling for numerical equity of missile launchers—the Soviets have 2,360 to our 1,710—despite the fact that the United States has many more warheads. The Soviets also want the United States to modify its definition of strategic weapons to include any weapon that can strike the Soviet Union, including British and French submarine-based missiles and some 500 to 700 nuclear-armed American strategic bombers.

Secretary of Defense Schlesinger professes great fear of an erosion of the nuclear balance. The American advantage, he contends, is "qualitative" and therefore "transitory," whereas the Soviets have "more permanent," "quantitative" advantages in numbers of missile launchers—though not missiles—in "throw weight"—meaning the size of missiles—and in an ongoing development program described by Secretary Schlesinger as "staggering to us in its size and depth, though not in its pace." In due course, Mr. Schlesinger fears, the Soviets may "outclass" us, acquiring by 1978 or 1980 the "potential net throw weight for a major counterforce capability." To counter this danger as perceived by the Pentagon, Secretary Schlesinger calls for "essential equivalence" in "throw weight" and numbers of launchers, the objective being an equilibrium to which Mr. Schlesinger gives the interesting name of "armed civility."[7]

Lost to view in the arcane wranglings of the military intellectuals are certain simple but startling facts. Granted that the Soviets have a greater number of missile launchers than we have, the fact remains—as Secretary Kissinger has pointed out—that it is warheads, not launchers, which blow up cities, and the United States has more than three times as many warheads as the Soviet Union. As of mid-1973, according to the annual Defense Department report for fiscal 1975, the United States had 6,784 strategic warheads, whereas the Soviet Union has 2,200. By mid-1974, the United States was scheduled to have 7,940 compared to 2,600 for the Soviet Union. Each warhead can destroy a city, and we will soon have 36 warheads for each of the Soviet Union's 219 major cities, to say nothing of some thousands of tactical nuclear weapons, besides. This is more than overkill—it is overkill in spades.

Another, simple salient fact which is passed over by the Pentagon is that the likelihood of either side acquiring a counterforce, or preemptive first-strike, capability—the ability, that is, to destroy the other side's retaliatory power—lies somewhere between never and nil. Even if the Russians could destroy every single land-based American missile in its silo—and that is hardly likely—we would retain our virtually invulnerable submarine force, which consists at present of 41 Polaris-Poseidon submarines with over 4,000 nuclear warheads. The multiple warhead Poseidon missiles from a single nuclear submarine could simultaneously hit 160 separate targets in the Soviet Union.

As the Secretary of Defense acknowledges, the "essential equivalence" he is talking about is not real but psychological, the issue being one of "perceived equality" as against "psychological imbalance." The Secretary's point is that, even though overkill may reduce a possible imbalance of forces to utter meaninglessness, the delusion of superiority may nonetheless tempt adversaries to adventure while allies panic and break ranks.[8] Other high-ranking officials dismiss this conception as nonsense, pointing out that no land-based nuclear missile has ever been fired from an operational silo and can hardly, therefore, be regarded as having political value. It is true, of course, that behavior is often irrational, and that perceptions can function as if they were facts. But if we simply resign ourselves to mutual irrationality between the nuclear superpowers, there can be nothing in our future except an endless, spiraling arms race, an enormously costly competition in overkill with the constant possibility of some truly destabilizing breakthrough by one side or the other at any time. If we act on Mr. Schlesinger's concept of "perceived equality," it will mean staggering costs and the effective end to meaningful SALT negotiations. It is not enough to acknowledge the irrationality of political behavior—one side or the other has got to strive for a breakthrough to reason and sanity. I do not expect the Russians to initiate that process; it is up to us and the time is now.

Even if the arms race made sense in strictly military terms—as most assuredly it does not—we must think of national security in broader than military terms. National security depends no less upon the health and stability of our society

Footnotes at end of article.

than upon our stacks of suicidal weapons. Since the Second World War, the United States has spent over $1.3 trillion and the Soviet Union about $1 trillion on arms, both at incalculable cost to their internal needs. Certain Indian tribes of the Pacific Northwest used to engage in a practice called the "potlatch," under which they vied for prestige by heaping their treasures onto a bonfire, the victor being the one who engaged in the most prodigal waste. For the sake of "perceived equality," we and the Russians are now vying in a "potlatch" of nuclear overkill. The best we can hope for from this irrational rivalry is that we will only have spent ourselves into penury; the worst is Armageddon.

Despite such general considerations, and despite the inflationary effects of military spending on an economy already staggering from uncontrolled inflation, the Pentagon has asked Congress for the biggest military budget in American history for the fiscal year 1975. In addition to $92.9 billion in "obligational authority" for 1975, the Pentagon tacked on a "supplemental" request of $6.2 billion for the current fiscal year, for a staggering total of $99.1 billion, an increase of almost $19 billion over the $80.2 billion which Congress appropriated for fiscal 1974. When the Atomic Energy Commission's weapons program is added in, the total requested for arms exceeds $100 billion. It is encouraging that a Senate Appropriations Subcommittee recently cut about $5.1 billion from the administration's request for the fiscal 1975 weapons authorization but it is discouraging to read that President Ford seems to consider sacrosanct the Defense Department budget. We must address ourselves to the question of national priorities. We must still ask ourselves whether almost $100 billion in arms is essential to national security, or whether national security would not be better served if some part of this amount could be diverted for energy and the environment, health and education, agriculture and urban renewal.

In addition to costly overkill, the Pentagon is advocating a dangerous new "targeting doctrine" which, in the name of "selectivity and flexibility," would undermine the comparative present stability of mutual deterrence. Mr. Schlesinger contends that the threat of massive retaliation against cities is of "declining credibility" and should be supplemented with a capacity for "limited" nuclear strikes short of all-out war. Our European allies, the Defense Secretary tells us, are "joyous" at the thought that we might respond to a Soviet invasion of Western Europe with tactical nuclear weapons rather than an all-out attack on Soviet cities. During such a highly improbable war, Mr. Schlesinger would have us maintain "continued communications" with the Soviet leaders in the course of which we would "describe precisely and meticulously the limited nature of our actions." [9] They, in turn, cool as cucumbers in this fanciful scenario, would join with us in a kind of seminar on the ongoing war, like military intellectuals in a Pentagon situation room.

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The assumption of cool rationality in the midst of a nuclear war is all the more puzzling when contrasted with Secretary Schlesinger's assumption of hopeless irrationality in the strategic arms race.

Superficially attractive as a means of "improving deterrence across the spectrum of risk," [10] the new "targeting doctrine" has profoundly destabilizing possibilities. By increasing our capacity for a limited nuclear war, and thereby no doubt provoking the Russians to do the same, we make such a war seem less catastrophic, and therefore more likely. The Russians will probably perceive Mr. Schlesinger's new "flexibility" not as a means of "improving deterrence" at all, but rather as a mask for the development of a preemptive, first-strike capability against missile sites and command centers. In this respect, the new "targeting doctrine" threatens to undermine the great achievement of the ABM treaty. The purpose of that treaty was to give each side confidence in the security of its deterrent, retaliatory capability; the new "flexibility" can hardly fail to weaken that confidence.

In logic and morality there is good reason to seek an alternative to deterrence based on mutual assured destruction. But there is neither logic nor morality in an alternative which actually increases the danger of nuclear war by making it somewhat less cataclysmic. In fact, we already have viable alternatives, one being reliance on conventional forces in response to a conventional attack. In addition, we already possess a vast number of tactical nuclear weapons with which to strike back at an attack by means short of devastating Soviet cities and so bringing on their devastation of our cities. We can further increase our flexibility by improved command and control.

The real question then is not whether we need flexibility but whether we wish to destabilize the present balance of mutual deterrence by adopting a "targeting doctrine" which will inevitably drive both sides to the development of costly new weapons systems. Even though it is contended that the change-of-targeting doctrine requires no new capabilities and long-term costs of no more than $300 million for improved accuracy of weapons, [11] all previous experience tells us that any time the Pentagon gets its foot in the door of Congress with an exotic new "doctrine," it will soon be back with exotic new weapons systems at very exotic prices. The Russians, for their part, can be expected to respond to any improved American counterforce capability with costly new programs to reduce their vulnerability, such as superhardened silos, mobile ICBM's, or hair-trigger "launch-on-warning" command systems. And as far as deterrence is concerned, if the Russians were ever so incredibly rash as to contemplate some kind of attack on the United States or Europe, they might be more willing to risk it if they thought the United States likely to respond in a limited way rather than with a devastating attack. We see, therefore, that the new "flexibility" will almost certainly accelerate the arms race, while increasing—perhaps greatly increasing—the danger of nuclear war. [12]

Mr. Schlesinger's "targeting doctrine" was endorsed, in effect, by the Senate when, on June 10, by a vote of 49 to 37, it rejected Senator McIntyre's reasonable and very moderate proposal to delay the funding of counterforce research and development until the President certified failure in the effort to limit MIRV's through the SALT talks. In so doing, the Senate materially weakened Secretary Kissinger's hand at the Moscow summit, because the Soviets could only have read the Senate action as an endorsement of Secretary Schlesinger's approach as against Secretary Kissinger's détente policy. The matter also pointed up the debilitating ambivalence of the President as between his two Secretaries and their divergent strategic arms policies.

Against the background of residual cold war attitudes, the pressures of the military on the political leadership of both sides, and the weakness and ambivalence of a President facing impeachment, the Moscow summit of June 1974 was all but foredoomed to failure in strategic arms control. The protocol to the ABM treaty limiting each side to one ABM site instead of two is desirable but scarcely meaningful, inasmuch as neither side was disposed to go to the expense of building a second ABM site anyway. It is hardly a breakthrough—and not a little hypocritical—when the two great powers grandly prohibit themselves from doing something they do not want to do anyway and then turn around to take a bow for their restraint and magnanimity.

The ABM protocol is at least harmless; the failure on strategic arms is far more serious, and the failure is neither obviated nor concealed by the undertaking to supplant the current 5-year interim agreement with a new interim agreement to last until 1985. The time to have limited MIRV's was in the first round of SALT talks, before either side had them deployed. Now that the Pandora's box has been opened, the task is complicated by problems of "equivalency," and it can only become more complicated in the years ahead. The real meaning of the failure to conclude a comprehensive, permanent treaty on offensive weapons by the end of 1974, as the two powers had pledged to do at the Washington summit in 1973, is that the arms race will now go on, with little or no restraint crushing expense to both sides, and with every prospect of new destabilizing technological "breakthroughs." Both Mr. Nixon and Mr. Brezhnev yielded to their military establishments, with the result that we can now expect 11 years of frantic accumulation of "bargaining chips" toward an ever less probable agreement.

Somewhat less significant but even more hypocritical was the agreement on a "threshold test ban," prohibiting underground nuclear tests above 150 kilotons, instead of a perfectly feasible complete test ban. Even before the Moscow summit, a resolution calling for a complete ban had been cosponsored by more than one-third of the membership of the Senate. The Russians, for their part, had made known their willingness to sign a treaty stopping all underground tests. General Secretary Brezhnev stated on July 21 in Warsaw that his Govern-

ment had been "prepared to go further." The Soviet Union, he said, "is ready, in particular, to conclude an agreement on a complete cessation of all underground tests of nuclear weapons." The setting of the threshold at so high a level—and even that not to take effect until March 31, 1976 to allow for a companion agreement being reached on peaceful testing—leaves both sides virtually unimpeded in their nuclear testing programs. Such inconveniences as the threshold ban may involve are already being circumvented by plans for an accelerated United States testing program to develop larger warheads for the Minuteman III missile, the submarine-launched Trident missile, and a bomb for the B-1 bomber before the March 1976 deadline.

There is a provision in the Non-Proliferation Treaty calling for "negotiations in good faith" toward "cessation of the nuclear arms race at any early date." A review conference of the parties to the treaty is scheduled for March 1975, at which time the "good faith" of the Soviet Union and the United States will be open to scrutiny. As of now—and especially in the wake of the Moscow summit—the chances have to be rated better than even that the superpowers will not have made the grade, in which event we may expect a growing number of countries—big and small, rich and poor, satisfied and aggrieved—to follow India's example of breakthrough to nuclear "glory." There is a real possibility that, in the light of the great powers' performance, the fledgling and potential nuclear powers will consign the Non-Proliferation Treaty to the scrap heap of pious lost hopes.

There is an aura of unreality about the "war games" played in the Pentagon—as, no doubt, there also is in the Soviet Ministry of Defense. Preoccupied as they are with the cold rationality of parry and thrust, strike and counterstrike, the military intellectuals lose sight of the broader irrationality of their own games. Although it is true that one might hope to mitigate the effects of a nuclear conflict, it is also true that nuclear war at any level or on any scale would be the result of a collapse of rationality on one or both sides. The urgent need is not for more ingenious means of controlling nuclear war but for a measure of wisdom toward preventing its occurrence on any level. The only way to improve upon the balance of terror is by eliminating some of the instruments of terror. Leaders of governments have prated and preached for years over their devotion to disarmament, but all they have actually tried to do—and that with little success—has been to decelerate the pace of the arms race. I surely do not disdain the SALT talks, or even the troop withdrawal talks in Vienna as mere shadows, but their substance is limited indeed in the perspective of human need.

With due recognition of the negotiating difficulties, even in the wake of recent disappointments, we must still keep our sights on a SALT agreement providing for substantial, mutual arms reduction. A rational—if not at present wholly realistic—goal would be an agreement for the phasing out of ICBM's and bombers until mutual deterrence could be brought to rely exclusively on the missiles of the two sides' virtually invulnerable submarine fleets. Arms control experts say that mutual deterrence based on a limited deployment of submarine-launched missiles would provide the most stable system of strategic security which can be envisaged.

In addition, we would do well indeed to seek an agreement for limiting research and development of new weapons systems. The SALT agreements thus far concluded and now envisaged are likely in fact to stimulate "R and D" for the improvement of allowed weapons systems. And doleful experience has shown that, once research is initiated on a weapons system, development and procurement are all but certain to follow. It would, of course, be exceedingly difficult to verify any agreement on limiting weapons research, but perhaps the chain can be broken by distinguishing between research and development: unrestricted research might be allowed while agreed restrictions were put upon development, and especially testing.

There is a prevailing, Panglossian assumption that small or symbolic agreements will inevitably lead to larger and more complete ones. In fact, past experience has shown that partial arms control agreements can actually have retrogressive consequences by stimulating intensified development of allowable systems. There has been in addition a great deal of eyewash—one might even say fakery—in the SALT agreements thus far reached. By our own admission we have thus far been required to terminate nothing in the way of weapons programs that we already had planned.

Since returning from Moscow, Secretary Kissinger has called for a national debate—one might say a national self-examination—on the problem of strategic arms and their enormous implications. There is no better way of framing the question than the way the Secretary himself has framed it: "What in the name of God is strategic superiority?" And, "What do you do with it?" The Secretary has also defined the most pressing political challenge: "Both sides have to convince their military establishments of the benefits of restraint, and that is not a thought that comes naturally to military men on either side." Finally, Mr. Kissinger has suggested where the responsibility belongs: if the President is faced with differences between his advisers—as indeed he is—then, Mr. Kissinger said before the summit, "it is his duty to move ahead in the direction which he believes to be in the national interest, keeping in mind the views of all of his senior advisers but, if necessary, choosing among them."

Great as the President's responsibility is, it is not his alone. Congress too has the responsibility to choose. And, far more than many in this body have been willing to acknowledge, Congress also has the power to enforce its choice through binding legislation.

Over the next 6 weeks or so, the Foreign Relations Committee will be holding wide-ranging public educational hearings on U.S. relations with Communist countries, especially the Soviet Union. Through these hearings the committee can provide a forum for the national debate Secretary Kissinger has called for. But beyond debate and education, I stress again, Congress has the duty to choose between strategic arms reduction and a continuing arms race masked behind a facade of cosmetic agreements.

For until and unless the superpowers agree to limitations involving real and substantial cutbacks—on offensive strategic missiles, on MIRV's, and on development and testing—the SALT talks will remain what they have always been, with the notable exception of the ABM treaty: more shadow than substance, way stations on the road to Armageddon.

FOOTNOTES

[1] Quoted by Chalmers M. Roberts in *The Nuclear Years* (New York: Praeger, 1970) p. 8.

[2] Matthew B. Ridgeway, "Detente: Some Qualms and Hard Questions," *New York Times*, April 4, 1974.

[3] *The Anatomy of Revolution* (New York: Vintage, 1965) p. 234.

[4] Quoted by Chalmers M. Roberts in "The Rages, Charms of Khruschev," *The Washington Post*, Sept. 12, 1971.

[5] Television address to the American people, June 24, 1973.

[6] The following discussion draws upon Marshall D. Shulman, "Toward a Western Philosophy of Coexistence," *Foreign Affairs*, October 1973, pp. 35–58.

[7] *US–USSR Strategic Policies*, Hearings before the Senate Foreign Relations Subcommittee on Arms Control, International Law & Organization (March 4, 1974), pp. 2–7, 18, 41–42.

[8] *Ibid.*, pp. 42, 45, 51, 56.

[9] *Ibid.*, pp. 8, 12–13.

[10] *Ibid*, pp, 8, 55.

[11] *Ibid.*, pp. 8, 28–29.

[12] The foregoing discussion draws upon Herbert Scoville, Jr., "Flexible Madness?" *Foreign Policy*, Spring 1974, pp. 164–177.

Mr. McINTYRE. Mr. President, I congratulate the distinguished Senator from Idaho. I am sure that in raising this issue, this question of détente and our relationships with our Soviet friends and the difficulties that we are having with SALT talks, the Senator emphasizes the need for a national debate. We need it very badly, if only for guidance for the Committee on Armed Services.

As the Senator mentioned in his speech, in June of this year, as the chairman of the Subcommittee on Research and Development of the Committee on Armed Services, I found and inquired into three different programs requested by the Secretary of Defense that were in the early stages of exploratory development and research. These programs were aimed at bringing about tremendous increases in the accuracy of our land-based missiles.

I was concerned that these programs were destabilizing; that they would, in the long run, represent a departure from what had been a good policy of survivability by deterrent.

As my good friend from Idaho knows, the vote that day was 45 to 37. We had a secret session on it, and our projections afterward on the absentees indicated that those who supported the Secretary of Defense on these unnecessary weap-

ons, had a four or five vote edge on those who opposed them.

In the Committee on Armed Services, the issues we face are exceedingly difficult and complex, and yet we are always met with simplistic arguments.

Let me give the Senator an example. After the vote on my amendment I was talking with a distinguished Senator in the Chamber, and he said, "Tom, it would be very hard for me to explain to my constituents how I do not want a sharper knife, how I do not want to have a better aim or better accuracy for my gun."

Mr. President, that is doing great injustice to those trying to reach the questions one should be reaching in matters of this sort, which involve such great expenditures of funds.

Some seem to think that because the Soviets have bigger missiles that somehow or other we have got to go on and on to increase our accuracy, to increase our strength, to do all these things which tend to be, as the Senator has made so clear, so destabilizing.

So my congratulations to the Senator. I hope this issue can be raised and debated.

It is only a matter of 2 days or so before we will be going back to the appropriations bill and appropriate the funds to go ahead with these weapons that are, in my opinion, absolutely unnecessary.

Mr. CHURCH. Let me say to the Senator how much I appreciate his remarks. I take heart from the fact that in the Committee on Armed Services, particularly in the last 2 or 3 years, I should say, at least since the Senate debated the question of the ABM weapon and, for the first time, began to seriously explore the complex implications in this nuclear balance of terror, that some questioning has begun, and the Senator from New Hampshire has been one of those who has been asking the right kind of questions.

I think it is very heartening that this has happened, for this is the way that Senators ought to discharge their responsibilities.

It should be evident to us all, I think, that there comes a time when it is pointless, on both sides, to stack suicidal weapons any higher. When it is known that we now have the capability, in an all-out thermonuclear exchange, of destroying all life in the Soviet Union perhaps 20 times over, and the Russians have a similar capability to strike and destroy all life in this country 10 or 12 times over, then one must ask how many times each person must be killed to be dead?

Why should we keep accelerating this irrational nuclear arms race at such staggering cost, and thus lift the level of danger for both sides?

Obviously, we are in a new situation and we must think anew about it. If there are ways we can reduce this senseless burden, it would obviously serve the interests of both peoples.

That is the question we face. The Senator from New Hampshire, when he brought to the floor his challenge as to the need to develop these new exotic weapons systems the Pentagon is planning, and pointed up the destabilizing effect they could have on the present balance of deterrence, and the resulting acceleration of the arms race that would follow on both sides, did the country a great service.

I know in these matters no one speaks with more authority than members of the Committee on Armed Services. That is why I welcome the kind of critical, independent examination that I now see developing in that committee.

I only wish that the Senator had prevailed. If he continues to maintain his independent position and to insist upon a searching evaluation of the new weapons being sought, he will prevail. History is on his and my side.

So I encourage him to continue the work he is doing. There is no more important work to be done in the Senate today.

Mr. McINTYRE. I thank my friend, the Senator from Idaho.

Mr. CHURCH. Mr. President, I yield the floor.

Mr. PELL. Mr. President, let me begin by congratulating Senator CHURCH for his insightful analysis of détente. This statement, along with the hearings presently taking place in the Foreign Relations Committee, can only serve to improve our understanding of the issues that vitally concern the United States today.

Few challenge the premise that the fundamental purpose of détente is the avoidance of nuclear war and the resulting catastrophe that would befall the world. Yet major questions remain. What is the best means of avoiding an arms race and nuclear war while maintaining a viable defense of our interests? What else should and must détente encompass besides this fundamental purpose? It is primarily to these two questions that I shall direct my remarks today.

The Secretary of Defense has argued that the key to an arms balance between the United States and the Soviet Union is more a matter of psychology than reality: in his words, that there must exist a "perceived equality" of strengths. Yet such a line of thinking would commit the United States to a posture of matching any gains in Soviet arms. By its very nature, such a policy is competitive, dangerous and costly. Rather than attempt to achieve a posture of "perceived equality," the United States would do far better to insure a posture of "perceived sufficiency."

The arguments justifying a doctrine of sufficiency are compelling. The United States presently deploys nearly 8,000 nuclear warheads, or approximately 36 for each of the 219 major cities in the Soviet Union. Our Polaris-Poseidon nuclear submarine fleet and its successor the Trident guarantee a second-strike capability deterrent that is, for all intents and purposes, invulnerable. The marginal utility of further increases in our nuclear capability is negligible; overkill is as unnecessary as it is costly.

Presently, the problem exists of how to equate American advantages in accuracy and number of warheads with the Soviet advantage in throw-weight. By assuming a doctrine of sufficiency, these efforts of weighing apples and oranges would become obsolete. The United States would only have to maintain a position that was capable of serving as an effective deterrent. By doing so, we would be making a major contribution towards breaking the cycle of arms competition that has plagued us for so long.

Perception is a two-way street. It is not difficult to imagine how the Soviets view the present scramble in this country to accelerate many new defence projects before the recent arms agreements take effect. It is ever easier to imagine their reaction to the new doctrine of nuclear flexibility and selectivity. Not only does it appear that the United States regards nuclear war as a viable policy option, but the new doctrine undermines the basic premise that neither nation is to achieve a disabling firststrike capability.

The alternative to all-out nuclear war must not be limited nuclear war. The guarantee that it would remain limited is only theoretical; we would be better served to continue considering nuclear war as being out of the question, maintaining an adequate nuclear deterrent, improving our conventional forces, and continuing to seek gains in mutual arms limitation and disarmament.

The factor of cost must not be ignored. We must never forget that our resources, though great, are nonetheless limited. Military strength is but one dimension of national security; consequently, it must not receive a disproportionately large share of our resources. Ample resources, both financial and human, must be devoted to keeping our society strong and healthy within. Foreign policy does not operate in a vacuum; to the contrary, it derives much of its impact from the internal state of the Nation. As debates such as those on Vietnam, Watergate, and inflation reveal, a divided and dissatisfied people can only weaken our efforts abroad.

As I indicated earlier, the debate on détente also involves areas outside the realm of arms. Economic and human rights considerations predominate. Trade between the United States and the Soviet Union should be encouraged, but the same sound business practices should be followed that prevail in normal business transactions everywhere. Credit rates should reflect the going rates; grain prices should reflect the going market. Trade with the Soviet Union is not a form of aid, but rather a relationship that benefits each nation.

The issue of whether we should regulate our export of technology to the Soviet Union is a complex one that must be considered case by case. Lenin once remarked that if a profit was to be found, a capitalist could be depended upon to supply the rope for his own hanging. Here, we must be careful to assess any transfer of technology on security and national interest grounds besides on those of profitability.

No single issue relating to détente has received more attention than the Amer-

ican congressional support of the right to emigrate for Soviet Jews as a precondition of the extension of most-favored-nation status. As a cosponsor of the Jackson amendment, I endorse the principle that foreign policy must incorporate support for human rights. Yet support for human rights and support for détente are not in opposition; to the contrary, there is ample room for human rights in détente without jeopardizing the fundamental commitment of avoiding nuclear confrontation.

Détente, if it is to be meaningful and endure, demands a realistic perspective by the people of the United States. We must accept the different nature and aims of the Soviet Union. The two nations are competitors without any equals. Yet we must not lose sight that this competition cannot be allowed to expand into the realm of armed confrontation. Trade, cultural exchanges, scientific cooperation are all means of increasing what is in common and decreasing what is in competition. The current debate will have performed an invaluable service if it furthers our understanding of these and other alternatives that lie before us now.

ORDER OF BUSINESS

Mr. ROBERT C. BYRD. Mr. President, how much time remains from the time allotted to the distinguished Senator from Idaho?

The PRESIDING OFFICER (Mr. NUNN). Twenty-five minutes remain.

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that time may be reserved to my control

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

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that Mr. HASKELL may now be recognized without prejudice to any other Senators who may have orders remaining.

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

Mr. HASKELL. I thank the distinguished Senator from West Virginia.

The PRESIDING OFFICER. The Senator may proceed.

NO ONE IS ABOVE THE LAW

Mr. HASKELL. Mr. President, slightly more than a week ago Gerald Ford took the oath of office and began serving as the 38th President of these United States. The country breathed a collective sigh of relief. With great hopes and expectations for the coming weeks and months we all felt, as the distinguished Senator from Florida (Mr. CHILES) so well expressed, that "Today is a new day, Mr. President."

Since that day statements on the public record, including those made here, in the House of Representatives, and outside Congress, have stressed a desire to "forgive and forget" and have urged that the former President should be granted immunity from further prosecution. Some have gone so far as to suggest that action be taken expressing this to be the collective sense of Congress.

I should like to comment briefly on this matter, for I believe that to grant immunity would be a travesty of justice.

Mr. President, the past months have been trying for us all. I believe, though, that they have proven that this is a Nation of laws and not of men. Those laws apply with equal force to every American, whether laborer, businessman, scholar, or President.

The impeachment inquiry has indeed been a tragic affair. The tragedy, however, is that we suspected our President had abused the public trust and even committed criminal acts. The tragedy is that men went wrong, that careers were ruined, that liberties were compromised. Our national grief is that Watergate could ever happen, that abuse of governmental power could go unchecked as long as it did, and that the Nation as a whole could be deceived by one in whom it put its trust.

I, too, feel compassion for a man whose career must end this way. Our feelings of compassion, however, cannot be allowed to denigrate our system of laws and our constitutional structure.

In his summary view, Thomas Jefferson indicated the primary reason for his belief in the need to form a new, independent government when he asserted that the King "is no more than the chief officer of the people appointed by the laws and circumscribed with definite powers, to assist in working the great machine of government." The King, of course, would not have agreed. But Mr. Jefferson was voicing a theory of government, of social contract, and of executive power that was to be central to our new government. We give classic expression to this principle when we say that ours is "a government of laws and not of men," a government in which "no man is so high that he is above the law." Our governmental officers are creatures of the law, not of divine right. As such they are bound to obey the law and are subject like any other citizen to its application and sanctions, whether civil or criminal.

Let us consider, Mr. President, the situation at hand within the context of the constitutional provisions expressly applicable. Pursuant to its role under the Constitution, the House of Representatives readied itself for a vote on the question of the impeachment of the President of the United States. The Senate prepared itself for a trial in the event of impeachment by the House. This is the process mandated in our Constitution. But in the midst of that process, Mr. Nixon resigned.

Now the impeachment process relates to an official's status as holder of the public trust. It is an action accomplished by the people's branch of the Government for the purpose of protecting the people against those who would misuse public office. If brought, it would have been an action against the President as President, not as an individual citizen. It is an action separate and apart from the criminal laws.

Because Mr. Nixon resigned and thus made moot the process of impeachment, shall we say that the operation of the criminal laws should be suspended? Shall we say, as some appear to want us to do, that it is the sense of the Congress of the United States that he should not be subject to the laws of the country as would be any other citizen?

We have witnessed the vitality of our constitutional processes during the last few months. We have responded appropriately and convincingly to the abuse of governmental power. We have proven that this is a government of laws.

Yet despite all this and despite our constitutional heritage, many of our citizens believe that there is one set of rules for the rich and powerful and another, separate, set for the less fortunate. Failure to prosecute by granting immunity to Richard Nixon would merely confirm those beliefs. And think of the effect on the administration of criminal justice—so much for the vaunted impartiality, equity, and universality of our system.

Removal from high office by impeachment and criminal prosecution are separate threads in the fabric of our Constitution. Immunity for one man from criminal prosecution because he held high office would tear that admirable, durable, and delicate cloth.

Mr. President, the real issue before us is: Will we continue to be a nation of laws equally applicable to all? The future, not the present, is of the greatest concern to me. This issue cannot be particularized by the circumstances of Watergate. It should not be personalized by compassion we may feel for Richard Nixon. We are dealing with a government which has endured for nearly two centuries. We are now in the unique position of clarifying the nature and limits of Presidential power. We are today redefining the nature of the relationship between the branches of the Federal Government. We are, through this precedent, illuminating the standards and procedures by which we shall evaluate, judge and forgive or condone official conduct in the future.

Mr. President, immunity, whether it be urged by us or granted by the Special Prosecutor, would say to future Presidents that they can commit high crimes in office with impunity. It would say that there are only political risks. It would say that future Presidents can obstruct justice, can suborn perjury, can abuse every conceivable agency of the Federal Government, and that they will need not answer under the laws of the United States that prohibit those crimes. They need only surrender in the political arena; they can simply resign.

A grant of immunity would place the American people on notice that fear of criminal prosecution would no longer serve as the ultimate restraint on a President. A future President could dare anything but risk only his political office.

And what, Mr. President, of the Ehrlichmans, the Hunts, the Liddys, the Magruders, the Haldemans, the Mitchells, the Colsons, and any other citizens accused of crimes similar to those with which Richard Nixon has been charged by the House Judiciary Committee? Where is our "sense of the Congress" resolution for them? They, too, have lost their offices in Government. They, too,

have suffered disgrace and humiliation. Are they not Mr. Nixon's equals before the laws of this great Nation? Or is he, because he held the highest office, just a bit more equal?

Any action pertaining to a grant of immunity must not be seen in the context of one man's career but rather of 200 years of constitutional strength and development. It must be seen in the context of many more years of democracy, freedom, and equal justice under law. If we were to take action expressing our desire for immunity we shall have failed to heed the wise advice of the late President of France, Charles De Gaulle, when he said:

One should not insult the future.

Any grant of immunity would ignore the past and insult the future. It would rewrite the Constitution and provide a promise to future Presidents, and possibly other high officials, of protection expressly rejected by our Founding Fathers.

We have a living, a meaningful, a vigorous Constitution. It, and we, survived an intensely trying time. The Constitution says that all Americans are subject to our laws and that the law shall apply with equal force to all. Let us not end this sad, but strengthening, episode in our history by refusing to be a Nation of equal laws.

No one is above the law. Immunity would belie that fact.

Mr. President, I yield the floor.

QUORUM CALL

Mr. ROBERT C. BYRD. Mr. President, may we have order in the galleries?

The PRESIDING OFFICER. The galleries will be in order.

Mr. ROBERT C. BYRD. Mr. President, I suggest the absence of a quorum, and I suggest that the time be charged to the time under my control.

The PRESIDING OFFICER. The clerk will call the roll.

The second assistant legislative clerk proceeded to call the roll.

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

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

Mr. ROBERT C. BYRD. Mr. President, I allot 10 minutes to the time under my control to the distinguished Senator from Wisconsin (Mr. PROXMIRE).

The PRESIDING OFFICER. The Senator from Wisconsin is reocgnized.

Mr. ROBERT C. BYRD. Mr. President, may we have order in the Senate?

The PRESIDING OFFICER. The Senate will be in order.

Mr. ROBERT C. BYRD. Mr. President, time is running against the time I have allotted to the Senator. May we have order in the Senate?

The PRESIDING OFFICER. The Senate will be in order.

MESSAGES FROM THE PRESIDENT

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

PRESIDENTIAL APPROVALS

A message from the President of the United States stated that on August 17, 1974, he had approved and signed the following acts:

S. 2296. An Act to provide for the Forest Services, Department of Agriculture, to protect, develop, and enhance the productivity and other values of certain of the Nation's lands and resources, and for other purposes; and

S. 3669. An Act to amend the Atomic Energy Act of 1954, as amended, and the Atomic Weapons Rewards Act of 1955, and for other purposes.

EXECUTIVE MESSAGES REFERRED

As in executive session, the Acting President pro tempore (Mr. STENNIS) laid before the Senate messages from the President of the United States submitting sundry nominations which were referred to the appropriate committee.

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

BIG CONGRESSIONAL APPROPRIATIONS CUTS OFFSET BY INCREASES IN SPENDING ELSEWHERE—PRESIDENT AND CONGRESS HAVE TOUGH JOB AHEAD TO CUT BUDGET BY SUBSTANTIAL AMOUNTS

Mr. PROXMIRE. Mr. President, even though Congress has performed a fiscal miracle in its actions by cutting the fiscal year 1975 budget request by between $6 to $8 billion, other circumstances will push total spending to about $310 billion, or $5 billion more than the budget request, unless both the President and Congress take additional drastic action.

Congress has done a great job in cutting appropriations. The House cut defense by $4 billion. In the Senate, we went them one better and have a bill from the committee with a $5.4 billion cut. Even HEW, which year after year is several billion over the budget request, will be just below the budget in the Senate bill this year.

All in all, Congress will cut from $6 to $8 billion from the original budget request.

APPROPRIATIONS CUTS ARE NOT OUTLAY CUTS

Before we start cheering and patting ourselves on the back, however, the effect of all congressional actions will probably provide no cut at all. There are two reasons for this.

First, a cut in the appropriations—so-called new obligational authority—is not a cut in outlays or spending. Let me give some examples.

The Senate cut in the military defense bill of $5.4 billion does not provide a $5.4 billion cut in spending. It means a cut in spending of only $2.7 billion. Reason? Much of the money spent for defense this year is from past year appropriations, and much of the money we appropriate this year is for future year spending. Therefore, the spending cut is never as great as the appropriation cut. The House military cut of $4 billion only gives a spending cut of $1.9 billion.

As a result, the $6 to $8 billion appropriations cuts this year translate themselves into only a $3 to $4 billion spending cut at best.

CONGRESS PASSED BACKDOOR SPENDING

Second, at the same time Congress has been cutting the appropriations, it has been increasing some mandatory spending. Some of this we have done on our own and some of it with the approval of the executive branch. But the hard, cold, tough facts are that the increase in mandatory spending required by Congress will probably wash out the appropriation cuts we have made.

Specifically, Congress, in four veterans' bills, will increase required spending this year by $2 billion. The child nutrition and school lunch programs add another $275 million. A small business loan bill will cost $350 million this year. Civil service retirement adds another $157 million. The Trade Assistance Act may add from $300 to $600 million in readjustment assistance.

But so far as we can determine, the $3 to $4 billion outlay cuts brought about by the $6 to $8 billion cut in appropriations will just about be eaten up by the new spending which Congress and the administration have provided.

Therefore, after all our efforts, we are back at the $305 billion level.

FURTHER SPENDING WILL INCREASE BUDGET TO $310 BILLION AREA

But there is more bad news. Other things will raise spending to about the $310 billion level. While we cannot be exact or precise about all of them, let me be as specific as possible.

First, there was an increase in the requests for the military of $1 billion in a supplemental.

Second, interest on the national debt is bound to increase because of the generally higher level of interest rates than predicted at the beginning of the year.

Third, we can expect increases in the funds for unemployment compensation and other automatic stabilizers as unemployment rises to the 5.5 to 6 percent level.

Fourth, there are funds which were impounded by President Nixon which under either court orders or Budget Reform Act provisions will now be spent. I can think of $400 million in section 235 and section 236 of the housing funds alone.

Finally, there is the cost of inflation itself which affects the Government as it does private industry and ordinary people—costs for gasoline, heat, light, materials, and so forth.

At a minimum, we can expect these additional costs to add another $5 billion to the fiscal year 1975 budget.

MUST FACE HARD FACTS

Congress and the President must now face the fact that even with all of our hard efforts, fiscal year 1975 spending will be a mammoth $40 billion or 15 percent over last year, at a time when we face the worst inflation in our peacetime history. This is pouring gasoline on the fires of inflation with a vengeance.

What this means is that the President and Congress must now get together and decide where further spending can be cut, slowed down, stretched out, or stopped altogether if we are to stay within the original $305 billion budget level.

I am convinced that if the new President uses his present great good will to the fullest, he can cut outlays to $295 billion. Such an increase would still be $25 billion over last year. But the budget should be in balance.

Outlays not appropriations are the name of the game. And outlays in fiscal year 1975—not 1976 or 1977, or 1978—are what must be cut if we are to fight inflation.

If we wait until next year and even if we balance the budget next year, the restrictions on spending will not come until fiscal 1977 or fiscal 1978. That will be too late. Further, as we cannot predict what the economic conditions will be then, it may well be just exactly the wrong fiscal prescription. By that time, the economy may have stagnated, with unemployment at a very high level, and that, instead of inflation, may be the problem.

Therefore, timing is all important. And timing means that we must cut outlays in the present budget. Balancing some future budget will either be too little, too late, or exactly the wrong medicine for the times.

HOW IT CAN BE DONE

Here is how I think we can cut outlays this year.

While Congress controls appropriations or new obligational authority, the President controls outlays or spending. He can control to some considerable degree the rate, pace, speed, and timing of the spending.

There are now some $23 billion in defense procurement contracts which the budget treats as "uncontrollable" spending for fiscal year 1975. That is not uncontrollable. The President can tell the Pentagon to slow down the pace at which those contracts are performed.

There is another $85 billion of controllable items in the budget which can be effected by the President and the Budget Bureau.

My view is that there are further cuts available in the so-called uncontrollable items through tightening contracts, delaying schedules, and so forth.

Altogether, I believe that the President, with the cooperation of Congress, should cut or slow down at least $6 billion from Pentagon outlays, another $1.5 billion from foreign aid outlays in both the military and civilian areas, and $3 to $4 billion from highways, public works, public buildings, and other construction projects.

In addition, we should find another $3.5 to $4 billion from the remaining areas of the Government through personnel cuts—which translate into immediate budget cuts—and by asking every agency to cut about 3 percent from their operating budgets. This way, we can cut back to $295 billion even with the required payments under social security, for interest on the debt, to our veterans, and other uncontrollable items.

BUDGET REFORM ACT

The President should not do this by killing any program which Congress has authorized and funded. Instead the President, with our cooperation, should slow them down, stretch them out, and take a longer time for them to be carried out.

If necessary—and it may well be necessary under the Budget Reform Act—he should send us a list of such areas and ask for our approval and our cooperation. This should be a joint effort in the fight to bring rampaging and runaway inflation under control.

CONCLUSION

Mr. President, Congress has done a better job this year than in any previous year. But the effect of our actions is at best neutral over those matters we control, and $5 billion will be added to the budget because of things we cannot control.

It is time for the President and Congress to call upon every agency—HEW, HUD, State, Treasury, Defense, and all the rest—to get out their red pencils, erasers, and scissors, and cut, cut, cut.

Unless we do that, the Federal budget itself will once again be the engine of inflation, rather than have the absolutely necessary deflationary effect in a year of rampaging price increases and double-digit inflation.

Mr. President, I thank my good friend, the Senator from West Virginia, for making time available for me to speak.

COUNCIL ON WAGE AND PRICE STABILITY—PRIVILEGE OF THE FLOOR

Mr. TOWER. Mr. President, I ask unanimous consent that during consideration of S. 3919 and votes thereon and any amendments thereto, the following members of the staff of the Committee on Banking, Housing, and Urban Affairs and individual Senators' staffs be allowed access to the floor: Reginald Barnes, Kenneth McLean, Howard Beasley, Anthony Cluff, John Patten Abshire, Stanley Marcuss, William Weber, Holton Wood, Thomas Brooks. Senate staffs: C. I. Bray, Ellen Oberdorff, Elanor Bacrach.

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

ORDER OF BUSINESS

Mr. ROBERT C. BYRD. Mr. President, how much time do I have remaining under the order?

The PRESIDING OFFICER. The Senator from West Virginia has 13 minutes remaining.

Mr. ROBERT C. BYRD. I thank the Chair.

Mr. President, I yield such time as he may require to the distinguished senior Senator from Virginia (Mr. HARRY F. BYRD, JR.).

QUORUM CALL

Mr. HARRY F. BYRD, JR. Mr. President, I thank the distinguished Senator from West Virginia, and I suggest the absence of a quorum, with the time to run against the amount allotted to the Senator from West Virginia.

The PRESIDING OFFICER. The clerk will call the roll.

The second assistant legislative clerk proceeded to call the roll.

Mr. HARRY F. BYRD, JR. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

IMPORTATION OF CHROME FROM RHODESIA

Mr. HARRY F. BYRD, JR. Mr. President, the House of Representatives tomorrow will vote on legislation to reimpose an embargo on the importation of chrome from Rhodesia. The Senate will remember that in 1971, legislation was enacted by the Congress which prevents an embargo on a strategic material from a free world country when such material is being imported from a Communist-dominated country.

According to the New York Times, 96 percent of the world's supply of chrome is in Rhodesia and South Africa. Rhodesia, itself, has about two-thirds of the world's supply. If the United States cuts itself off from the supply of this vital material from Rhodesia, then it puts itself at the mercy of Soviet Russia for the bulk of its chrome imports. Almost all of the world's chrome comes from three countries: South Africa, Rhodesia, and Russia. Only small amounts can be obtained elsewhere.

The chairman of the Subcommittee on National Stockpile and Naval Petroleum Reserves of the Committee on Armed Services, the Senator from Nevada (Mr. CANNON), who has gone into this matter very carefully, opposed the legislation which the House will be voting on tomorrow, pointing out the effects on the United States of reimposing an embargo on the importation of chrome from Rhodesia.

Another significant point, it seems to me, Mr. President, is that when the legislation with the so-called Byrd amendment, was enacted into law in 1971, which amendment would permit the importation of chrome, that amendment was supported in both Houses of the Congress when the votes of the two Houses are taken together, by representatives from 46 of the 50 States of the Union.

So it is a national question, it is not a regional question.

It is a question of defense, it is a question of how much the United States wants to put itself in the position of having to rely on the only potential enemy against which the United States needs to spend for defense purposes, some $82 billion.

Mr. President, by no stretch of the imagination can Rhodesia, a small landlocked nation, be considered a threat to world peace.

Yet, under the United Nations Charter, an embargo can be placed against another country only if the Security Council declares that a nation is a threat to world peace.

Leaving out that aspect of it, the United States needs to consider whether it wishes to be dependent on Communist Russia for the bulk of a strategic metal,

a strategic material, which is vital to national defense.

I hope that the House of Representatives will vote down the pending legislation upon which it will vote on tomorrow.

The United States has done a great deal for Russia in the name of détente.

In every case the United States has come off second best. Take the wheat deal. It cost the taxpayers of this Nation hundreds of millions of dollars.

Then we come to the settlement of the Russian debt, in 1972. The agreement which the United States made with Russia permits the settlement of that debt at 3 cents on the dollar, plus another 24 cents provided Russia is given most-favored-nation treatment, and provided she is loaned tax funds through the Export-Import Bank at subsidized interest rates.

Then the third agreement with Russia made in 1972 was the strategic arms limitations agreement. It was written into that agreement that Russia could have numercial superiority in intercontinental ballistic missiles and in nuclear carrying submarines.

Now we come again to another matter seriously affecting the relations between Russia and the United States which, if this legislation pending in the House of Representatives is enacted, will make the United States dependent on Russia for a strategic material.

Mr. President, I say that is carrying détente too far. It is jeopardizing the security of our Nation, and I hope the House of Representatives will vote it down tomorrow.

I end as I began, by pointing out that when the legislation permitting the importation of chrome passed Congress in 1971, it had the support of Representatives from 46 of the 50 States.

ORDER OF BUSINESS

Mr. HARRY F. BYRD, JR. Mr. President, I thank my friend from West Virginia for yielding me time, and I yield back the remainder of that time.

Mr. ROBERT C. BYRD. The Senator is welcome.

Mr. President, I yield back the remainder of the time under my control, and I ask unanimous consent that the order for recognition of the Senator from Michigan (Mr. GRIFFIN) be vacated. I do this, I am sure, with his approval.

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

ROUTINE MORNING BUSINESS

The PRESIDING OFFICER. Under the previous order, there will now be a further period for the transaction of routine morning business of not to exceed 14 minutes, with statements therein limited to 5 minutes each.

TRIBUTE TO SENATOR MANSFIELD

Mr. HUDDLESTON. Mr. President, in the short time that I have had the high honor of representing the great people of Kentucky in the U.S. Senate, there have been a number of history-making events.

We have seen the resignation of a Vice President and for the first time a new Vice President chosen under the provisions of the 25th amendment. We have seen the resignation of a President of the United States for the first time in the history of our Nation. One of our number has resigned and become Attorney General and the largest number of Senators ever have announced their voluntary retirement from this body. These and other events combine to characterize the past year and a half as a truly exceptional period in the annals of this country.

One exceptional achievement that is most pleasing to me is the accomplishment of the distinguished Senator from Montana (Mr. MANSFIELD) in establishing a record tenure of service as majority leader of the Senate. When on August 14, 1974, Senator MANSFIELD passed his 13th year, 255th day as leader of the Democrats in the Senate, he exceeded the length of service of any other man.

Through that span of over 13½ years, the Nation has gone through some of its most traumatic times: War, peace, assassination, three Presidents representing both major political parties. The individuals comprising the Democratic majority in this body have represented a variety of political and philosophical ideologies.

It is a great tribute to the dedicated, intelligent, and scrupulously fair leadership of MIKE MANSFIELD that he has served through it all with great dignity and distinction. Certainly he has earned the respect of every Member of the Senate, and of all Americans, and of leaders throughout the world.

My personal acquaintance with Senator MANSFIELD has not been as long as most of my colleagues here. But, because of my great respect for him as a leader and as a person, because of my gratitude for his continuous efforts to assist those of us who are new in this body, and to facilitate and encourage our participation and to provide strong but unassuming guidance which makes our new tasks easier, I want to add my commendation to Senator MANSFIELD on the occasion of his remarkable achievement.

No matter how long I may have the privilege of serving in the U.S. Senate, I will always be grateful and proud that I knew, served with, and hopefully assisted MIKE MANSFIELD.

SENATOR MIKE MANSFIELD

Mr. RIBICOFF. Mr. President, on Thursday, August 15, 1974, a new record was set in the Senate. On that day our distinguished majority leader, MIKE MANSFIELD, earned the distinction of serving as majority leader for a longer period of time than anyone else in Senate history.

Senator MANSFIELD is a man of integrity, a superb Senator and a tribute to his great home State—Montana.

Senator MANSFIELD set the new record not because of the seniority system. He earned his recognition because of his service to the Senate and his party. Every 2 years he must stand for reelection to his post. He has been unanimously confirmed by his colleagues each of the seven times he has stood for reelection to the majority leader's post.

His work, not only as a party leader but as a national leader who speaks his mind without regard to partisan considerations, has been recognized by Presidents and leaders of both parties. As his good friend and colleague from Vermont (Mr. AIKEN) so wisely put it: "He is a valuable national asset."

I salute the distinguished majority leader and wish him success for years to come. It is a pleasure serving with him.

THE DEATH OF FORMER SENATOR KARL MUNDT

Mr. HRUSKA. Mr. President, it was with sadness that we learned this weekend of the death of my very good friend and colleague for many years—former Senator Karl Mundt of South Dakota.

Karl Mundt had a long and distinguished career of public service. He dedicated his life to safeguarding the freedom and the interests of the people of South Dakota and of all Americans. Senator Mundt was a staunch defender of the American system of government. His efforts to stymie the attempts of those who would have undermined this system will always be appreciated.

Senator Mundt spent a total of 34 years in the House of Representatives and the U.S. Senate. He served the citizens of South Dakota well and they recognized his efforts and repaid him time and time again by returning him to Washington. He was victorious in nine elections to the Congress, a great tribute for any man from the people of his home State.

Humboldt, S. Dak., a small farming community in the southeastern part of the State, was the birthplace of Karl Mundt on June 3, 1900.

His father, who owned a hardware store, had come here from Iowa when the State was part of the Dakota Territory. It was this tradition of the prairie life and spirit of pioneer initiative and ruggedness that helped form the character of Senator Mundt. He grew up in the outdoors and wide-open spaces of South Dakota and developed a love for hunting and fishing that served him well in his work in the Congress.

Karl Mundt believed that man had a special relationship with nature and the benefits it provided. He felt that man should not only take from his environment, but he should return something, as well. Long before it became a popular national issue, Senator Mundt was acting forcefully to preserve our country's natural resources. He led the fight to achieve better protection of endangered species of wildlife.

Senator Mundt received an A.B. degree from Carleton College in Northfield, Minn., in 1923. Following his graduation, he taught speech and social sciences in the Bryant, S. Dak., high school and was the superintendent of the school. In 1927, he received a master of arts degree from Columbia University. From that time until 1936, Karl Mundt was chairman of the speech department and a social sciences instructor at General

Beadle State Teachers College in Madison, S. Dak. In 1938, Karl Mundt ran for the House of Representatives and was elected, thus starting his great career in the Congress of the United States. Senator Mundt was particularly known for his eloquence in the committee rooms and on the Senate floor. His early training in the art of speech served him in good stead in the halls of the Congress.

Karl Mundt has left us all many memorable legacies. One of those is the Earth Resources Observation System—EROS—Data Center in Sioux Falls, S. Dak. This facility processes and disseminates photographs and other data relating to the condition and amount of large land areas on Earth which is taken by an orbiting satellite.

Senator Mundt realized the importance additional information could play in this country's efforts to increase agricultural production through the use of technology. It was through his foresight and realization of the magnitude of this concept that the EROS Data Center was located in the Midlands.

One year ago this month, I had the privilege of participating in the dedication of the Karl E. Mundt Federal Building near Sioux Falls. This structure houses the EROS Data Center. What a fitting memorial to Senator Mundt. It would be my hope that this program is expanded in the years to come and its tremendous potential realized. Senator Mundt dedicated his life to the development of the heartland of America. The EROS Data Center, for which he worked so hard, can be a vehicle for the realization of Senator Mundt's dreams.

Karl Mundt is gone now, but he will be remembered. He left a lasting mark. I join with the citizens of his home State of South Dakota, his former colleagues in the Congress and the people of America in mourning his passing.

Mr. McCLELLAN. Mr. President, last Friday, August 17, 1974, Karl Mundt, former Senator and Representative from South Dakota, and a dear friend, passed away after a long and fruitful career of service to his community, his State, and his country. He had been a schoolteacher, public schools administrator, college professor, and official in the government of South Dakota before being elected to the 76th Congress. He served five terms in the House of Representatives and three full terms in the Senate.

The character of a man, however, cannot be fully gauged by the enumeration of the offices which he has held, although they do indicate a considerable measure of public esteem. Karl Mundt, as I knew him in the Senate, was a man of high ideals and great integrity, a man of vision and noble purpose, a man of true dedication to the interests of the people with whom he identified and whom he represented so ably.

Karl Mundt's sphere of interests was more extensive than most of the public was aware. Although his accomplishments in the fields of conservation, fiscal responsibility, and sound government operations were public knowledge, his activities in the realm of foreign relations were not so well known. One of his great dreams was the establishment of a Freedom Academy which would prepare young students as potential diplomats to disseminate the philosophy of peace in their assignments to foreign countries. He was not critical of the service schools which trained young men in the skills and science of defense. He realized this was necessary for the protection of our country. But he felt more emphasis should be placed on diplomatic training of our young people to insure peaceful coexistence with other peoples of the world.

One of his most cherished appointments was as a representative to NATO. During the latter period of his service with this organization, he became chairman of the Educational and Cultural Exchange Committee, a post which demanded much of his time and energies. It was shortly after his return from a meeting of this committee in Brussels—in October of 1969—that he was stricken by the illness from which he never fully recovered.

Senator Mundt and I served together on the Government Operations Committee. While I was chairman of the committee, he was for many years the ranking minority member. We also served together for many years on the Senate Permanent Subcommittee on Investigations—I as chairman and he as ranking minority member. During our tenure on this subcommittee, we conducted more investigations and held more hearings and made more reports to the Senate than possibly have ever been conducted, held, and made by any other investigating committee in the history of the Congress. Our service together on the Senate Appropriations Committee was another challenging and vital interest which we shared for some 17 years.

In the performance of his duties, both in committee and in the Senate Chamber, he was able, vigorous, dedicated, judicious, and effective. His friendship was a gift to be treasured by those fortunate enough to be so blessed. I consider myself among those thus designated, and shall keep his regard for me in cherished remembrance. In this context and in awareness of the lasting effect Karl Mundt and his works will have on those living after him, I recall the words of an unknown poet as he spoke of greatness:

A man is as great as the dreams he dreams;
As great as the love he bears;
As great as the values he redeems,
And the happiness he shares.
A man is as great as the thoughts he thinks;
As the worth he has attained;
As the fountains at which his spirit drinks,
And the insight he has gained.
A man is as great as the truth he speaks;
As great as the help he gives;
As great as the destiny he seeks,
As great as the life he lives.

I believe these words are as applicable to Karl Mundt as any I have ever read. He was a man—statesman and American—whom history will record among our Nation's great.

Mrs. McClellan expresses her deepest sympathy along with mine to Mrs. Mundt. We share with her and the Senator's devoted staff a sense of personal loss in the passing of a dear friend and colleague.

Mr. McGOVERN. Mr. President, I have just returned from Madison, S. Dak., where I attended funeral services for my former home-State colleague, Senator Karl Mundt. Wednesday afternoon, August 21, 1974, South Dakotans paid their last respects to one of their State's most distinguished public servants.

When Senator Mundt was felled by a massive stroke nearly 5 years ago, he was in his 31st year of congressional service. He had distinguished himself as a Member of the House of Representatives over a period of 10 years; and in his fourth term in the Senate had become the fourth-ranking Republican Member of this distinguished body.

While Senator Mundt and I were of different political persuasions, there was a mutual respect and congeniality that prevailed as we served together in these Chambers. It was a feeling that evolved from relationships in South Dakota political arenas covering more than two decades.

Karl Mundt and I first became acquainted much earlier than in our political years, however. He was a well-known debate coach and judge when I was beginning my forensics experience in Mitchell, S. Dak., Senior High School. My wife, Eleanor, and I both came under his judgment at speech and debate contests more than once. All of us were to reap career benefits in later years from this experience.

My distinguished colleague from Nebraska (Mr. HRUSKA) earlier inserted in the RECORD the outstanding biography of our departed friend. It alluded to Senator Mundt's accomplishments as he pursued the goals he set in performing services to his country and to his native State. But let me note here just two of his outstanding contributions as a public servant—his leadership in establishing the Voice of America, which beams the truths about our great democracy to other nations around the world; and the EROS Data Center, not far from his South Dakota birthplace, which shares with all nations vital information gathered by our space satellites to help them know better how to deal with the God-given resources of the world we live in.

Senator Karl Mundt has left indelible marks on the pages of history. We mourn his passing, and extend to his devoted wife, Mary, our deepest sympathy.

Mr. YOUNG. Mr. President, it is with great sadness that we in the Senate who had the honor and privilege to serve with the late Senator Karl Mundt learned of his passing.

Karl Mundt was a wonderful person with great ability and talent. His accomplishments for the State of South Dakota were tremendous—far more than most people realize. He was at the same time a great and respected leader on both the national and international scene.

Our good friend, Karl Mundt, spent most of his life in the service of his community, State, and Nation. Few have served longer in both the House and Senate of the United States than Karl Mundt. He was an influential and highly respected leader of this body before his health was suddenly impaired about 4 years ago.

Karl was a very special friend of mine. We came to the Senate about the same time, served on the same committees, and had many common interests. He spoke on my behalf in North Dakota on several occasions as I did for him in South Dakota.

I wish to extend my deepest sympathy to his wonderful wife, Mary.

Mr. MUSKIE. Mr. President, all of us are saddened by the death of a former colleague. It was with a particular sense of loss that I learned of the death last week of former Senator Mundt.

Karl Mundt and I were from different parts of the country. We had widely differing political philosophies. But for more than 10 years we worked together in the Senate to improve and clarify the nature of our unique Federal system of often conflicting and confusing intergovernmental relationships. From 1959 until his retirement, Senator Mundt and I served together on the Advisory Commission on Intergovernmental Relations, a body created by legislation we both sponsored. And for 10 years we shared the privilege of overseeing the birth and development of the Senate Subcommittee on Intergovernmental Relations.

The work of the subcommittee attracted few headlines in those early years. The legislation we considered was highly technical and unglamorous. Although Senator Mundt and I frequently disagreed over the details of particular bills, the final product of our deliberations reflected the true spirit of bipartisan cooperation and mutual respect we always enjoyed. I valued that relationship.

Senator Mundt's contributions to the legislative record of the Subcommittee on Intergovernmental Relations—most notably in the Intergovernmental Cooperation Act of 1968 and the Intergovernmental Personnel Act of 1970—were numerous and valuable. They reflected his deep concern with and understanding of the complexities and change in our evolving Federal system. In many unheralded ways they have helped strengthen that system today.

Mrs. Muskie and I extend our deepest sympathy to Mrs. Mundt.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Is there morning business? If not, morning business is concluded.

MESSAGE FROM THE HOUSE

A message from the House of Representatives by Mr. Berry, one of its reading clerks announced that the Speaker had affixed his signature to the following enrolled bills:

S. 3066. An act to establish a program of community development block grants, to amend and extend laws relating to housing and urban development, and for other purposes;

S. 3190. An act to authorize appropriations for fiscal year 1975 for carrying out the Board for International Broadcasting Act of 1973;

H.R. 10044. An act to increase the amount authorized to be expended to provide facilities along the border for the enforcement of the customs and immigration laws;

H.R. 15791. An act to amend section 204(g) of the District of Columbia Self-Government and Governmental Reorganization Act, and for other purposes; and

H.R. 15936. An act to amend chapter 5, title 37, United States Code, to provide for continuation pay for physicians of the uniformed services in initial residency.

The enrolled bills were subsequently signed by the Acting President pro tempore.

ENROLLED BILLS PRESENTED

The Secretary of the Senate reported that on today, August 19, 1974, he presented to the President of the United States the following enrolled bills:

S. 3066. An act to establish a program of community development block grants, to amend and extend laws relating to housing and urban development, and for other purposes; and

S. 3190. An act to authorize appropriations for fiscal year 1975 for carrying out the Board for International Broadcasting Act of 1973.

COUNCIL ON WAGE AND PRICE STABILITY

The PRESIDING OFFICER (Mr. JOHNSTON). Under the previous order, the Senate will now proceed to the consideration of S. 3919, which the clerk will state.

The second assistant legislative clerk read as follows:

A bill (S. 3919) to authorize the establishment of a Council on Wage and Price Stability.

The PRESIDING OFFICER. Without objection, the Senate will proceed to its consideration.

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

The PRESIDING OFFICER. The clerk will call the roll.

The second assistant legislative clerk proceeded to call the roll.

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

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

Mr. SPARKMAN. Mr. President, has the bill been laid before the Senate?

The PRESIDING OFFICER. The bill has been laid before the Senate.

Mr. SPARKMAN. The pending bill is S. 3919, and I wish to speak briefly on that.

Mr. President, on Monday night, August 12, 1974, in his address to the Congress and the Nation, the President asked the Congress to pass before our Labor Day recess a bill which Senator TOWER and I had introduced on that same day. The Committee on Banking, Housing and Urban Affairs held hearings on the bill, S. 3894, on Thursday morning, August 15, 1974, and we met in open markup on Thursday afternoon and agreed to report a clean bill.

This bill would establish a Council on Wage and Price Stability which would have authority to monitor price and wage situations in our economy generally. There are no provisions for mandatory or standby wage price control contained in the bill.

The Council would work with labor and management in an effort to improve the structure of collective bargaining and encourage price restraint. It would also be authorized to conduct public hearings to help publicize the inflationary problems and to focus attention on the need to increase productivity in all sectors of our economy.

Mr. President, I think that it is important that these matters be given wide publicity, because I am convinced that the public must take an active part in this fight against inflation. The more the public knows about the problem the more effective we will be in bringing this inflation under control.

I am pleased that our committee acted expeditiously in recommending to the Senate that these additional tools be granted to the President in his efforts to fight inflation. I urge the Senate to act as soon as possible on this bill.

Mr. President, I ask unanimous consent that a section-by-section analysis be printed in the RECORD.

There being no objection, the section-by-section analysis was ordered to be printed in the RECORD, as follows:

SECTION-BY-SECTION ANALYSIS OF S. 3919

Section 1. Short title: Council on Wage and Price Stability Act of 1974.

Section 2. Council on Wage and Price Stability—The President is authorized to establish, within the Executive Office of the President, a Council on Wage and Price Stability. The Council shall consist of eight members appointed by the President and four advisermembers also appointed by the President. The Chairman of the Council shall be designated by the President. The Director and Deputy Director shall be appointed by the President. The Director may employ and fix compensation of such officers and employees as are necessary to perform the functions of the Council. The Director may also employ experts, expert witnesses, and consultants in accordance with section 3109 of title 5 of the U.S. Code.

Section 3. Duties of Task Force—

(1) Review and analyze industrial capacity, demand, and supply in various sectors of the economy, working with the industrial groups concerned and appropriate governmental agencies to encourage price restraint;

(2) Work with labor and management in the various sectors of the economy having special economic problems, as well as with appropriate Government agencies, to improve the structure of collective bargaining and the performance of those sectors in restraining prices;

(3) Improve wage and price data bases for the various sectors of the economy to improve collective bargaining and encourage price restraint;

(4) Conduct public hearings necessary to provide for public scrutiny of inflationary problems in various sectors of the economy;

(5) Focus attention on the need to increase productivity in both the public and private sectors of the economy;

(6) Monitor the economy as a whole by acquiring as appropriate, reports on wages, costs, productivity, prices, sales, profits, imports, and exports; and

(7) Review and appraise the various programs, policies, and activities of the departments and agencies of the United States for the purpose of determining the extent to which those programs and activities are contributing to inflation.

Additionally, it is stated that nothing in this act authorizes the continuation, imposi-

tion, or reimposition of any mandatory economic controls.

Section 4. Treatment of Confidentiality and Disclosure of Information—The Council shall have access to data or information pertaining to the economy or any sector collected or generated by any department or agency of the Federal Government.

To insure the confidentiality of information—

(1) The Freedom of Information Act is fully applicable to any information obtained from the private sector by the Council.

(2) The disclosure of information obtained from Federal, State, or local agencies and departments is prohibited unless such disclosure is in accord with the Freedom of Information Act and the applicable rules of practice and procedure of such agency or department.

(3) The disclosure of confidential information by the Council or Council staff is a criminal offense.

(4) The disclosure of tax returns and related information is prohibited.

Section 5. Council Reports—The Council shall report to the President, and through him to Congress, from time to time, concerning its activities, findings, and recommendations.

Section 6. Authorization of Appropriations—There are authorized to be appropriated such sums, not to exceed $1,000,000 for the fiscal year ending June 30, 1975, to carry out the purposes of this act.

Section 7. Expiration—The authority under this act expires at midnight, June 30, 1976.

Mr. TOWER. Mr. President, today the Senate addresses itself to the Council on Wage and Price Stability Act of 1974, a bill to create a council to monitor the economy as a whole. The Committee on Banking, Housing and Urban Affairs is to be commended for the judicious manner in which it acted, reporting the bill favorable last Thursday afternoon after holding hearings that very morning.

The committee acted in good faith responding to President Ford's request of August 12, 1974, to expedite the proposal by the administration to create a council on inflation.

The proposed council, the Council on Wage and Price Stability, would have the power to monitor the economy, work with labor and management to improve the structure of collective bargaining and encourage price restraint as well as reviewing the Government's own policies, programs, and activities to determine the extent to which they contribute to inflation.

I approach this legislation with some amount of apprehension for many may perceive the action which we take today to be the first step back toward controls. If this view is pervasive, it could further exacerbate our inflationary problem by stimulating anticipatory wage and price increases and hence further the prospect of imposition of future controls. Congress must demonstrate that this is not our intent. No economic authority is being granted or authorized. The Senate clearly demonstrated its opinion toward extending any form of economic controls by defeating such a measure overwhelmingly on May 9, 1974, 56 to 32. On that same day I proposed a similar bill to the one being considered here today. Its purpose also, was merely to monitor the economy as a whole in cooperation with public and private agencies and not to reestablish an income policy.

It has been all too clearly demonstrated by our experience with economic controls that they are by nature arbitrary and artificial, creating shortages and dislocation of resources, certainly imposing more problems on our economy than it resolves. This body may be assured that I will not support any legislation of that kind.

Likewise, I do not want to underrate the importance which should be attached to the problem we face as a Nation in controlling inflationary pressures in our economy. They are enormous and pervasive, and they need to be dealt with through appropriate monetary and fiscal policies. The bill we are discussing today is not going to solve everything, but I think it sets up in the right direction an aid to the traditional tools of economic policy.

Briefly, I would like to explain what the Council on Wage and Price Stability is and what it is not. The Council is first and foremost a forum—a forum which draws representatives from all sectors of the economy to debate freely and air economic issues. It is a forum to collect economic information and follow the direction of the various economic sectors. It is therefore a forum with oversight authority and not an operating agency.

The provisions embodied in the Council on Wage and Price Stability Act of 1974 represent a license by the Congress to the President to exercise his influence to arrest the inflationary spiral. To this end I believe we should draw the line on acceptable amendments to this legislation where the discipline of an agency or a council of the Federal Government begins to replace the discipline of the marketplace. The discipline of the marketplace should be the final arbitrator of wages and prices.

I realize that several of my colleagues have amendments which would breach the acceptable line I have drawn. Their amendments I believe portray what the intent of this legislation is not—the establishment of controls on our economy.

It has been suggested that the President be given the authority to delay wage and price increases for a 45-day period with the possible extension of another 45 days. Mr. President, there is no such thing as the ability to delay wage and price increases for almost one quarter of the year except by controls—that is control by definition and not the intent of the proposed legislation. I do not believe the Congress or the American people want to return to wage and price controls.

It has also been suggested that the President be given the authority to demand information from all sectors of the economy through the issuance of subpenas. The President of the United States has not asked for this authority, nor does he want it. The power to subpena further infringes on the free market system and hence should be rejected. The Council on Wage and Price Stability Act of 1974 has very limited objectives. It is not an omnibus measure seeking to solve all of the problems relating to inflation.

I emphasize that this legislation in no way diminishes our need to maintain vigilance in exercising the fiscal and monetary policies that are the basic ingredients of economic stability. Nor should this legislation reduce our efforts to explore fully all other noncontrol policies to stabilize wages and prices in our economy.

I would like to commend two of my colleagues whose insight into the nature of the legislation has improved the administration's proposal. The distinguished Senator from New York, Mr. JAVITS recommended in an earlier proposal to not confine that Council's purview to the private sector but to extend its review and appraisal authority to the various programs, policies, and activities of the departments and agencies of the Federal Government to determine their inflationary impact. This, we have done. My colleague from Texas (Mr. BENTSEN) also felt it imperative that congressional representation be included in the formation of any Council. To this end I would hope that the President would exercise the appointment authority granted in the legislation to acquire congressional input.

In closing, I stress the importance to my colleagues of presenting the President with a clean bill, devoid of any control language, for his signature. Any extension of authority beyond the capacity to monitor will run the risk of stimulating the wage and price spiral. I am confident that those here today do not wish to be party to such an act. Let us now move expeditiously and give to the President this additional tool, the Council on Wage and Price Stability, which he has requested to fight inflation.

I certainly hope, Mr. President, that no substantive amendments that change the character of this bill will be accepted today.

The House is acting on a similar measure under suspended rule this afternoon. It is expected that they will complete action on it. If we can complete action on a relatively clean bill here in the Senate, it would expedite the matter of authorizing the establishment of this Council before we depart for the Labor Day recess.

Even if there are some minor differences between Senate and House, I think this can be quickly resolved in conference by the end of this action, but any substantial differences I think would meet with probably substantial opposition in the House and might require protracted conference. We would be in a position of not giving our new President the first tool he has asked for to be able to deal with what he considers to be, and indeed we all consider to be, our No. 1 domestic problem, and that is inflation.

I urge the adoption of it, but as it has been reported from committee.

Mr. SPARKMAN. Mr. President, I want to support the words that the Senator from Texas has said with reference to sending this bill to the President, or to the House. I hope our versions may be so close together we will have no difficulty getting it to the President expeditiously.

Mr. TOWER. If the Senator will yield at that point, the differences between the bill reported out of the House Banking and Currency Committee and the bill re-

ported out of our committee are very slight and I think will be very quickly resolved. I can even foresee the House might go ahead and accept the Senate amendments, because I do not think they would be of great controversial nature.

Mr. SPARKMAN. I agree with what the Senator has said in his desire that no substantive amendments be added to this bill.

The President has asked for this bill to help him in his fight on inflation. That is his job.

We have said to the country that it is up to the President to control inflation and he has said to Congress that was his No. 1 concern. This is the tool that he has asked for. It is not a solution to the problem of inflation at all. It is merely the start.

I do not know whether as the Council proceeds with its work it may find the need for additional legislation. I should think that it would find such a need, and if so, I am sure the President will submit that legislation to Congress and I am confident that Congress will respond quickly. But this is the tool with which he proposes to start his fight on inflation and I would like to see him have it just as he asked for it. We have given him reason to believe that. There was very slight change in the bill that we reported and in the bill that the President asked for.

Mr. TOWER. If the Senator will yield on that point, I might say, if the administration finds the adoption in the committee——

Mr. SPARKMAN. I hope we can get quick action on the bill.

Now, Mr. President, there are some amendments that will be proposed and, of course, we are ready to take them up.

The assistant majority leader (Mr. ROBERT C. BYRD) has just asked me if there would be any objection to setting the vote at 4:15 p.m. I told him that so far as I was concerned there would be no objection.

Mr. TOWER. I believe he did not intend to seek a consent agreement on that.

Mr. SPARKMAN. Not at all.

Mr. TOWER. A gentleman's understanding.

Mr. SPARKMAN. That is right.

Mr. TOWER. That we would probably put them off until then.

Mr. SPARKMAN. That is right.

But there is no reason why we should not take up amendments as they are offered.

Mr. STEVENSON. Will the Senator yield?

Mr. SPARKMAN. Yes.

Mr. STEVENSON. I have some difficulty hearing the Senator's comments.

Mr. SPARKMAN. I am sorry; I had my back turned.

Mr. STEVENSON. I appreciate the opportunity to ask the Senator this question.

I had discussed the matter with the distinguished majority whip. It was my understanding that the gentleman's understanding to which the Senator just referred applied to all amendments, and I was not sure I understood the Senator.

Did the Senator say that the understanding was that there would be no votes on the bill, or no votes on the bill and all amendments, before——

Mr. SPARKMAN. There would be no vote.

Mr. STEVENSON. I thank the Senator

Mr. SPARKMAN. Before 4:15; that was my understanding.

Mr. TOWER. Except voice votes

Mr. SPARKMAN. No rollcall votes.

Mr. STEVENSON. That was my understanding.

Mr. SPARKMAN. But, as I said, I see no reason why we should not continue with amendments.

Mr. TOWER. Mr. President, I would like to point out that this council could be established by the President by Executive order, but that the President specifically wanted the endorsement of Congress for the proposal. I believe he feels that gives it more weight, gives it more muscle, and gives it more authority.

From the standpoint of using the Council for some friendly persuasion, sometimes vulgarly known as jawboning, I think that this does give it more muscle. Therefore, I hope Congress will support him in this.

I fear that if we add too much in the way of substantive amendments that change the character of the measure, that probably the House would not accept it, and the President himself might find it unacceptable.

Mr. President, I ask unanimous consent that during the consideration of S. 3919 and amendments thereto, Mr. Edward Kemp of the committee staff be allowed access to the floor.

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

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

The PRESIDING OFFICER. The clerk will call the roll.

The second assistant legislative clerk proceeded to call the roll.

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

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

RECESS UNTIL 1:30 P.M.

Mr. ROBERT C. BYRD. Mr. President, I move that the Senate stand in recess until the hour of 1:30 p.m.

The motion was agreed to; and, at 12:55 p.m., the Senate took a recess until 1:30 p.m.; whereupon, the Senate reassembled, when called to order by the Presiding Officer (Mr. NELSON).

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

The PRESIDING OFFICER (Mr. NELSON). The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

COUNCIL ON WAGE AND PRICE STABILITY

The Senate continued with the consideration of the bill (S. 3919) to authorize the establishment of a Council on Wage and Price Stability.

AMENDMENT NO. 1807

Mr. STEVENSON. Mr. President, I call up an amendment which I have at the desk.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk proceeded to read the amendment.

Mr. STEVENSON. Mr. President, I ask unanimous consent that further reading of the amendment be dispensed with.

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

The amendment is as follows:

SECTION 1. This Act may be cited as the "Cost of Living Act of 1974".

FINDINGS AND PURPOSES

SEC. 2. It is hereby determined that inflation is a threat to the economic well-being of the Nation and its people. The purpose of this Act is to provide the President with a means of focusing attention on the causes of inflation, and encouraging steps necessary to restrain inflation.

PRESIDENTIAL AUTHORITY

SEC. 3. To carry out the purposes of this Act, the President shall—

(a) focus public attention on causes of inflation;

(b) monitor the economy as a whole, including such matters as wages, cost, productivity, prices, sales, profits, imports, exports, and industrial capacity;

(c) work with labor, management, and governmental agencies to encourage price and wage restraint and increase productivity;

(d) improve wage and price data bases for the various sectors of the economy to improve collective bargaining and encourage price restraint;

(e) conduct public hearings as appropriate to provide public scrutiny of inflationary problems;

(f) review the activities of the Federal Government and the private sector which may have adverse effect on supply or cause inflationary price increases, and make recommendations for such changes as will increase supply and restrain prices;

(g) conduct a continuing review of the effect of economic concentration and anticompetitive practices on inflation and recommend legislation and take other appropriate action to reduce the inflationary impact of such concentration or practices;

(h) evaluate the reasonableness of wage and price increases which may have a material effect on inflation, taking into consideration cost of living, costs of production, productivity, and the resource needs of any sector of the economy; and

(i) delay the implementation, for up to forty-five days, of any price or wage increase which the President finds is likely to have a serious inflationary impact, and extend such delay for up to an additional forty-five days if the President finds that significant injury to the economy as a whole would otherwise result.

COST OF LIVING TASK FORCE

SEC. 4. (a) The President is authorized to establish, within the Executive Office of the President, a Cost of Living Task Force (hereinafter referred to as the "Task Force") to which he may delegate his authority under this Act.

(b) There shall be a Director of the Task Force who shall be appointed by the President and with the advice and consent of the

Senate. The Director shall be compensated at the rate prescribed for level III of the Executive Schedule by section 5314 of title 5 of the United States Code. There shall be a Deputy Director of the Task Force who shall be appointed by the President and be compensated at the rate prescribed for level IV of the Executive Schedule by section 5315 of title 5 of the United States Code. There shall be two Assistant Directors of the Task Force who shall be appointed by the President and be compensated at the rate prescribed for level V of the Executive Schedule by section 5316 of title 5 of the United States Code. The Director of the Task Force shall be the chief executive officer of the Task Force and shall perform such functions as the President may prescribe. The Deputy Director and Assistant Directors shall perform such functions as the Director may prescribe.

(c) The Director may appoint, employ, and fix the compensation of such officers and employees, including attorneys, as are necessary to perform the functions of the Task Force and to prescribe their duties. In addition to the number of positions which may be placed in GS–16, GS–17, and GS–18 under existing law, the Director may, without regard to the provisions of title 5 of the United States Code relating to appointments in the competitive service, place, not to exceed ten positions in GS–16, GS–17, and GS–18 to carry out the functions of the Task Force.

(d) The Director of the Task Force may employ experts, expert witnesses, and consultants in accordance with the provisions of section 3109 of title 5 of the United States Code and compensate them at rates not in excess of the maximum daily rate prescribed for GS–18 by section 5332 of title 5 of the United States Code.

(e) The Director of the Task Force may, with their consent, utilize the services, personnel equipment, and facilities of Federal, State, regional, and local public agencies and instrumentalities, with or without reimbursement therefor, and may transfer funds made available pursuant to this Act to Federal, State, regional, and local public agencies and instrumentalities as reimbursement for utilization of such services, personnel, equipment, and facilities.

(f) Under such regulations as the President may prescribe, officers and employees of the Government who are appointed, without a break of service of one or more workdays, to any position for carrying out functions under this Act are entitled, upon separation from such position, to reemployment in the position occupied at the time of appointment or in a position of comparable grade and salary.

ACQUISITION, CONFIDENTIALITY, AND DISCLOSURE OF INFORMATION

SEC. 5. (a) For purposes of carrying out this Act, the President may by regulation, order, or otherwise obtain such information from, require such reports and the keeping of such records by, make such inspections of the books, records, and other writings, premises, or property of, and take the sworn testimony of, and administer oaths and affirmations to, any person as may be necessary or appropriate. The authority to obtain information under this subsection or section of this Act does not extend to copies of disclosures to departments or agencies of the United States excepted from disclosure under subsection (b) of this section.

(b) The authority under this section shall be subject to the provisions of the Freedom of Information Act (5 U.S.C. 552).

SUBPENA POWER

SEC. 6. The Director of the Task Force, or his duly authorized agent, shall have authority, for any purpose related to this Act, to sign and issue subpenas for the attendance and testimony of witnesses and the production of relevant books, papers, and other documents, and to administer oaths. Witnesses summoned under the provisions of this section shall be paid the same fees and mileage as are paid to witnesses in the courts of the United States. In case of refusal to obey a subpena served upon any person under the provisions of this section, the Director, or his delegate, may request the Attorney General to seek the aid of the United States district court for any district in which such person is found to compel that person, after notice, to appear and give testimony, or to appear and produce documents before the agency.

REPORTS

SEC. 7. In transmitting the Economic Report required under section 3(a) of the Employment Act of 1946 (15 U.S.C. 1022), the President shall include a section describing the actions taken under this Act during the preceding year and giving his assessment of the progress attained in achieving the purposes of this Act. The President shall also transmit quarterly reports to the Congress not later than thirty days after the close of each calendar quarter describing the actions taken under this Act during the preceding quarter and giving his assessment of the progress attained in achieving the purpose of this Act.

FUNDING

SEC. 8. There is hereby authorized to be appropriated $5,000,000 for fiscal year 1975 to carry out the purposes of this Act.

EXPIRATION

SEC. 9. The authority under this Act expires at midnight, October 1, 1975.

Mr. STEVENSON. Mr. President, I offer the amendment on behalf of Senators JAVITS, PROXMIRE, MUSKIE, JOHNSTON, and MANSFIELD.

Mr. President, I have a modification which I shall send to the desk and ask that the amendment be so modified.

The PRESIDING OFFICER. The clerk will state the modification.

The assistant legislative clerk read as follows:

At the end of the bill, add the following new section:

"SECTION ——.

"The powers conferred on the President by this Act shall be in addition to, and not in derogation of, any other powers conferred upon the President by law. For purposes of administering and enforcing the Emergency Petroleum Allocation Act of 1973, nothing in this Act shall alter the Economic Stabilization Act of 1970 as incorporated by reference in the Emergency Petroleum Allocation Act of 1973."

The PRESIDING OFFICER. Without objection the amendment will be so modified.

The Senator from Illinois is recognized.

Mr. STEVENSON. Mr. President, this is a technical modification. It simply makes it clear that this amendment, if enacted, would not affect the President's authority under other existing laws, including the Emergency Petroleum Allocation Act of 1973.

Mr. President, it is past time that the Government took action against inflation. S. 3919 offers no action. It gives the President no authority he does not already have except the authority to spend another $1 million. That, Mr. President, is not opinion; it is a fact. It was freely acknowledged in the Banking Committee during markup on this bill last week.

The bill does not even mention monitoring of the reasonableness of price increases or wage settlements or the effect of economic concentration and anticompetitive behavior on prices.

It has no teeth; indeed, it has no jaw. It has no stick nor even a carrot. It is a cipher.

The bill gives the President no power to require information on price or wage decisions. It has no subpena power to strengthen the President's information-gathering authority. Even if it did contain such powers, it does not provide adequate funding to do the job.

It offers no power to restrain or defer excessive wage or price increases. It is cosmetic. It is mere window dressing and, to the extent it masquerades as action, it is a sham.

High prices are causing higher prices. Higher prices are causing higher wages, which bring on still higher prices. Last month the wholesale price index rose at an appalling annual rate of 44 percent. Without action, the country heads for economic anarchy. It is everybody for himself. And, of course, in such a scramble it is the weak who suffer the most. The most powerful forces of labor and business fend for themselves. But the public loses out, especially the poor and those on fixed incomes, like the elderly. Everybody loses out except the most powerful and, in the end, they lose, too. In the end, the public will demand drastic action, perhaps a reimposition of controls, a freeze or perhaps other action which could jeopardize our free enterprise system. Already, Mr. President, public opinion polls report that a majority of Americans, by 50 to 39 percent, support a reimposition of wage and price controls.

There is no single action which would end inflation, but some action must be taken to cool the inflationary psychology, and slow down the inflationary pressures now rampant.

This amendment gives the President the authority to act. The impotence of S. 3919 was made clear by the President's abortive attempt to prevent General Motors' announced price increases. The President deplored the increases, and that was all. GM went right ahead. S. 3919 would not change that.

This amendment, on the other hand, would give the President authority to monitor all sectors of the economy effectively. He could by regulation require reports on the justification for inflationary wage and price increases. If necessary, he could obtain that information through the exercise of subpena powers. Monitoring would be effective, if he chose to make it so.

The authority under the amendment could be delegated by the President to an agency of his choosing or to an agency composed as he chooses—with the expectation of Congress that any such agency would fairly represent all the segments and interests in our economy.

That agency would be authorized to spend $5 million. Its director would be subject to final confirmation. Its authority would expire October 1, 1975.

With adequate monitoring, the President would be in a position to anticipate

inflationary decisions and to urge restraint—and failing that, he could defer excessive wage and price increases for up to two 45-day periods, but not for longer than 90 days.

In that period, public attention could be focused on the proposed increases. The President could, if necessary, bring additional pressures to bear. Jawboning would be given a chance to work.

Mr. President, this amendment does not authorize wage and price controls. It proposes monitoring and wage and price deferrals, as suggested by the Chairman and members of the Federal Reserve Board.

It has been argued that the authority to impose wage and price controls invites anticipatory wage and price increases. Whatever the merits of that argument, it is irrelevant here. I do not propose authority to impose wage and price controls, and the amendment offers no incentive to increase wages or prices. On the contrary, the chance that an inflationary price or wage increase would be deferred and spotlighted by the President of the United States would provide an effective disincentive to unjustifiable and inflationary increases.

The President has not called for this action. The Federal Reserve Board has. The President has called for action—but this bill offers none.

It is not altogether clear that the President personally would oppose the action offered by this amendment. If the President does not want to defer wage and price increases, he would not have to do so. The authority is permissive—not mandatory. The President has made it clear that he wants to monitor the economy. This amendment would give him the tools with which to do so. It is supportive of the President—and it offers the Congress a chance to act.

If the Congress fails to act, a Government which first imposed controls when prices were rising at a rate of 4.4 percent will reimpose controls or a freeze when they are rising at 44 percent, or 14 percent. I do not support a control program, except in the petroleum sector. This amendment, far from imposing controls, could make them unnecessary. It could help to cool the inflationary fevers. It should be enacted.

Mr. President, I am pleased to ask unanimous consent that the Senator from Wisconsin (Mr. NELSON) be added as a cosponsor of this amendment.

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

Mr. STEVENSON. Mr. President, I ask unanimous consent, also, that Mr. Stanley Marcuss of the Banking Committee staff, and Mr. Reid Feldman of Senator MUSKIE's staff be permitted privileges of the floor during the debate and any vote on the amendments to this bill.

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

The question is on the amendment, as modified.

Mr. TOWER. Mr. President, the Senator from Illinois said that the President's personal position on his proposed amendment is not clear but I think I can make that position clear. It is in firm opposition to the amendment proposed by the Senator from Illinois.

It is not supportive of the President, it does not reflect what he asked for, and I would reiterate my plea this morning that we come out of here with a clean bill.

Now, there are many reasons why the amendment offered by the Senator from Illinois should be rejected. It goes far beyond the establishment of a wage-price monitoring council.

I really think that is all most of the country wants, a wage-price monitoring council. As a matter of fact, I believe that organized labor has even expressed some apprehension of that, and I think that if we get into the business of controls, we are not going to have a bill. I do not think we could get one by the Senate if we reimposed controls.

So let us note what this amendment does.

It will allow the President to delay up to 90 days the implementation of wage and price increases. That, by definition, is a control, in effect. To impose a freeze for 90 days is a control, and this control would create all of the distortions, dislocations, anomalies, inequities, shortages, that are associated with the system of controls.

The existence of this authority would place the President in the position of being under intense pressure to use this control authority and the President does not want that. The fact that that authority existed and that there would be pressure upon the President to use it would, I think, serve as an anticipatory inflationary factor.

Further, it would allow the President to evaluate the reasonableness of wage and price increases. This places the Council in the position of reviewing individual wage and price increases beyond the scope of monitoring and it would substitute the decisions of the marketplace, decisions of what is reasonable in the minds of the members of the Council.

The amendment would further grant the President authority to obtain information from the public and to require special records and reports deemed necessary and authorize subpena power for the Council to obtain such information.

Now, this would endow the Council with all of the authority which the Cost of Living Council had for obtaining information. The controls administered by the Cost of Living Council have been discredited and nobody wants them back. Business does not want them, labor does not want them, and agriculture does not want them. No major segment of the economy wants reimposition of control authority.

This subpena power would result in the same redtape procedures and expenses as those that were imposed by the Cost of Living Council.

So the proposal of the Senator from Illinois is a step toward controls. I think it would exacerbate the inflationary process, and I hope that it will be rejected. It is not supportive of the President. It is not what he asked for.

The House of Representatives is considering, under suspension of the rules, at this moment, a clean bill which differs only in small and insignificant degree from the bill that we are now considering.

It is my hope that we will be able to send over to the House a clean bill which could be acted upon expeditiously. I am hopeful that, by keeping the bill clean, we can resolve whatever differences may exist if the House does not accept the Senate amendments.

It seems to me they might accept the Senate amendments, so that we will not have to go to conference. Even if we did, the differences are so minor they could be easily worked out.

We could get this bill out to the President's desk before we leave for recess. I believe it is incumbent upon us to do that.

This is the first thing that the President has asked for. Nobody is going to maintain the pretense that this is going to stop inflation, but it is an anti-inflationary tool in the hands of the President, and it is the tool that he wants. I believe that any tampering with the marketplace beyond this is going to put us right back in the same position we were in under the now discredited wage and price control system.

So I hope we can get this bill to the President right away. It may be that after the council is put into operation, it will want to recommend more legislation for Congress to consider, to perhaps further extend the authority of the President and the council through various means to deal with the problem of inflation.

I think it is important that government get its fiscal and monetary house in order before we go seek to impose narrow proscriptions on business, labor, and agriculture in the free marketplace.

So I urge my colleagues to reject the amendment that has been offered by the Senator from Illinois.

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

The PRESIDING OFFICER. The Clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

The Senator from Maine is recognized.

Mr. MUSKIE. Mr. President, S. 3919, which the Senate considers today, has an important goal: the establishment of an economic monitoring agency, to provide an institutional focus for the Federal Government's fight against inflation. But the agency which S. 3919 would establish—named the "Council on Wage and Price Stability"—would simply be inadequate to deal with our grave and complex inflationary problems. Under S. 3919, the Council on Wage and Price Stability would be handicapped with minimal information-gathering powers and resources too scanty to provide the in-depth analysis of inflation we need. The accountability of the Council to Congress and to the public would be nil. And, most important, S. 3919 would not grant the President the authority he needs to take firm action to fight inflation.

Mr. President, if the establishment of an economic monitoring agency is to be anything more than window dressing, that Agency must have adequate authority, and resources, to do its job thoroughly. Together with Senators STEVENSON, JOHNSTON, JAVITS, and PROXMIRE, I propose to substitute, for the language of S. 3919, the provisions of amendment No. 1807, which would create an economic monitoring agency which meets that test.

This proposal, identical to S. 3918, which I introduced last Thursday, August 15, with the cosponsorship of Senators STEVENSON, JOHNSTON, and MANSFIELD, would establish a Cost of Living Task Force with a broad mandate to monitor and analyze inflation and its causes; power to gather information by reports from various sectors of the economy, and by subpena; a budget of $5 million, to allow for sufficient staff resources for the monitoring task; requirements to provide accountability to the public, through quarterly reports to Congress and Senate approval of the monitoring agency's Director; and authority to delay wage and price increases with "significant inflationary impact" for 45 days, and extend the delay for an additional 45 days to avoid "significant injury to the economy as a whole."

Mr. President, establishing an economic monitoring agency, of course, is only one of the actions we must take in order to begin combating inflation. It does not promise a solution to the problem. But a monitoring agency can provide an alert to special short-term inflationary and shortage problems, and continuing study of long-term inflationary trends and their causes; and can help fashion thoughtful long-term anti-inflation policies. At the same time, economic monitoring legislation can provide a mechanism, and the authority, to allow the executive branch to encourage voluntary restraint by business and labor, dampen inflationary psychology throughout the economy, and slow the ratchet of cost-push inflation by delaying those wage and price increases which might be unjustified and irresponsible.

I was gratified when President Ford last week called for Congress to reactivate the Cost of Living Council, which was allowed to expire last April.

Earlier this year, Senators STEVENSON, JOHNSTON, and I advanced a series of legislative proposals to achieve this purpose. I would like to express my tribute to their foresight at that time in undertaking to do so.

On March 5, I cosponsored Senator STEVENSON's bill, S. 3114, to extend, in restricted form, economic monitoring and control authority under the Economic Stabilization Act. Senator JOHNSTON, chairman of the Subcommittee on Production and Stabilization of the Senate Banking Committee, proposed a similar measure, but in late March the Senate Banking Committee voted against any continuation of economic monitoring or wage and price control authority.

I felt strongly enough about the need to continue an economic monitoring agency to propose such a measure in the form of S. 3352, introduced on April 11, 1974, with the cosponsorship of the Democratic leadership and 13 other Senators. Although at that time I favored the retention of standby control authority, I drafted S. 3352 to continue only monitoring authority, to avoid the objections of those who opposed controls of any sort. When I presented this proposal to the Democratic conference, many of my colleagues agreed with me tnat its provisions, as well as additional standby wage and price control authority, were justified. Senators STEVENSON, JOHNSTON, and I jointly drafted a measure which contained all those provisions, and introduced it on April 29 as amendment No. 1229 to S. 3986, the appropriations bill for the Council on International Economic Policy. In debate in the Senate on succeeding days however, the standby control provision of this legislation was disapproved, and the authority for economic monitoring was so diluted on the Senate floor as to be meaningless. The result was that the entire proposal was laid aside.

But in the months since we last took this issue to the Senate floor, double-digit inflation has continued unchecked. The figures show that the Consumer Price Index has increased at an annual rate of 12.6 percent over the last months. The annual rate of increase in the Wholesale Price Index was 44 percent last month, over 55 percent at a compound annual rate—promising more consumer price inflation in the months to come.

Double-digit inflation has proven to be persistent, pervasive, and pernicious. It has not been chased away by the rosy predictions of administration economists. It is clearly a problem that demands special attention by the Federal Government.

But S. 3919, the bill to establish a Council on Wage and Price Stability, would mandate only a shadow of the required anti-inflation effort. As reported to the Senate, this bill, with only minor changes, is identical to the proposal made by President Nixon on August 2 and introduced by Senators SPARKMAN and TOWER on August 20 as S. 3984. It would establish a Council of eight members, with four advisory members, to perform limited monitoring functions. The funding authorized for this agency would be enough for the equivalent of only about 36 full-time positions, including both clerical and professional. The agency would not be required to regularly report to the Congress or the public, and its officials would not be subject to Senate confirmation. And S. 3919 would give the President no authority to take any but hortatory action to restrain wage and price increases.

Mr. President, instead of the inadequate Council on Wage and Price Stability established by S. 3919, our substitute amendment No. 1807 would create a Cost of Living Task Force with the staff resources sufficient to study in depth the special inflationary and shortage problems of each economic sector, and authority to gather data not now publicly available. This agency would be accountable to the Congress and to the public, through quarterly reports on its activities and Senate confirmation of its Director. And our proposal would grant the President authority to delay, for up to 90 days, individual price and wage increases which would otherwise be particularly damaging to the fight against inflation. Each of these elements is essential for economic monitoring to be effective.

First, our amendment provides sufficient funding—of $5 million in fiscal year 1975, instead of the $1 million proposed by S. 3919. With an authorization of only $1 million, the monitoring agency would be restricted to a maximum staff of about 36—allowing for fewer than 20 professionals—including the Director and Deputy Director—to perform the economic monitoring task. The complexity of our inflationary problem, however, requires a much more comprehensive effort than that.

An economic monitoring agency should have the capability, for example, to examine the components and causes of inflation in each sector of the economy. We need to know a lot more, for instance, about price increases for different agricultural products: why the seasonally adjusted annual rate of increase over the last 3 months for cereals and bakery products was 19.5 percent, and for fruit and vegetables 33.8 percent, but for dairy products only 7.5 percent. Or why consumer prices of household durables are increasing at about twice the rate of other durable products. We also need to know how the figures for each of these commodities are expected to change, and how Government action can be channeled to alleviate future increases in each sector.

To do this job, a monitoring agency needs staff adequate to develop and analyze special forecasting-type data, which is not now available from any other Federal agency. For instance, to understand construction cost increases, we should know about the pattern of wage increases, by locality, throughout the construction industry. To evaluate adequately the impact of a price increase in a particular commodity, for example, we should know which industries, and which manufacturing processes, depend upon that commodity, and whether substitutes are available.

Adequate staff resources are also needed to evaluate the effect of numerous Federal decisions on prices and the availability of domestic products. A comprehensive picture of our import and export policy, for example, requires monitoring decisions made by the Agriculture Department, the Treasury Department, the Commerce Department, the Federal Energy Office and our trade negotiators. To understand how Federal regulatory decisions affect price increases requires monitoring the actions of dozens of agencies, including the Department of Transportation, the FTC, the ICC, the Environmental Protection Agency, and others. And to forecast production of our domestic resources requires monitoring the decisions of still other agencies, including HUD, the Agriculture Department, the Interior Department, and the Federal Energy Office.

A dozen or two professional staff members could barely make a start at evaluating inflation in our complex economy. By providing an authorization of $5 million, our proposal would allow

funding and support of a staff equivalent to 180 members, professional and clerical. With about $25 billion of the annual increase in our gross national product attributable to inflation, an expenditure of $5 million is surely justified to help us understand and deal with this problem.

Second, Mr. President, our proposal includes the data-gathering authority which is essential for an economic monitoring agency to be effective. Section 5 of our proposal allows the President to obtain information, reports, and record-keeping by the private sector. This authority would allow the economic monitoring agency to obtain the prenotification of price increases, to provide advance warning of unjustified inflationary actions. In addition, section 6 of our proposal allows for subpena of witnesses and records, to provide for adequate evaluation of particular price or wage actions. Only with these information-gathering powers, which S. 3919 does not contain, could an economic monitoring agency have access to the data it needs to analyze and deal with inflationary problems.

Third, Mr. President, our proposal includes two specific provisions to insure accountability of the economic monitoring agency to Congress and to the public. Section 7 of our amendment would require quarterly reports to Congress, and a special section of the President's annual economic report, to recount the actions taken by the monitoring agency and assess progress in meeting inflation. In addition, our proposal requires that the Director of the economic monitoring agency be confirmed by the Senate. S. 3919 contains only the ambiguous provision that the monitoring agency report "from time to time" and contains no provisions for Senate confirmation.

Finally, Mr. President, our proposal grants to the President authority to take firm, positive action to deal with inflation by delaying the implementation of specific price or wage increases. Under the language of section 3(i) of our proposal, a price or wage increase could be delayed for up to 45 days if the President finds it is "likely to have a serious inflationary impact." This delay could be extended for up to an additional 45 days if the President found that "significant injury to the economy as a whole would otherwise result."

This flexible delay authority would not signal a return to wage and price controls. But it would give the President authority to deal sternly with the few wage or price increases he might find to be unjustified, and harmful to the economy. Delaying a selected few wage and price increases could slow down the ratchet effect of cost-push inflation in those few special cases where the increase would have "serious inflationary impact," or "significant injury to the economy as a whole." The delay authority, Mr. President, would also allow the issues surrounding a particular price or wage increase to be aired during the delay period, through public hearings which the monitoring agency is authorized to conduct. In addition, the delay authority would give the President the residual authority he needs to back up his efforts to persuade business and labor to follow, voluntarily, a course of economic responsibility.

The limited delay authority in our proposal would be merely a "stick in the closet"—not the blunt "club" of wage-price controls, which the Nixon administration misused so badly over the past 3 years, but simply the capacity to take minimal action to slow down unjustified increases and dampen the psychology of inflation.

There is no evidence or logic to support the argument that granting this limited delay authority would lead to anticipatory wage and price increases. The prospect of future inflation, on the contrary, is already prodding business and labor to ask for the largest possible increases they can obtain. Granting discretionary delay authority to the President could only encourage responsibility by business and labor, and help insure the success of any purely voluntary inflation control action he might take.

Economists, at both ends of the ideological spectrum support this concept. Arthur Burns, Chairman of the Federal Reserve Board, in fact, originated this concept, and repeated his endorsement of it in testimony on August 6, 1974, before the Joint Economic Committee, where he called for an economic monitoring agency and ad hoc review boards with power to do the following:

> Delay wage and price increases in key industries, hold hearings, make recommendations, monitor results, issue reports, and thus bring the force of public opinion to bear on wage and price changes that appear to involve an abuse of economic power.

Delay authority such as this has also been endorsed by Walter Heller, former Chairman of the Council of Economic Advisers, who has gone even further, calling for wage and price rollback authority. I ask unanimous consent, Mr. President, that statements of Mr. Burns and Mr. Heller be printed in the RECORD at the conclusion of my remarks.

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

(See exhibit 1.)

Mr. MUSKIE. The delay authority contained in our proposal, held in reserve, would supplement the other important positive actions in controlling inflation which the President and the economic monitoring agency could take, such as working with government, management, and labor in particular sectors; calling attention, publicly and privately, to the need for voluntary restraint in selected instances; reviewing economic concentration as it affects inflation; and conducting hearings on inflationary problems. Adding the delay authority to those other functions would give the Government a full range of options to respond to current and future inflationary problems.

Mr. President, it is evident that Congress will act quickly on the proposal to establish an economic monitoring agency, as the President has requested. And it is appropriate that we should grant reasonable requests of this new administration to deal with this most pressing of domestic problems. But, Mr. President, my colleagues and I simply could not let this opportunity pass without making this effort to clothe that authority with real substance and meaning. If we are going to give this problem of licking inflation a new, fresh effort, it seems to me that we ought to do everything we can to make sure that we are properly armed.

So we must be certain, in our prompt response to the President's request, that the legislation we pass is strong enough to deal with the problems it addresses. Unfortunately, S. 3919 would provide only an ineffective shell of a monitoring agency, without adequate resources or authority. Frankly, that legislation offers little real hope for firm Federal action to meet inflation.

If that legislation is enacted without being strengthened, I would be surprised if the President did not shortly regret that he did not have more adequate authority.

Only a strong monitoring agency, armed with Presidential authority to delay price and wage increases, will have the capacity to take on the comprehensive monitoring task, to give continuing attention to long-term inflation problems, and to give us confidence that the Executive will have the authority necessary to take the firm anti-inflationary action we need. The provisions of our substitute amendment meet those criteria.

On the record of our experience of last spring, I am not too optimistic of our ability to persuade the Senate to accept our proposal. I regret that. But our sense of responsibility is too strong for us to abandon our effort to arm the Government adequately for the fight against inflation.

I close with one more thought. Today government at all levels is plagued with lack of credibility. I suspect that all 100 of us have said that, time and time again. But this afternoon we have an unusual opportunity to build on the excellent start made by the new President, and engage the confidence of the country, by passing an anti-inflationary measure which the country will perceive as meaningful and deserving of support. This opportunity should not pass us by. So I urge the Senate to support our proposal.

EXHIBIT 1.

STATEMENT BY ARTHUR F. BURNS, CHAIRMAN, BOARD OF GOVERNORS OF THE FEDERAL RESERVE SYSTEM BEFORE THE JOINT ECONOMIC COMMITTEE, AUGUST 6, 1974

I am pleased to appear before this Committee once again to present the views of the Board of Governors on the condition of the national economy.

Our country is now struggling with a very serious problem of inflation. In the past twelve months, the consumer price level has risen by 11 per cent; wholesale prices have risen even faster. When prices rise with such speed, inflation comes to dominate nearly every aspect of economic life.

The current inflation is of world-wide scope and of virulent intensity. Among the principal industrial countries, consumer prices over the past year have risen anywhere from 7 to over 20 per cent, while wholesale prices have advanced from 15 to over 40 per cent. Inflation is also raging among the less developed countries, and apparently in socialist countries as well as in those practicing free enterprise.

A major cause of the stepped-up rate of inflation around the world was the coincidence of booming economic activity among

major industrial nations during 1972 and 1973. With production rising rapidly, prices of labor, materials, and finished products were bid up everywhere. The pressures of demand were particularly acute for industrial materials; severe shortages developed and prices of these commodities skyrocketed.

The impact of world-wide inflation on our own price level was magnified by the decline since 1971 in the value of the dollar in foreign exchange markets. Higher prices of foreign currencies raised the dollar prices of imported goods, and these price increases were transmitted to domestic substitutes as well as to finished products based on imported materials. Moreover, as the dollar became cheaper for foreign buyers, our export trade increased rapidly and thus reinforced the pressure of demand on domestic resources.

Other special factors have also contributed to the higher rate of inflation since the beginning of last year. Disappointing harvests in 1972—both here and abroad—forced a sharp runup in food prices during 1973. And the manipulation of petroleum shipments and prices by oil-exporting countries has caused a spectacular advance since last fall in the prices of gasoline, heating oil, and other petroleum products.

More recently, the removal of direct controls over wages and prices has been followed by sharp upward adjustments in both labor and commodity markets.

The inflation that we have been experiencing has already caused injury to millions of people and its continuance threatens further and more serious damage to the national economy.

As a result of the inflation, consumer purchasing power is being eroded. During the past year, the take-home pay of the typical worker declined nearly 5 per cent in real terms.

As a result of the inflation, the real value of the savings deposits, pensions, and life insurance policies of the American public has diminished.

As a result of the inflation, financial markets are experiencing strains and stresses. Interest rates have moved skyward. Some financial and industrial firms have found it more difficult to roll over their commercial paper or to raise needed funds through other channels. Savings flows to thrift institutions have diminished, and stock prices have plummeted.

As a result of the inflation, profits reported by corporations have risen sharply; but much of the reported profit is illusory because it fails to take into account the need to replace inventories, plant, and equipment at appreciably higher prices.

In short, as a result of the inflation, much of the planning that American business firms and households customarily do has been upset and become confused. The state of confidence has deteriorated and the driving force of economic expansion has been blunted.

It should not be surprising, therefore, that the physical performance of the economy has remained sluggish in recent months, despite the lifting of the oil embargo that depressed the economy last winter. Auto sales have recovered somewhat since March, but total retail sales—allowing for price advances—have continued to move sidewise. Residential building activity is in a slump. Although the volume of new housing starts rose a little in June, the average for the second quarter fell and the number of new building permits also declined. Actually, most major sectors of the economy recorded little or no change of activity in the second quarter, and early estimates suggest a slight further reduction of the real gross national product in that three-month period.

Recent economic movements do not have, however, the characteristics of a cumulative decline in business activity. In a typical business recession, all—or nearly all—comprehensive indicators of economic activity move downward simultaneously. That is not the case presently. For example, the demand for labor has remained strong. Employment has continued to rise, and the unemployment rate appears to be at about the same level now as it was in January.

In the industrial sector, production has recovered somewhat over recent months; factory shipments have continued their upward course; and new orders received by manufacturers of capital goods have risen further. Unfilled orders on the books of business firms, especially in the capital goods industrials, are enormous and are still advancing, as shortages of critical materials and parts continue to hold back production schedules.

In addition to the business capital sector, our export markets are a source of continuing strength to the economy. Also, some businesses are adding significantly to their inventories, in order to replenish depleted stocks and bring them into better balance with sales. These sources of strength have kept up activity in the industrial sector and have prevented the downward tendencies in our economy from cumulating in the manner characteristic of economic recessions.

We should, however, act decisively to bring inflation under control before these remaining sources of strength are undermind. If interest rates continue to soar, if construction costs and equipment prices continue to rise at a feverish pace, if our export prices continue to mount, we may eventually find that incentives for business investment are being eaten away and that our export markets are shrinking.

Let me turn now to the condition of international financial markets and recent trends in our international trade and payments accounts.

Our foreign trade balance has moved into deficit this year, principally because of the huge increase in the bill for imported oil. The dollar value of our fuel imports rose from an annual rate of $8 billion in the second quarter of 1973 a $28 billion rate in the second quarter of this year. The deterioration in the overall trade account was much less than this, however, since our exports the past year have risen much more than imports outside the petroleum category.

Partly for these reasons, partly also because our money and capital markets have been attracting funds from oil-exporting nations, the high price of imported oil has not created a serious balance of payments problem for the United States. Uncertainties surrounding the effects of recent oil prices have given rise to large and rather unsettling swings in the value of the dollar relative to other currencies since last October, but on balance the dollar is stronger now that it was at that time. The value of the dollar in exchange markets began to recover last October, fell once again between this February and May, and since then has gathered some strength. At present, the average price of the dollar in exchange markets, although below the high point reached in January, is still about 6 per cent higher than it was in October of last year, before the oil crisis. Intervention in exchange markets by the Federal Reserve and other central banks, while not extensive, has helped to prevent exchange rate fluctuations from becoming unduly large and upsetting to the calculations of firms operating in international markets.

Other oil-importing countries have fared less well during this difficult period of high and rising oil prices. For many of the less developed nations around the world, the rising costs of fuel and fertilizer have shattered plans for economic development. Industrialized nations also—notably Italy and to a lesser extent other countries such as Japan—have experienced severe strains in their international payments accounts. And all oil-importing countries have suffered a significant loss of consumer purchasing power due to the massive increase in fuel costs.

Unless the price of oil declines materially the oil-importing nations as a group cannot avoid sizable deficits in their current international accounts. This situation is fraught with danger for the stability of international financial markets. It is by no means clear that private financial institutions will be able to recycle the huge surpluses of the oil-exporting nations to the many nations of the world that are experiencing current account deficits. A substantial decline in the price of oil is, in my judgment, essential and requires the closest attention of the world's statesmen.

Strains in the international financial system will, of course, be reduced if the oil-exporting nations use their surpluses to provide assistance to countries with current account deficits—if not directly, then indirectly through international financial institutions. Tension in international financial markets will also be lessened if countries throughout the industrialized world, besides practicing conservation in the use of oil, assign high priority to gaining control over their internal inflationary problem. Most of them are now relying on monetary or fiscal restraints for that purpose and the worldwide boom in economic activity is therefore abating. If we and other nations around the world persist in this struggle, the raging fires of inflation will eventually burn themselves out.

In our own country, the battle against inflation has relied heavily on monetary restraint. The Federal Reserve recognizes that a restrictive monetary policy is bound to cause some inconvenience and even hardships. While we have tried to apply the monetary brakes firmly enough to get results, we have also been mindful of the need to avoid a credit crunch.

Thus, the supply of money and credit has continued to grow. During the past twelve months, the narrowly-defined money stock—that is, currency plus demand deposits—has increased 5½ per cent, while the loans and investments by commercial banks have risen by 12 per cent.

Since the beginning of this year, the annual rate of growth of these two magnitudes has been a little higher—6¼ per cent for the narrow money stock and 13½ per cent for total bank loans and investments. For one category of credit—namely, business loans of commercial banks—the annual rate of growth has been much higher, in fact over 20 per cent during the first half of this year.

Clearly, the American economy is not being starved for funds. On the contrary, growth of money and credit is still proceeding at a faster rate than is consistent with general price stability over the longer term.

Yet, the demand for money and credit has been rising at a very much faster pace than supply. This huge and growing demand for borrowed funds reflects the continuing strength of business capital investment; it reflects the efforts of many firms to rebuild inventories that were depleted by earlier shortages and slow deliveries; it reflects the inflated prices at which inventories must now be replenished; and it reflects, to some degree, anticipatory borrowing by those who fear that credit may later be unavailable or be still more costly.

In any event, with the demand for credit expanding much more rapidly than supply, credit markets have tightened, and interest rates have risen to levels such as we have not previously known in over a century of our nation's recorded experience.

For example, the rate of interest that commercial banks charge on short-term loans to their largest and best known business customers has risen to 12 per cent. In recent weeks, many of these same business firms have been paying from 11½ to 12¼ per cent

in the commercial paper market. Long-term interest rates have also risen substantially. The highest-grade corporate bonds are selling at yields around 10 per cent; rates on tax-exempt securities have been averaging about 6 per cent. Home buyers now face mortgage interest rates of 9 per cent or more.

These interest rate levels are disquieting. They cause difficulties for many individuals and pose a threat to the viability of some of our industries and financial institutions. But we cannot realistically expect a lasting decline in the level of interest rates until inflation is brought under control. When the rate of inflation is 11 or 12 per cent, an interest rate of even 10 per cent means that the rate of return to the lender, in real terms, is negative.

Evidence is accumulating that the restrictive policy pursued by the Federal Reserve is helping to moderate aggregate demand by reducing the availability of credit to potential borrowers and disciplining inflationary psychology. In the first half of last year, the credit extended to private domestic borrowers increased at an annual rate of $165 billion and amounted to about 14½ per cent of the private component of the gross national product. Estimates for the first half of this year suggest that the rate of aggregate private credit expansion has fallen to about $145 billion, or 11½ per cent of private GNP.

Of late, many businesses attempting to borrow at commercial banks have found it more difficult to obtain loans. The public securities markets have also been less receptive. Since the beginning of this June, cancellations or postponements of corporate bond and stock offerings have amounted to almost $2 billion. State and local governments have also been affected: cancellations or postponements of municipal security offerings since early June have amounted to about $800 million.

Some sectors of our economy now face unusually difficult problems. The housing industry—which had already been suffering from the erosion of workers' purchasing power, from rising construction and land costs, from fears of a gasoline shortage, and from overbuilding in some areas—is now experiencing added hardships because of soaring interest rates and reduced availability of mortgage credit at savings institutions and commercial banks. Public utilities have also been caught in a squeeze; the rates charged to their customers have lagged behind the prices of fuel and other materials, while rising interest rates have been adding to the costs of debt service.

During the recent boom, some carelessness crept into our financial system, as usually happens in a time of inflation. Some commercial banks permitted their liabilities to grow much faster than their capital. They also allowed dependence on volatile funds—such as overnight loans from other banks, certificates of deposit, and Eurodollars—to reduce their liquidity. The great majority of our banks have been managed prudently; but in some instances unhealthy practices have turned up—such as speculating in foreign exchange or acquiring large amounts of long-dated securities.

Striving for quick profits is a characteristic feature of an inflationary boom. In fact, our entire business system has come to rely on credit too heavily, as so often happens in a time of exuberance. But financial adventuring on the part of banking firms—whether in the United States or abroad—is especially deplorable, since mistakes on the part of individual banks can have pervasive effects on the state of confidence.

Taken as a whole, however, the commercial banking system in the United States is entirely sound, and it can be counted on to continue to function efficiently. My judgment is based on the actual condition of our banks, and it reflects also the state of readiness of the Federal Reserve to deal with such temporary financial problems as may arise.

The Federal Reserve stands ready, as the nation's lender of last resort, to come promptly to the assistance of any solvent bank experiencing a serious liquidity problem. Besides, the Federal Reserve has long had on hand well-laid contingency plans for assisting, if the necessity should arise, other types of enterprises experiencing liquidity problems.

The need to activate these plans appears remote. But the resources of the Federal Reserve are enormous, and there should be no uncertainty about our readiness to deal with financial emergencies.

Tensions in financial markets have lessened in recent weeks, but they may continue to trouble us until more evidence appears that the rate of inflation shows promise of diminishing. There are a few hopeful signs that price increases may abate during the second half of this year, but they are inconclusive.

The role of the special factors that served to accelerate price increases during the past year or two is now waning. Food and fuel prices have recently contributed less to the rise in the consumer price level than they did in 1973 or early 1974. The boom in our own economy and that of other nations has tapered off, and the pressure of demand on available industrial capacity should therefore continue to diminish.

The underlying problem of inflation, however, remains very grave. The Federal budget continues to be in deficit. Farm prices, which had a downward trend during the past ten months, have again staged a spirited recovery in the past few weeks. Shortages of materials and component parts—for example, steel, aluminum, coal, bearings, electric motors, forgings—continue to be troublesome.

Most serious of all, the rise of wage rates has accelerated sharply this year, while industrial productivity has been stagnating. Hourly earnings in the private nonfarm economy rose at an average annual rate of 10 per cent during the second quarter, and labor costs per unit of output rose faster still.

Progress can still be made this year in slowing the rate of advance in our price level, and it is urgent that we do so. We must face squarely the magnitude of the task that lies ahead. A return to general price stability will require a national commitment to fight inflation this year and in the years to come.

For a time, we should be prepared to tolerate a slower rate of economic growth and a higher rate of unemployment than any of us would like. A period of slow growth is needed to permit an unwinding of the inflationary processes that have been built into our economy through years of neglect. I believe the American people understand this, and are prepared to make the sacrifices necessary to stop inflation.

There are, of course, risks that a period of slow economic expansion will lead to a gradual weakening of demand for goods and services, to a deterioration in the economic outlook, and to cumulative recessionary tendencies. Public policy cannot ignore this possibility. But the principal danger our country faces today is from the corrosive effects of inflation. If long continued, inflation at anything like present rate would threaten the foundations of our society.

The proper course for public policy, therefore, is to fight inflation with all the energy we can muster.

Monetary policy must play a key role in this endeavor, and we in the Federal Reserve recognize that fact. Our actions this year have signaled a firm resolve to stick to a course of monetary restraint until the forces of inflation are under good control. We are determined to reduce over time the rate of monetary and credit expansion to a pace consistent with a stable price level.

However, monetary policy should not be relied upon exclusively in the fight against inflation. Fiscal restraint is also urgently needed. Strenuous efforts should be made to pare Federal budget expenditures in fiscal 1975. The Congress should resist any temptation to stimulate economic activity by a general tax cut or a new public works program.

Greater assistance from fiscal policy in the fight against inflation could, I believe, have dramatic effects on our financial markets. Even if no change were made in the course of monetary policy, interest rates would tend to fall and the stock and bond markets revive. Such developments would be of enormous benefit to the working of financial markets and to industries such as homebuilding that depend heavily on credit.

There may well be justification for governmental assistance to housing or other activities that are especially hard hit by a policy of monetary restraint. An expanded public-service employment program may also be needed if unemployment rises further. But government should not try to compensate fully for all the inconvenience or actual hardship that may ensue from its struggle against inflation. Public policy must not negate with one hand what it is doing with the other.

There are other actions that would be of help in speeding the return to general price stability. Fresh efforts should be made to bring our nation's business and labor leaders together to discuss their common interest in checking the wage-price spiral. A degree of governmental intervention in wage and price developments in pace-setting industries might also be helpful.

In the construction industry, the pace of wage increases is once again accelerating, and the progress made earlier through the Construction Industry Stabilization Committee could easily be lost. Reestablishment of that Committee would be in the public interest. The Board of Governors would also urge the Congress to reestablish the Cost of Living Council and to empower it, as the need arises, to appoint *ad hoc* review boards that could delay wage and price increases in key industries, hold hearings, make recommendations, monitor results, issue reports, and thus bring the force of public opinion to bear on wage and price changes that appear to involve an abuse of economic power.

Encouragement to capital investment by revising the structure of tax revenues may also be helpful, as would other efforts to enlarge our supply potential. For example, minimum wage laws could be modified to increase job opportunities for teenagers, and reforms are still needed to eliminate restrictive practices in the private sector—such as featherbedding and outdated building codes. We also need to enforce the anti-trust laws more firmly and stiffen penalties for their violation.

A concerted national effort to end inflation requires explicit recognition of general price stability as a primary objective of public policy. This might best be done promptly through a concurrent resolution by the Congress, to be followed later by an appropriate amendment to the Employment Act of 1946. Such actions would heighten the resolve of the Congress and the Executive to deal thoroughly with the inflationary implications of all new governmental programs and policies, including those that add to private costs as well as those that raise Federal expenditures.

This illustrious Committee has on past occasions provided timely and courageous leadership to the Congress and to the nation. The opportunity has arisen once again for the Joint Economic Committee to help our country find its way out of the great peril posed by raging inflation. Our people are weary, and they are anxiously awaiting posi-

tive and persuasive steps by their government to arrest inflation and to restore general price stability. The Federal Reserve pledges to you its full cooperation in your search for ways to restore a stable and lasting prosperity.

OPENING STATEMENT OF WALTER W. HELLER, REGENTS' PROFESSOR OF ECONOMICS, UNIVERSITY OF MINNESOTA, BEFORE THE JOINT ECONOMIC COMMITTEE

In addition to the customary review of economic developments and policy, Senator Proxmire has asked for suggestions on aspects of the inflation problem that the Joint Economic Committee should examine in response to the Senate resolution instructing it to undertake an emergency study of the state of the economy with special reference to inflation. I will open with a list of such suggestions and continue with a statement of my own conclusions and convictions concerning the handling of the inflation problem in the light of the steadily worsening outlook for economic recovery.

At the outset, let me say that, with or without a Senate (and House) resolution, it is high time for the kind of sober and balanced analysis that the Joint Economic Committee can bring to the inflation problem. We are clearly in the grip of an inflation psychosis—in a recent survey, 87% of the public list inflation as their number one concern. In the fact of dangerous double-digit inflation and our almost traumatic state of mind about it, we run substantial risks of over-reacting, of practicing one-dimensional economics that counts—or over-counts—the benefits of tight money and budget austerity without adequately weighing the costs. A judicious inquiry by your Committee can help us attain a balanced perspective on the problem. It can help us avoid that worst of all worlds: Selling our soul—full employment and fair sharing of benefits and burdens—to that devil, inflation, and not getting deliverance in the bargain.

In the process of its investigation, the Committee will face an agenda of unrelentingly hard questions. Let me list some of the major ones, together with occasional suggestions as to where the answers may lie.

An obvious starting point of the inquiry would be to sort out the causes of our current inflation, attempting particularly to distinguish between the endemic and epidemic aspects of the problem. Identifying the causes of the 1973–74 inflation will help us fashion the appropriate cures—or at least avoid the inappropriate ones. This is not to say that understanding how the inflation genie got out of the bottle will readily tell us how to put him back in. But if inflation today is really in large part the lingering legacy of excess domestic demand, a policy of super-tight money and budget restraint is more appropriate than if, as I suspect, much of it has a one-shot character associated with food, fuel, and raw commodity price explosions. And going on from there, the Committee will want to determine how much of the one-shot inflation is being built into the fabric of the cost and price structure through the gathering momentum of the new price-wage spiral.

As already implied, a closely related question is whether inflation will succumb to the pressure of tight money and austere fiscal policy. Here, the spectre of 1969–70 haunts us. Tightening first the fiscal and then the monetary screws, thereby generating a recession and 6% unemployment, did not prevent inflation from steadily worsening until prices and wages were frozen. Why the game plan that failed so miserably in 1969–71 should suddenly be resurrected and offered as our economic salvation in 1974–75 is anything but clear to me. Careful econometric analyses by James Tobin (in the most recent Brookings *Papers on Economic Activity*) and by Otto Eckstein (in publications of Data Resources, Inc.) agree that if we simply go the route of severe monetary-fiscal restraint, we would have to endure a sustained and heavy unemployment to subdue inflation. Eckstein estimates that it would take at least two years of 8% unemployment to cut inflation back to a 4% rate. He rightly dubs this "overkill" and concludes that "the financial system would collapse before we cracked inflation."

Since a large part of the damage done by inflation is distributional—inequities between those on fixed and those on responsive incomes, between the poor who spend a high percentage of their income on food, fuel, and housing, and the well-to-do for whom such outlays are proportionately much smaller, and so on—an important part of the Committee's inquiry should focus on who gains and who loses from inflation (for which the study by G. L. Bach in the July/August 1974 *Challenge* is a good point of departure). But two caveats are in order:

The 1973–74 inflation *is* different. Where inflationary pressures are generated by vigorous monetary-fiscal expansion that tightens labor markets, the poor tend to gain in increased jobs and income as much as, or even more than, they lose through high prices. But this time around, runaway food and fuel prices eroded their real incomes without any compensating benefits in jobs and earnings.

The inquiry must extend beyond the costs inflicted by inflation itself to the costs implicit in a policy of fiscal-monetary austerity to combat it. The evidence may well show that certain groups—especially in the lower income and wage-earnings categories—are hit by a double whammy in this process.

Accompanying the analysis of distributional questions should be a parallel appraisal of the damages and costs of inflation balanced against the damages and costs of the Administration's more and more openly avowed policy of induced economic slack and torpor to check inflation. The costs of this policy in terms of output, jobs, productivity, profits, and financial stability are potentially huge—not to mention the adverse impact on foreign economies. No one in the Administration seems to doubt that this costly game is worth the candle. But many critics, myself included, feel that in their efforts to throttle inflation, they will strangle recovery, endanger financial stability, and retard the capital spending and productivity advances that promise longer-run relief from intense price pressures and shortages. Who is right? The country will be looking to the Joint Economic Committee's answer with intense interest.

In seeking that answer, the Committee will also have to judge whether the Administration is right in dismissing the current slump as an "energy spasm" or shortage phenomenon rather than a reflection of inadequate demand. In my view, the combination of contractionary monetary and fiscal policy and the demand-deflating effect of skyrocketing oil prices supports the latter explanation—and this will be increasingly so as Federal Reserve Policy squeezes demand even harder. In light of the much greater inventory accumulation that has shown up in the revised statistics and the growing evidence that shortages are progressively disappearing, the deficiency of overall demand and the existence of excess capacity will become more and more evident.

This leads directly to a series of policy questions on which the Committee inquiry can shed important light:

Since policy for the "new inflation" cannot limit itself to demand management, the Committee's study can make an important contribution by appraising the possibilities of supply management, ranging from better information devices to means of anticipating and averting supply shortages and production bottlenecks.

An objective evaluation of the possibilities of selective credit policies is also very much in order. Given the inequity of present credit restraints and their failure to distinguish between productive and speculative investment, one needs to take a hard look at policies that go beyond reliance on high prices to ration credit. Given the fungibility of money and the limited reach of its policy authority, what steps can the Federal Reserve Board take to help on this score?

On the wage-price front, any light the Committee could shed on two basic questions would be most helpful. The first is that hardy perennial: Where *is* competition a good policeman, and where is a government presence needed to counteract the excess market power of key unions and big business and make them behave in a more competitive way? Second, what *are* the possibilities of economic detente between business and labor? In the absence of any White House attempts (and ability) to bring about some kind of an economic disarmament agreement, Congress should develop an agenda that might lead to a mutual de-escalation of labor and management demands.

Various proposals for tax relief such as boosting income tax exemptions, converting such exemptions into tax credits, and exempting the working poor from payroll taxes would clearly serve the ends of equity, but are opposed by many on grounds that they would worsen inflation. An objective study matching the spending patterns of the beneficiaries of such tax relief with the patterns of supply—shortage versus excess capacity—in the areas where the money will be spent would help substitute reason for emotion on this issue.

Let me turn now to some observations on anti-inflation policies and their costs in the light of current economic prospects.

There is no quick fix for inflation in 1974. We can look for some ebbing as the run-up in fuel, raw materials, and food prices tapers off and as the post-controls surge subsides. But get-ahead price increases and catch-up wage increases are translating a lot of the one-shot food-fuel-commodity inflation into a new price-wage spiral. Although present 12% rates of inflation may have a soft core, I now fear that we will find the hard core of cost-push inflation in the 7%–8% range next winter.

The "old-time religion" of sky-high money costs and tight budgets will be relatively ineffectual in taming inflation, short of draconian budget slashes, tax boosts and dangerously tight money. Such measures would condemn us to deep and prolonged unemployment, huge losses of production, profits, and income, and financial crisis—costs that a democratic society will not and should not tolerate.

Such costs will become more and more painfully evident this summer and fall. As already suggested, the economic slump will be clearly revealed for what it is: not an "energy spasm," not a pause that refreshes, not a reflection of supply shortages, but a corrosive stagnation born of a short-fall in demand. Every day, new cracks are appearing in the facade of strength behind which the ordained optimists have been hiding. Underneath the veneer of high prices, high profits, and bulging order books, I detect growing signs of softness:

Even though orders may not be cancelled, some manufacturers are being asked to hold up shipments for which their customers were begging only a few months ago.

At the same time, more and more producers are finding they have attained satisfactory inventory levels.

As a result of this combination of factors, forward material commitments are being cut.

An Administration that has convinced itself that our present slowdown is simply evidence of a "shortages economy" and that speaks glibly of a "phantom recession" is

missing the point. The debate over the semantics and politics of recession merely diverts attention from the real problem, namely: How far below our output and employment potential are we going to drive the economy in the course of our war on inflation? Undeviating adherence to present policies would push unemployment closer to 7 . next winter than the 6% that is presently being forecast.

Sustained stringency in fiscal and monetary policy in addition to its direct costs in jobs and output will undermine some of our natural defenses against inflation. First, it will deny us the short-run productivity offsets to rising costs that we normally reap from a rising volume of sales and output. The combination of accelerating wage boosts and lagging productivity will build up more cost-push resistance to the downward pressures of lagging demand. The longer we stunt productivity by choking off recovery, the more likely it is that slower productivity growth and hence higher unit costs will be built into conventional price mark-ups.

Second, unswerving devotion to "the old-time religion" will worsen the environment for the business capital spending and technological advance that boost productivity and capacity in the longer run. Investment, innovation, and risk-taking thrive in an atmosphere of expansion and wither in stagnation. Current policy—especially in the form of hard-as-nails credit restraint—undermines the health of equity markets, pushes money costs skyward, and threatens bank profitability and financial stability. In the face of this policy of calculated stagnation, no program of tax gimmicks or special incentives will induce the increases in capital spending needed to boost productivity, expand supplies, and ease price pressures.

What we need now is not a hell-for-leather program to put the country through the wringer in the misguided hope that we will squeeze the inflationary water rather than the economic lifeblood out of it. Instead of a one-dimensional policy that lets inflation fill our whole field of vision, we need to take our blinders off and adopt a balanced and comprehensive approach to the inflation problem. What are the main elements of such an approach?

First, counting not just the benefits but the costs of sustained monetary-fiscal austerity, we need to back off from the policy of excessive restraint to one of moderate restraint.

Second, recognizing the limitations of the traditional monetary and fiscal instruments of demand management, especially in the face of an inflation characterized by supply shortages and growing cost pressures, policy needs to respond accordingly.

Given the self-propelling nature of the renewed price-wage spiral, policy should seek to restore an atmosphere in which an economic detente between business and labor—on behalf of the consumer—might be possible. This won't be easy after the botch the Administration made of its late lamented controls. But without some kind of a wage-price monitor and a new set of wage-price guides—backed by powers of inquiry, publicity, suspension, and (in outrageous cases) even rollback—the outlook for inserting a circuit-breaker in the new round of cost-push inflation will remain bleak.

In the light of our traumatic experience with shortages and bottlenecks in the past couple of years, we need to explore the potential of supply management ranging all the way from better information devices like shortage alerts and prompt export reports or licensing to the use of special financial aids (not in the form of new tax shelters) and the milder forms of credit rationing.

Rationing of credit by price alone is channeling too much of our limited financial resources into speculation in inventories, land, precious metals, and foreign exchange to the detriment of investment in productive capital. And, as always, super-tight credit is squeezing small business, housing, and state and local borrowers. Both to curb inequities in the present allocation of credit and to curb speculative in favor of productive uses of credit, Federal Reserve policy should couple a gradual retreat from excessive tightness with the use of more selective methods of making credit available. And a gradual phase-out of the Regulation Q ceilings that short-change the smaller saver and distort the flow of financial resources is surely in order.

A White House and Congress that are dead serious about fighting inflation ought at long last to take the political risk—in terms of stepping on the toes of articulate and well-heeled pressure groups—to put an end to the laws, regulations, and practices that make government an accomplice in many cost- and price-propping actions. Running from anti-competitive regulation of transportation rates and inadequate anti-trust enforcement to resale price maintenance and the Davis-Bacon Act and embracing import quotas, tariffs, maritime subsidies, and the Buy-America Act, to name but a few—these restrictions in the aggregate deny the American consumer substantial benefits in price and wage moderation.

Third, we need to keep at the forefront of our thinking that the major damage inflicted by inflation—and particularly an inflation arising in large part out of a food and fuel price explosion—is its distributional inequity. Coupled with this is a sense of grievance and alienation, an undermining of morale and social cohesion that may be inflation's greatest cost.

One of the ironies of today's inflation is that both the nature of the price explosion and the nature of the weapons we are using to fight it tend to discriminate against the lower income groups. Their vulnerability to unemployment and income loss in a slack economy is well known. And apart from the usual built-in biases of monetary policy, budget policy has been squeezing social programs while enlarging defense outlays. And tax policy—except for the minor relief to low income groups tentatively approved by the Ways and Means Committee—shows far too little concern for those who are being short-changed by inflation. A truly balanced attack on inflation would couple the restraints of fiscal and monetary policy with measures to redress the grievances of inflation:

More generous unemployment insurance and a greatly expanded public service jobs program are a vital necessity under a policy which is "taking the cure" of unemployment and economic slack for the disease of inflation.

The vicious inroads of food and fuel price run-ups on the real income of lower income groups and wage earners—the statistics on erosion of the real incomes of wage earners in 1973–74 and the drop in relative incomes of blacks in recent years serve as disheartening testimony on this score—call not only for more generous food stamp and housing allowances but relief from payroll taxes for the working poor and increases in personal income tax exemptions, standard deductions, and low income allowances.

It is particularly important to put this proposed tax relief program in proper perspective. First, it contemplates a reduction of $6 to $8 billion out of total personal income and payroll tax revenue of $215 billion. Second, for the longer pull, such revenues can readily be made up by a program of long overdue tax reform and will, in any event, be more than offset by inflation's impact on income tax revenues. Third, as liberal critics need to be reminded, this carefully targeted tax relief would in itself be part and parcel of a program of fiscal and social justice just as much as a program of positive government outlays to the same groups. Fourth, as conservatives need to be reminded, most of the tax benefit would not "pour gasoline on the raging fires of inflation" but rather serve as nourishment for a sagging economy characterized by increasing slack and widening areas of excess capacity.

If we simply declare total war on inflation without weighing the resulting devastation of the human and financial landscape, experience tells that we will risk serious economic and social damage and invite an eventual public backlash. This is not a plea to be soft on inflation but rather a plea that we strike a sensible balance between benefits and costs in attacking inflation and thereby stay within the bounds of economic and political tolerance rather than risking repudiation of the battle before it is won.

Mr. NELSON. Mr. President, I ask unanimous consent that Mr. Raymond Watts of the Committee on Small Business be permitted the privilege of the floor during consideration of the pending legislation and the rollcall.

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

Mr. KENNEDY. Mr. President, I share the wish that all our colleagues could have heard the eloquent and thoughtful statement which is so typical of the work of the distinguished Senator from Maine. I commend him, as well as the Senator from Illinois (Mr. STEVENSON) and their associates—Senator JOHNSTON and Senator PROXMIRE and Senator JAVITS—for what I think has been a thoroughly constructive and important effort. I supported their earlier effort this spring, and I intend to support them again this afternoon.

In responding to President Ford's request to Congress to revive the Cost of Living Council as a monitoring agency against inflation, I believe it would have been preferable for Congress at this time to give the new President the full panoply of powers he may need to fight the war against inflation. In essence, that means Congress should be creating an agency endowed with standby authority to impose mandatory controls, not only on prices and wages, but also on profits, interest, and dividends.

There can be no safe haven for inflation. America needs more than cosmetic answers to its largest domestic problem.

In this era when rising prices threaten to steal the country blind, we need a genuine watchdog against inflation, not a timid lap dog; a manager, not a scorekeeper; a player, not a spectator.

Certainly, Congress should not impose standby authority on an unwilling President. But neither should Congress abdicate its responsibility to insure that standby authority will be available, when and if the need arises.

Thus, in the present atmosphere of good will between Congress and the new President, it is fitting that Congress should close ranks behind him and provide the authority he has requested. But, for those of us who feel that stronger powers may well be needed as the fight against inflation continues, it is also fitting that we signal our willingness to make such powers available quickly, as soon as the need arises.

I do not believe there is any immediate need for resort to mandatory controls at this time. Now that the Water-

gate component of inflation is over, now that we have a full-time President with the full confidence of Congress and the American people, now that the do-nothing economic policy of the previous administration has been discarded, there is a broad and fertile opportunity for gradual policies, based on cooperation and voluntary restraint, to be used effectively against inflation.

This is the approach the President has already unveiled in his welcome effort against General Motors. This is the approach that Congress is following today, in authorizing a new domestic Council on Wage and Price Stability to help focus the spotlight of public opinion on inflationary developments in the economy.

But standby authority or actual controls may well be necessary in the future, in the event that voluntarism fails and stronger approaches are required in the national interest.

In recent experience, the massive current epidemic of inflation in the economy is rivaled in intensity only by the wave of inflation that swept the Nation in the World War II and Korean war eras.

In each of those earlier eras, mandatory controls were necessary to stem the tide, and it is hardly unrealistic to assume that similar emergency measures may also be required if we are to win the fight against inflation today. Nor is it unrealistic today to believe that standby authority to take such steps should now be placed on the statute books.

Indeed, the early economic experience of the Nixon administration argues strongly for the wisdom of establishing standby authority well in advance of the time it may be needed. President Nixon's finest economic hour came in August 1971, when he abandoned his administration's discredited earlier programs and launched his dramatic new economic policy, the freeze of phase I followed by the mandatory controls of phase II.

That was a policy that worked, and it worked in large part because the President had available to him the broad standby authority that Congress had given him the year before, in August 1970. As a result of phase I and phase II, the rate of inflation, as measured by the Consumer Price Index, was brought down from 5.5 percent in 1970 to 3.4 percent in 1971 and it stayed at 3.4 percent for 1972.

Those who argue that controls were ultimately proved a failure by the end of the Nixon years are ignoring this central lesson of the success of phase I and phase II. To be sure, phases III and IV were failures, but they failed primarily because of the administration's premature decision in January 1973 to abandon phase II, a disastrous decision which set uncontrolled inflation loose again and whose effects are still being increasingly felt today. As a result, under phases III and IV, inflation jumped up to 8.8 percent in 1973, and for the first 6 months of 1974, the rate has been over 12 percent.

For good reason last spring, therefore, Congress refused to extend the Cost of Living Council on any basis when the enabling legislation expired on April 30. After phases III and IV, the basic faith of Congress and the country, of business and labor, in the value of controls had vanished completely, in the face of the badly botched performance under past controls, and the obvious fact that the administration under President Nixon had neither the inclination nor the ability to use controls fairly, wisely, and effectively. The result, therefore, was no controls, no standby authority, not even a Cost of Living Council, not even a toothless watchdog.

The lesson of that past experience, however, is not that controls are bad per se, but only that controls are bad when they are badly used.

Now the atmosphere is wholly different. There is a new sense of confidence. Legislation to renew the Cost of Living Council is moving forward rapidly in Congress at the request of President Ford. Step by step, we are beginning to recover the ground lost under the previous administration.

In the dramatically changed circumstances of the present, I believe that Congress would be prepared to give the new Ford administration the full arsenal of economic weapons that a President should have available, including standby authority over prices and wages as a weapon of last resort.

Of course, in major respects, the situation today is unlike August 1971, when mandatory price and wage restraints could be imposed effectively by the sudden fiat of the White House. That approach could not work today. Nor, I am convinced, would it be President Ford's style to try to make it work that way.

In light of past experience, authority to impose controls can be used effectively in the future only if it is invoked after genuine cooperation and consultation by the administration with Congress and with all major sectors of the economy, especially business and labor. Only through such a process can the country be convinced that controls, if needed, will be applied with absolute and scrupulous fairness for the benefit of all. Never again should American workingmen and women be forced to bear the burden of a policy of price and wage restraint that discriminates unfairly against their wages, that is too soft on prices and too harsh on wages.

For the same reason, I also believe it would be a mistake at this time to attempt to reach a precise definition of the powers of the Council on Wage and Price Stability, before the forthcoming Domestic Summit Conference on the Economy is held. The Council should be created now, but its mission should gradually evolve, and the Summit Conference is an ideal forum to begin to shape that mission. Out of that conference can emerge the beginning of a new national consensus, defining the proper use of the administration's broad economic powers, shaping the President's own role and the role of the Council on Wage and Price Stability in the war against inflation.

In addition, out of the domestic summit conference may also emerge a clearer view of the specific additional powers and authority the administration will need in the fight against inflation. Thus, it is entirely possible that in the wake of the summit conference, it will be appropriate for the Congress to enact major new legislation for the economy, before our sine die adjournment for the November elections, comparable to the phase II legislation enacted in the fall of 1971 at the request of President Nixon.

My own view is that such legislation may well be necessary, not only to strengthen the powers of the Council on Wage and Price Stability, but also to provide additional weapons against inflation, including tax relief and offsetting tax reforms, as well as a variety of other measures that should be part of our newly declared war on all fronts against inflation, a sophisticated and comprehensive program to bring the economy back to health.

For now, however, as I have indicated, I would have preferred to see the Council on Wage and Price Stability given broader powers, including full standby authority, in the bill we are acting on today. By failing to act more boldly now, we may, in effect, be requiring the President to return to Congress to seek controls in some future crisis atmosphere, when urgent steps might well be needed more quickly than the processes of legislation could easily accommodate in the heat of a difficult moment.

Certainly, none of us would wish to see the President forced by a new deterioration in events to call a special session of a lameduck Congress after election day this fall, in order to obtain the additional authority he might need to deal capably with the economy at that time.

It is difficult to understand the position of those who oppose standby authority today. Their only argument is that the mere existence of such authority may encourage anticipatory price increases by some who might try to act before the invocation of controls.

But the argument is without merit. There is no real evidence that the basic standby authority conferred by Congress in 1970 led to such anticipatory price increases before controls were actually invoked by the Nixon administration in 1971.

And we know what happened when controls were finally ended last April 30, without the retention of any standby authority or even a Cost of Living Council. In the past 3 months we have witnessed some of the most vicious inflation in our history—the Consumer Price Index rose at an annual rate of 13 percent in May and another 12 percent in June, and no one doubts that a similar surge for July will be revealed when the figures are disclosed this Wednesday; an equally dismal story is told by the data on wholesale prices, which leaped an astounding 3.7 percent for the month of July alone, an incredible annual rate of 44 percent.

In light of facts like these it is impossible to believe that things would get worse today because of the mere enactment of standby authority for the new Council on Wage and Price Stability.

Obviously, the bare reinstatement of

the Council itself, without teeth can still be viewed as a step in the direction of return to wage and price controls. The real significance of the reinstatement of the Council is the clear signal that the Federal Government is moving firmly back into the battle against inflation.

In fact, last April, the principal opponents of the effort in Congress to extend the Council beyond April 30 made essentially no distinction between a Council with teeth and a Council without teeth in making their argument about anticipatory price increases. Yet now they are scrambling desperately to find a distinction after all.

If the important step of reinstating the Council is not itself sufficient to provoke anticipatory price increases, why should the modest additional step of adding standby authority to the Council's other powers be sufficient to provoke such increases?

The major step is the creation of the Council. At best, the mere addition of standby authority would be an inconsequential factor in current price and wage decisions, in light of the vastly more powerful forces already loose in the economy today. In any event, such standby authority would obviously be available for future use to roll back any flagrant anticipatory inflationary action in any sector of the economy.

In fact, the argument based on anticipatory price increases seems to me so shallow that it is more likely to be simply a tactic by those who are inflexibly opposed to any controls at any time. As Gardner Ackley, a member of the Council of Economic Advisers under President Kennedy and the Council's Chairman under President Johnson, succinctly put it the other day:

> Some who so argue are simply the captives of an ideology; I wonder if some others are not members of that fairly sizeable group who actually benefit from inflation.

All of us hope that a further era of mandatory controls will not be necessary. If all segments of the economy—especially business and labor, farm and consumer—voluntarily exercise some substantial mutual restraint under the leadership of the President, then controls will not be required.

But if that is not sufficient, I am confident that Congress stands ready to give the President all the additional tools he needs.

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

The PRESIDING OFFICER. The clerk will call the roll.

The second assistant legislative clerk proceeded to call the roll.

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

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

Mr. JAVITS. Mr. President, I ask unanimous consent that Frank Ballance of my staff may have the privilege of the floor during the debate on this measure.

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

Mr. JAVITS. Mr. President, I am a cosponsor of the Muskie-Stevenson substitute. I would like to add a few thoughts for the information of the Senate on this subject.

For one, Mr. President, I think the committee is entitled to the thanks of all of us. We are deeply indebted to the committee which acted very responsibly and very promptly in giving us a vehicle for the development of the ideas which are now before us.

Without such expeditious committee hearings and action by Senator SPARKMAN and Senator TOWER, we would still be picking our way through the underbrush. Often around here we miss the forest for the trees.

The fact is that a monitoring agency is an essential element in any anti-inflation effort which is to be renewed at this time outside of the oldtime medicine, which is not working. It is not working because it is too restrictive. It is not working, on the one hand, in that it is dampening business very seriously and is harming small business.

At the same time, it results in a nondiscriminating process because it hurts everybody without in any way selecting what is essential, what is helpful in terms of the total economy, which it is unable to do.

It is simply a blanket suffocation of the whole economy.

So, first and foremost, we will have a monitoring agency, and for this we should be deeply indebted to the Senate committee which acted so very promptly.

Now, as to the addition of various ideas, I think they are necessary, but again I repeat, the committee has done the essential point, which is to bring us the vehicle.

I believe that it is very important that there be some kind of a cooling-off period, if we are really to have a monitoring agency with some muscle. It is not price and wage control, either standby or actual, but if we are going to expose something to the public which the public may correct by the sheer impact of public opinion, and we know in this country that is extremely potent, we are not going to accomplish it unless we give the industry concerned, or the consumer or trade union concerned, or the group of workers concerned, an opportunity to consider the public impact.

The only way that can be done and not simply make it an accomplished factor and engage in a postmortem about it for effective purposes is to have some kind of a cooling-off period.

That is what Arthur Burns, who has been a very important figure in this fight has urged upon us—very essentially conservative and a very important financial leader—and that is what I think the situation requires.

So it is very distinct and prudent that this particular measure developed by Senator MUSKIE and Senator STEVENSON contains the standstill period.

Now, they have got 2 periods of 45 days each. It could have some other application, there is no magic about any number of days, but that is their idea and I am with them in terms of this being an essential part of what we desire in this monitoring agency field.

Second, and very importantly I believe, is subpoena power. I believe that, again, in order to have a little muscle they have to be able to bring people up and require them to testify and to give information. Otherwise, having been at this business a rather long time, I know the practicalities are that we have to dig around for witnesses who want to come and they are not necessarily either the best informed or the kind from whom we can develop by examination and cross-examination a case which will impress the public either way.

Now, those are the two critically important elements, as I see them, which are added by the substitute.

It has certain other advantages. It requires the monitoring agency itself to evaluate the reasonableness of wage-price increases and whether or not they have a material effect on inflation.

I find that desirable. It is somewhat assimilated to my own experience in the labor field where if we really want mediation to be effective we have to give the mediator ultimately the right to disclose what his recommendations have been. That certainly has to be done before there is an open break between the parties.

Another aspect on the substitute which I like very much is that it has adequate funding.

When I appeared before the committee, with the very kind and gracious consideration of Senator SPARKMAN and Senator TOWER, that was one of the points I made.

With a million dollars, we can get 36 professionals. That is not enough to administer a monitoring agency in the State of New York, let alone the United States, and I think their figure of $5 million is very low. I think $10 million would be the right figure for this purpose, as it is assumed, and I have had estimates of this, that about 300 people are required to really do this job in a way which will serve the people of the United States.

So, Mr. President, to sum up, the fundamental big issue is already dealt with by the committee, to wit, we should have a monitoring agency and for that I think we all owe a debt of gratitude because of the speed with which it was turned out by Senator SPARKMAN and Senator TOWER.

The addition of the concepts of the Muskie-Stevenson substitute of a cooling-off period and of subpena power, in my judgment, are indispensable, and the additional points which they make as to giving the monitoring agency the authority to evaluate reasonableness in terms of wage-price, and an adequate sum of money to do the job, make that substitute additionally attractive.

It is for that reason, Mr. President, that I went on it as a cosponsor, and I believe those are very persuasive reasons which should induce the Senate to substitute it for the committee bill.

I am sure that Senator MUSKIE and Senator STEVENSON will be the first to say that if their measure is substituted, it is still the committee bill, because the fundamental idea brought before us as promptly as it was brought before us is the conception of the committee as it is led by Senator SPARKMAN and Senator TOWER.

I yield the floor.

Mr. MUSKIE. Mr. President, I would like to express my appreciation to the distinguished Senator from New York for his continuing efforts in this fight against inflation. He gave us much support last spring, when we undertook to continue economic monitoring authority. As always, he brings thoughtful arguments to his cause.

Mr. JAVITS. I thank my colleague very much.

AMENDMENT NO. 1805

Mr. HATHAWAY. Mr. President, I have an amendment at the desk.

The PRESIDING OFFICER. The clerk will state the amendment.

The second assistant legislative clerk proceeded to read the amendment.

Mr. HATHAWAY. Mr. President, I ask unanimous consent that further reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered; and without objection, the amendment will be printed in the RECORD.

The amendment is as follows:

On page 6, after line 5 the following new subsection:

(c) Notwithstanding any other provisions of this section, the Director shall disclose to the public, at a reasonable cost, and upon a request which reasonably describes the matter sought, any matter of the type which could not be excluded from public annual reports to the Securities and Exchange Commission pursuant to section 13 or 15(d) of the Securities Exchange Act of 1934 by a business enterprise exclusively engaged in the manufacture or sale of a single product unless such matter concerns or relates to the trade secrets, processes, operations, style of work, or apparatus of a business enterprise.

Mr. TOWER. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. TOWER. Is this an amendment to the substitute proposed by the Senator from Illinois?

Mr. HATHAWAY. That is correct.

Mr. TOWER. To the bill?

Mr. HATHAWAY. That is correct.

Mr. TOWER. It is an amendment to the substitute?

Mr. HATHAWAY. That is correct.

Mr. President, this is an amendment to 1807, the Stevenson-Muskie amendment.

It provides for public disclosure in accordance with the law as it now stands governing the Federal Energy Administration. It is similar to a provision which appeared in the Economic Stabilization Act which expired at the end of March.

It is a matter over which we had considerable debate at the time the Economic Stabilization Act was considered.

I have discussed the matter with the cosponsors of the substitute. I understand that it is acceptable to them. I do not wish to delay the proceedings by going into more explanation of something which has been explained over and over again in the past.

Mr. STEVENSON. Mr. President, this is a provision which did appear in the Economic Stabilization Act. I think it is sound. I commend the Senator from Maine for offering it.

I have discussed it with the senior Senator from Maine, and both of us are prepared to accept the amendment.

Mr. HATHAWAY. I thank the Senator.

The PRESIDING OFFICER. The question is on agreeing to Mr. HATHAWAY'S amendment to Mr. STEVENSON'S amendment, as modified.

The amendment (No. 1805) to the Stevenson amendment (No. 1807), as modified, was agreed to.

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

The PRESIDING OFFICER. The clerk will call the roll.

The second assistant legislative clerk proceeded to call the roll.

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

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

EXECUTIVE SESSION

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that the Senate go into executive session, for not to exceed 45 minutes, for the purpose of considering the nomination of Mr. Alan Greenspan.

There being no objection, the Senate proceeded to the consideration of executive business.

The PRESIDING OFFICER. The clerk will report the nomination.

COUNCIL OF ECONOMIC ADVISERS

The assistant legislative clerk read the nomination of Alan Greenspan, of New York, to be a member of the Council of Economic Advisers.

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

WHY ALAN GREENSPAN'S NOMINATION SHOULD BE OPPOSED—THE VERY OLD FASHIONED, OUT OF DATE, AND IRRELEVANT ECONOMIC VIEWS OF THE PRESIDENT'S NOMINEE

Mr. PROXMIRE. Mr. President, I rise to oppose the nomination of Alan Greenspan to be Chairman of the Council of Economic Advisers.

I do this reluctantly. Mr. Greenspan is obviously a man of considerable intelligence. He is a well trained and competent economist. He has earned recognition for his competence among other professional economists. So far as I know, he is a man of high moral character and integrity. No one has suggested any reason to doubt that. Nevertheless, I believe that there are a number of reasons why Mr. Greenspan's nomination should be questioned which I wish to share with my colleagues in the Senate.

AMAZING OUT OF DATE VIEWS

First of all, he holds and holds sincerely a series of out of date, irrelevant and contradictory views.

I think it is very important that the views of the Chairman of the Council of Economic Advisers be known; because, after all, economic policy affects everything—it affects antitrust policy, tax policy, spending policy. If we approve a man whose views are contradictory to our own and then this is the policy that is followed by the administration, we have a degree of responsibility we otherwise might not have.

Mr. Greenspan made it emphatically clear in the hearings that he opposes vigorous enforcement of the antitrust laws. This is particularly damaging to his consistency, because Mr. Greenspan professes to be a very strong believer in free enterprise, competition, and laissez-faire.

I would consider this point of view to be a serious shortcoming of any top Government economist, but particularly in a man who will be the chief professional economic adviser to the President and whose economic orientation is so stringently and vigorously free enterprise and laissez faire.

FREE MARKET MUST BE FREE

The free market may, indeed, be the best economic answer to our problems. But it must be free. In order to function, it is clear that corporate price fixing must be prevented. The antitrust laws are not only an essential, but probably the prime method or way to see that this gets done.

EXCESSIVE MARKET POWER

This year is the year of the worst inflation in the peacetime history of our country. Except for some goods in short supply, this is not the usual demand inflation where too much money is chasing too few goods. We have an unemployment level of 5.3 percent, which most people believe will go to at least 5.5 to 6 percent by the end of the year, without inflation abating to any significant extent. That is not the way a demand inflation works.

One of the major elements in the inflation clearly appears to be excessive market power and corporate price fixing in certain major industries. This is true in oil, steel, chemicals, nonferrous metals, and machinery. This situation is outrageous—demand falls, prices rise.

In oil, we now find that the major companies are actually cutting back on the percentage of their refinery capacity in use—and this at a time when oil prices and oil shortages account for about 25 percent of the inflation. This is done to hold up prices.

In these circumstances, it is really intolerable to have a man in the key position as chief economic adviser to the President who is blind to the economic world in which we live and who opposes enforcement of the antitrust laws.

RAW UNADULTERATED MARKET POWER IN STEEL

In this last year alone, steel prices have increased by 40 percent. Let me repeat that: Steel prices have gone up 40 percent. Now, this is, by far, the biggest increase in any year in the history of our country. It is almost twice as big as any increase in steel prices ever.

How can that occur under these circumstances, especially in view of the fact that in July of this year, with a bigger capacity, less steel was produced than in

July of last year? It is not a matter of tremendous demand pressure. There is no way to explain it in terms of either wage increases or supply and demand factors. The one logical explanation is sheer, unadulterated, concentrated economic power.

Everybody who has studied the steel industry knows that they have a system of administered prices in which one steel company will establish its price, and then, within 24 to 48 hours, every other company in the industry will come within the fourth percentage place of that precise price.

The same explanation applies to the 50 percent increase in prices in the last year for industrial chemicals, for the 46 percent increase in prices in one year of nonferrous metals, for the 82 percent increase in the price of oil.

In the case of every single one of these commodities, the profits went right through the roof. These prices were not merely the result of cost increases. Even in the food industry, the concentration among processors is one of the reasons why, despite a sharp drop in farm prices in the first 5 months of this year—so sharp, indeed, that one of the reasons for it is that farm parity is now lower than it has been at any time in the last 10 years. People think that the farmer is doing so well. Yet food prices for consumers have continued to increase throughout this drop in farm prices.

So vigorous antitrust action is clearly called for as a major anti-inflation tool—not the only tool, but one of the major tools. I am convinced that Mr. Greenspan would not support such action, but would, according to his own testimony, oppose it. His voice is the big voice on the economic effect of antitrust policies. Following the Greenspan advice, President Ford might discourage antitrust action. Presidents have done that in the past; they have the power to do it. They can remove their antitrust chief, they can fire him within a few minutes. With that kind of power, of course, they can persuade him not to pursue antitrust action. They can do it sincerely, they can do it on the basis of the economic advice that they get from the Chairman of the Council of Economic Advisers.

OPPOSE CONSUMER PROTECTION LAWS

Mr. Greenspan also has made clear in his public statements that he does not support consumer protection legislation and views much of it as an interference with the free market. In the past he has written and spoken against various consumer protective measures.

In my view such legislation is another way to combat inflation. A free market is composed of a large number of buyers and a large number of sellers. But in addition, classically it has called for the buyers to be well informed.

To the extent that we have disclosure laws, truth in lending, truth in packaging, fair weights and measures, and other consumer protections, the consumer is better able to make intelligent choices and make the free enterprise and competitive system work. Again Greenspan advice to the President could be the critical factor in killing consumer protection legislation and enforcement.

OPPOSES PROGRESSIVE INCOME TAX

Finally, on the question of his economic views, Mr. Greenspan opposes the progressive income tax.

We are all well served by being tolerant of people's views. I believe strongly that society is benefited from the clash of a large number of differing views. And I do not object to Mr. Greenspan holding that view privately and personally. But I do say that it is astonishing that anyone would propose a man for the chairmanship of the Council of Economic Advisers who held such an out-of-date, old-fashioned, and even antediluvian, cruelly unjust view. It is incredible.

When tax reform legislation comes before President Ford, can anyone doubt what advice he will get from his prime economic adviser if we confirm Mr. Greenspan?

Once again, Mr. President, it is true that Mr. Greenspan will not be Secretary of the Treasury or head the Internal Revenue Service, but, as the Chairman of the Council of Economic Advisers, he will be the top professional economist on whom Mr. Ford will rely. When President Ford decides what kind of tax policy he will have, he must take into consideration the economic consequences. He could well be persuaded to follow the advice of a man whose views on taxes, while sincerely held, contradict the fundamental basis, it seems to me, for economic justice in our country; that is, that we should have taxation based on the ability to pay.

BIG BUSINESS POINT OF VIEW

There is one final matter which I question. Mr. Greenspan has just been on retainer by some 100 or so of the biggest corporations and conglomerates in the United States including almost all of the 10 largest banks and a number of the manufacturing firms which dominate industry.

He will return as 99 percent owner of this company when he finishes his term. I think it is a mistake to add to this administration another man from the same group, with the same background, as virtually every one of the President's economic advisers.

Mr. Rush is from Union Carbide, Mr. Simon is out of Wall Street, Mr. Ash is from a huge conglomerate called Litton, Mr. Dent is also from the big business. Now we are to add as the chief economic adviser a man with an identical background. Where, in the present economic councils, are the voices of the consumer, the small businessman, the farmworker, the housewife, and the ordinary working man and woman?

I can see having one or two big businessmen at the top. President Ford, in fact even the most liberal and progressive President, should have at least one man from business as an economic adviser. But they should not all be from big business.

Mr. President, I wish our new President Ford well. He has started off very, very well indeed. The last thing I wish to suggest at this time is that I am in partisan opposition to a request of the President.

This nomination comes, therefore, at a very awkward time. If President Nixon were in office, I would make a real fight over it. But circumstances this week have changed and changed very dramatically for the better.

But even though I am not prepared to do now what I would have been prepared to do only a few short days ago, I still believe it is important that this matter be brought to the attention of every Senator in the Senate. I have written to every Senator disclosing the Greenspan record.

Six months from now or a year from now I do not want it said, "Where were you when Mr. Greenspan was approved? Where was the Senate when this man with his views and his background was elevated to the single most important economic position in the Government?"

Those are the reasons I am expressing my opposition and those are the reasons why I feel compelled to vote against the nomination.

Some people have said that President Ford is a man with the personality and appearance and perhaps popularity, to a considerable extent, of President Eisenhower; that he has the partisanship of President Truman; and the economic views of Herbert Hoover. Mr. President, I think that that is unfair to President Ford, at least as far as the later characterization is concerned, because nobody knows about Mr. Ford's economic views fully.

I have known Mr. Ford for 40 years, since we were at college together, and I have known him to be a man who is a sincere, open-minded man, I think, who is very practical. For that reason, I do not think it is fair to conclude that he will follow a policy that would be cruel or insensitive or result in enormous unemployment and the destruction of the economic interests of many of our people. But I do think it is important that we recognize that when there is a hold-over appointment of this kind, that could have a profound effect on the quality and color of his administration, that we review it very, very carefully indeed.

While, as I say, Mr. Greenspan is a man of intelligence and charm and, as far as I know, a man of integrity and character, I think it is a mistake for the new President to start off with a person who is as ideologically extreme, who is more ideologically extreme than any Chairman of the Council of Economic Advisers that any President has had in 26 or 27 years in which that office has been in existence.

Mr. President, I reserve the remainder of my time.

Mr. HARRY F. BYRD, JR. Mr. President, I realize the sincerity of the convictions of the able senior Senator from Wisconsin. I do not know just why I should be defending Dr. Greenspan, but I do so because, while I understand and appreciate the sincerity of the convictions of the Senator from Wisconsin, I do not understand the reasoning behind it.

The Senator from Wisconsin says that Alan Greenspan is too vigorously for free enterprise.

I submit that this country was built on free enterprise. That is what has made this country great. That is what has giv-

en the people of this country the highest standard of living of any nation in the world, is the free enterprise system.

So far as the Senator from Virginia is concerned, I want to see people in Government who believe vigorously in the free enterprise system.

I think we have had too many people in Government who do not believe in the free enterprise system.

I think we have people in Government who would take this country, if they could, down the road of socialism. Socialism does not bring a high standard of living to its citizens. Free enterprise does.

The argument has been made also——

Mr. PROXMIRE. Mr. President, will the Senator yield on that first point?

Mr. HARRY F. BYRD, JR. I yield.

Mr. PROXMIRE. I have the greatest admiration and respect for the Senator from Virginia. He is an old and dear friend, as well as my seatmate. But I want to correct him on one misunderstanding of what I said.

I do not believe that Mr. Greenspan believes strongly enough in free enterprise. What I have said is that any person who does not believe in enforcing the antitrust laws does not believe in free enterprise.

I believe in competition, and that we have to pay the tough and often cruel price of vigorous competition if we are going to have free enterprise work. I believe that corporate price fixing is worse, if anything, than Government price fixing. There is no social direction in corporate price fixing. That is what I am getting at.

Mr. HARRY F. BYRD, JR. The Senator from Wisconsin has not let me get to that point. I was merely quoting the Senator's own statement, in which he stated that Dr. Greenspan believes so vigorously in free enterprise that he should not be confirmed for this job.

Mr. PROXMIRE. Let me correct the Senator's quotation. What I actually said was that the fact that Mr. Greenspan opposes the antitrust law is particularly damaging to his consistency, because Mr. Greenspan professes to believe in free enterprise.

He is less strong a believer than this Senator is, because I believe in competition, and no person who does not believe in enforcing the antitrust laws, when we have such obvious price fixing on the part of big business, can believe in free enterprise—when, to use the example I have cited, the steel industry engages so obviously in price fixing as it has been doing.

Mr. HARRY F. BYRD, JR. That is what I was going to get to when the Senator asked me to yield. In his next sentence, the Senator said that Dr. Greenspan does not believe in vigorous enforcement of the antitrust laws. So far as I know, that statement is absolutely correct. I happen to believe, as does the Senator from Wisconsin, that we should have vigorous enforcement of the antitrust laws. I suppose the Member of the Senate who has taken the keenest interest in this matter of the antitrust laws has been the senior Senator from Michigan (Mr. HART). I have discussed many times with Senator HART the enforcement of the antitrust laws, and we are in substantial agreement. And I assumed that the Senator from Wisconsin and the Senator from Virginia were in substantial agreement.

But the Chairman of the President's Council of Economic Advisers has no responsibility for or jurisdiction over the enforcement of the antitrust laws. I have not heard anyone get up here in the Senate, when there was a nominee for the Department of Justice, and make an attack because the Department of Justice does not enforce the antitrust laws. That is where the laws are enforced. The antitrust laws must be enforced through the Department of Justice, not through the Council of Economic Advisers.

I submit that the Department of Justice has not been enforcing the antitrust laws. The Kennedy administration did not do it; the Johnson administration did not do it; the Nixon administration did not do it.

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

Mr. HARRY F. BYRD, JR. The place to attack that is in the Department of Justice when nominees come before this body for confirmation for those positions. I shall be happy to yield in a moment.

I submit that the Department of Justice has been going the opposite way. I cite as one example—and I think politics had a lot to do with it—when the Pennsylvania Railroad and the New York Central Railroad were permitted to merge, and that merger ended up in chaos and disaster.

But I say that Dr. Greenspan has nothing to do with the enforcement of the antitrust laws. I am glad to yield to the Senator from Wisconsin.

Mr. PROXMIRE. Let me state again to my friend from Virginia, first, Mr. Greenspan is one of two—I think he is only the second—Chairman of the Council who is not a Ph. D. in economics.

Mr. HARRY F. BYRD, JR. I do not know that that has anything to do with it, one way or the other.

Mr. PROXMIRE. The Senator from Virginia called him Dr. Greenspan. He does not have a Ph. D. But let me say that the Chairman of the Council of Economic Advisers, or anyone who advises the President on economic policy, is of the greatest importance because of his influence on tax policy, antitrust policy, or any other economic policy. Why? Because the President is the boss. I do not know if the Senator recalls, but back in the spring of 1971, the tapes just recently revealed that President Nixon wanted the Attorney General to remove the head of the Antitrust Division, Richard McLaren, wanted him to remove him forthwith, he said within 1 hour. Why? Because he was enforcing the antitrust laws too vigorously. He was going after ITT, trying, as the President said, to be a big trustbuster.

Mr. HARRY F. BYRD, JR. We do not want to——

Mr. PROXMIRE. The President of the United States can do that. If he gets advice from professional economists that enforcing the antitrust laws does not have a desirable effect with respect to prices, and so forth, he might very well do it. And he is likely to get that kind of advice from Mr. Greenspan. That is why I think this is of the greatest importance. He is right at the heart of all economic policy matters.

Mr. HARRY F. BYRD, JR. I think that is carrying things to extremes, may I say to the Senator from Wisconsin. In regard to Mr. Nixon's advice with regard to Mr. McLaren, I do not know who was the head of the Council of Economic Advisers at that time. I think it was probably Mr. Stein. I had to take issue with Mr. Stein a short while ago—I hated to do so, because he is from my State, or will be teaching there—when he blamed the American people for inflation, which I thought was a ridiculous assertion.

But I do not think any of us should blame the Chairman of the Council of Economic Advisers for President Nixon's saying that he wanted to oust Richard McLaren from the Department of Justice, because I do not think the Council had anything to do with the matter one way or the other.

Another reason given by the Senator from Wisconsin as to why Mr. Greenspan should not be confirmed as Chairman of the President's Council of Economic Advisers is because he does not believe in the progressive income tax. There again, he has nothing to do with the income tax laws. I happen to believe in the progressive income tax. I think it is the soundest and the most fundamentally appropriate tax, if there is an appropriate tax, that the Government can put on. I do not like the rates to which it has been carried, and at times in the past I think it has been confiscatory. It is still too high. But I favor a progressive income tax. I disagree with Mr. Greenspan in that regard.

But there again, he is not going to write the tax laws. The Congress of the United States is going to do that, and there is no sentiment in Congress, certainly no appreciable sentiment in Congress, for eliminating the progressive income tax. It does not make any difference whether Mr. Greenspan recommends it or President Ford recommends it; it just is not going to be done.

Mr. PROXMIRE. If the Senator will yield, I think that, first, the Senator from Virginia should begin to think of the hole he is digging himself into. If he is going to argue that the only matter of concern with respect to the Chairman of the Council of Economic Advisers is the matters over which he would have direct executive authority so he could change policy directly at his own order, obviously it does not matter who we appoint as the Chairman of the Council of Economic Advisers, because he does not have any direct authority.

My argument is he has indirect authority of the greatest importance. That indirect authority is that he is the No. 1 professional economic adviser to the President of the United States, and the President of the United States does make policy in all these areas. Certainly tax policy has the most profound effect on our economy.

The President is the No. 1 legislator. He recommends legislation that has far greater impact on Congress than that of any Senator or any Member of the House of Representatives, because he is Presi-

dent of the United States. If the President of the United States urges that we modify our tax code in order to meet his objectives, and in doing so we lessen the progressivity of the income tax, he could well do that on the advice of the Chairman of the Council of Economic Advisers.

If the Senator is taking the position—and I understand apparently he appears to be taking the position—that there is nothing Dr. Greenspan can do pro or con that is going to do any good or any harm, so who cares who is appointed the Chairman of the Council? I have been on the Joint Economic Committee for many years, as the Senator knows; I have been chairman or vice chairman of the committee for 8 years; I have had the Chairmen of the Council come before our committee, and they have a very serious effect on us. We are all busy people, as is the President. We have many other interests, and when a professional economist comes before us with the imprimatur of that office, with the authority of that office, and prestige of that office, and recommends a course of action, we give it the greatest and most sympathetic attention, and other Senators do and should.

That is the reason why I think we ought to have our eyes clearly open. We are appointing a man who has views which are just plain out of date, passé, and who is likely to push this economy of ours into a very serious recession, possibly even a depression.

Mr. HARRY F. BYRD, JR. Well, what I am suggesting is, and what I am saying is, that the Senator from Wisconsin is, I think, sort of carrying things to extremes here when he uses Dr. Greenspan's philosophical beliefs in regard to the income tax and in regard to the antitrust loans to say that he is not qualified or should not be consultant to the President on general economic policy.

I think the same thing applies to the Senator's argument that he is not qualified, because he is not an advocate of consumer protection. What Mr. Greenspan means by that is he thinks we have too much Government regulation and he is reluctant to see additional Government regulation, and I think many American citizens feel that way also.

Then the fourth item that the Senator from Wisconsin mentioned is that he has been an adviser to a number of important companies, and that is certainly correct. He has been and, I think, that is a tribute to his ability.

Mr. Greenspan is not one of the economists who is in agreement with all the other economists. He has unorthodox views on a lot of these things, and I think we probably ought to have somebody in Government with some different views from what we have had in the past.

Because we listened to these orthodox economists, a lot of them, this country has gotten into some problems. Maybe we will get into problems with Dr. Greenspan; I do not know. But he is a man of conviction. He is a man of ability. His record shows that.

He is coming down here not at his own request or desire. He turned down the position a number of times. He did not want the job.

He accepted the nomination finally because he feels this country is in a very bad condition economically, and he wants to try to make a contribution.

The President ultimately will make any decisions, will accept or not accept the advice given him by his Council of Economic Advisers and by the Chairman of that Council.

Mr. PROXMIRE. Mr. President, will the Senator yield on that last statement?

Mr. HARRY F. BYRD, JR. Mr. Greenspan does have a conservative view. He does feel that Government is responsible to a great extent for inflation. He does blame Government. I think he blames Congress and the Senate for the huge deficits that the Government has been running. So he does not have popular views. He has a conservative philosophy and, I think, it is just as well to have somebody in high positions, a few at least, who do have a conservative philosophy.

Mr. PROXMIRE. If the Senator will yield, Mr. President, I do agree with much of that. I think we certainly should have some in Government with that view. But this is just about all we have got.

I went over the list of the people around the President. It is not hard to predict what views President Ford, as Senator SCOTT pointed out, with a tabula rasa, a slate on which nothing has been written, is likely to take if we persist in providing this kind of adviser for him. The Senator knows this Senator has joined him and the Senator from Virginia has joined the Senator from Wisconsin in trying to cut Government spending consistently.

Mr. HARRY F. BYRD, JR. Nobody disagrees with that.

Mr. PROXMIRE. I think we have too much Government, and I think we should do our best to cut it back.

But I say when we have these particular views with respect to the specific areas I have enumerated here on the part of the chief professional economic adviser to the President, we should be very aware of it, very conscious of it, and we should realize what we are doing when we confirm the nomination of Dr. Greenspan, which is going to be done within a few minutes.

Mr. HARRY F. BYRD, JR. I think we should be aware of what we are doing on these important nominations. All should be examined carefully.

As I said when I began my remarks, I realize the sincerity and convictions of the Senator from Wisconsin. I just do not happen to feel the points which have been raised are of the magnitude to suggest that Dr. Greenspan should not hold the position to which he has been nominated.

The Senator from Wisconsin has done so much, more than anyone in the Senate, to try to focus attention and bring about a reduction in Government spending, and the elimination of these deficits, and that is basically what Alan Greenspan believes. That is his basic belief.

If I understand his views correctly, it is just what he will attempt to do.

So far as having conservative views around the President, there may be, and undoubtedly are, a few conservatives in positions of responsibility around the President. But it is going to take a lot more than that to offset the ultraliberal views of dozens and dozens of Members of Congress. So I am not concerned about President Ford having too many conservative people around him. As a matter of fact, I doubt if he has got enough.

Certainly President Nixon did not have enough, because the six Nixon budgets gave to this country $133 billion of deficit financing, 25 percent of the total national debt of this country.

If he had conservative advisers around him, they did not have much influence on him.

I hope that this new administration will do just as the new President indicated he would do a week ago tonight; that he will fight to bring down Government spending, that he will fight to get Government spending under control, that he will eliminate these deficits and will bring in a balanced budget in 1976. Alan Greenspan is dedicated to help him do just that.

Mr. PROXMIRE. If the Senator will yield just on that last point, I think, unfortunately, there is a confusion between conservatism, on the one hand, and reducing government spending, on the other. So many people assume when a person is conservative he, therefore, does not believe in spending. Well, we all know how untrue that is. The big spending we have now is in the military area, the space area, many other areas that are championed by conservatives.

If we take the record on spending, we will find that the so-called conservatives are the big spenders not only in Congress but in the administration. The difference is a difference in priorities.

Here is where we are going to get Dr. Greenspan coming down, on the basis of his record, on the basis of his connections, on the basis of the views he has expressed, on the basis of what he said at the hearing, and so forth, not in favor of cutting spending across the board, but in favor of the same old priorities that have put this country in such an unfortunate position.

Mr. HARRY F. BYRD, JR. Well, the Senator knows the figures so very well. The defense expenditures have leveled off, have been virtually level for about 6 years. They will be up some this year, but the Appropriations Committee has reduced the requests for defense spending by $5.4 billion, and the Senator from Wisconsin is on that committee and, undoubtedly, helped to bring about that reduction. I support the Appropriations Committee action to bring that spending down below the budget request by $5.4 billion.

Now, if we take another budget, if we take the HEW budget—and we do not have to go back many years, go back 3 years, maybe 4—we will find that that has been increased by about a third or maybe even 40 percent. There have been tremendous increases in that side of the budget. There have been tremendous increases in every budget, every appropriation bill.

Indeed, the first appropriation bill to come before the Senate this year, the first major one, was the appropriation for agriculture, consumer and environment. What did that do?

What did that do? That showed an increase of 28 percent, $3.5 billion, 28 percent in that one bill.

So the increase has been all along the line in nearly every item.

Mr. SYMINGTON. Will the Senator yield?

Mr. HARRY F. BYRD, JR. Yes.

Mr. SYMINGTON. The Senator from Virginia knows my great respect, especially in the field he is now discussing.

As I understand it, the total budget is around $300 billion, of which $84 billion is controllable, that we can discuss and is not controlled by law itself. Of that $84 billion, 70 percent is, as I understand it, in the military field.

So if we are going to do what the President wants and if we are going to carry out at least what the Committee on Appropriations has stated it would like to have, it is true that we have to make heavy cuts in the military budget, and I associate myself with the remarks of the able Senator from Wisconsin on that score.

I do think that when we discuss some of the budgets of the domestic programs, especially in considering the problems that arise due to the extraordinary circumstances like drought and problems in the big cities due to unemployment, or for that matter in the other parts of the country, that we have to consider the reaction the people of the United States have when they realize we put $150 billion in South Vietnam and many billions of dollars into other parts of the world.

I am told today that the ambassador we just lost, because of personal reasons, asked for a quiet post. He was given Cyprus and then we had the sad occurrence of his being assassinated.

Would not the able Senator agree that we are badly extended diplomatically, militarily and economically around the world from the standpoint of the resources of the United States?

Mr. HARRY F. BYRD, JR. I certainly think so, yes.

Mr. SYMINGTON. I thank the Senator.

Mr. HARRY F. BYRD, JR. I concur, and the Senator from Missouri and the Senator from Virginia worked closely together on many of these matters to try to curtail United States global involvement.

I have been convinced for a long time, just as has the able Senator from Missouri, that we cannot police this world.

The world is too big; it is too complicated. With all the resources the United States has, we still cannot act as world policeman. We cannot act as world bankers. I object also to continued huge foreign-aid appropriations.

The PRESIDING OFFICER. The time for debate on the question has expired.

The question is, will the Senate advise and consent to the nomination of Alan Greenspan to be a member of the Council of Economic Advisers?

The nomination was confirmed.

Mr. TOWER. Mr. President, I ask that the President be advised.

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

LEGISLATIVE SESSION

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that the Senate resume consideration of legislative business.

There being no objection, the Senate resumed the consideration of legislative business.

COUNCIL ON WAGE AND PRICE STABILITY

The Senate resumed the consideration of the bill (S. 3919) to authorize the establishment of a Council on Wage and Price Stability.

The PRESIDING OFFICER. The question is on the Stevenson substitute for S. 3919, as amended.

Mr. STEVENSON. Mr. President, I ask for the yeas and nays on the amendment.

The yeas and nays were not ordered.

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

Mr. STEVENSON. Mr. President, I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. STEVENSON. Mr. President, first I commend the distinguished chairman of the Committee on Banking, Housing and Urban Affairs and the ranking minority member, the Senator from Texas, for bringing the President's proposal to the Banking Committee and through the Banking Committee to the floor with great diligence and dispatch.

I share with them their desire to be of assistance to the President, to support the new President, and to give his requested legislation sympathetic and quick consideration.

On this support of S. 3919, however, Mr. President, I regret to say that I must part company with my colleagues on the Banking Committee.

This bill would give the President no authority that he does not already have to monitor the economy or to implement an effective policy. All it does is give him the authority to spend an additional $1 million.

I agree with my distinguished senior colleagues on the committee that we should act with dispatch and we should enact a bill right away. But it will make no difference, Mr. President, if this bill is enacted today, tomorrow, or not at all, because it does not give the President any authority which he does not already have to fight inflation.

It does not give him a stick; it does not give him a jawbone; it does not give him any additional authority to either monitor the economy or to urge restraint in both wage and price decisions within the economy.

As I indicated earlier, the President's impotence was made painfully apparent a few days ago, when, commendably, he urged restraint upon one of the Nation's largest manufacturers, General Motors. He deplored that corporation's announced intention to increase prices, but the corporation went right ahead with its plans to increase automobile prices for the new models about to come out.

This amendment does not authorize the imposition of controls. What it does is to give the President the authority and the power, either through regulation or, if necessary, with subpenas, to obtain data which is used to justify price or wage increases in the economy. With that data, the President would be in a position to monitor the economy effectively when price or wage increases are announced. The President would also be in a position to urge effective restraint. He could anticipate such increases; spotlight them; rely on public pressure to bring restraint to bear. Failing all that, the President would have the authority under this proposal to defer wage and price increases for 45 days, or not more than 90 days, in which time the increases could be spotlighted and public pressure brought to bear.

The President, himself, could devise ways to bring pressure to bear against unjustifiable and inflationary wage and price increases.

Mr. President, this proposal is intended to carry out the recommendation of the Chairman, and, indeed, all the members of the Federal Reserve Board, for effective monitoring. It does not authorize the imposition of wage and price controls.

On the contrary, it could prevent the reimposition of such controls. Without some action now to cool off the inflationary fevers in our society, it is likely that the Government, which first imposed controls when prices were increasing at an annual rate of 4.4 percent, will reimpose them when they are rising at an annual rate of 14 percent, or higher.

In July, the wholesale price index rose at an appalling rate of 44 percent. Already the American public—suffering as never before from inflation—is demanding action.

Today's newspapers report that a Gallup poll indicates that, by a majority of 50 percent to 39 percent, the American public supports a reimposition of wage and price controls.

Mr. President, this action could head off the necessity for any such action. It could bring restraint in the economy. It could cool off some of those inflationary fevers which, unless action is taken, could very likely lead to the reimposition of wage and price controls, or a freeze, and still more dislocations in the economy in the not-very-distant future.

It has been suggested that this proposal, if enacted, would invite anticipatory wage and price increases. That is not the case, because this proposal does authorize the imposition of wage and price controls. Far from acting as an incentive to increase wages and prices irresponsibly, this proposal would provide a disincentive. That is its purpose. If wages or prices were increased in any sector of the economy irresponsibly, they could, with this proposal, be highlighted and

could, if necessary, be deferred. Consequently, it would act as a disincentive.

Mr. President, I do not claim, nor do any of my cosponsors on this measure claim that it is the final answer, or that it will stop the inflation. It will not. At most, it can cool off the inflationary fevers. It can buy the President a little time to come up with action and answers that will stop the inflation. It is not intended to root out the causes of the inflation. It is intended to help us deal with the symptoms.

Higher prices beget more high prices, and they, in turn, lead to higher wages which, in turn, bring on still higher prices. That is what we are suffering from now. With inflationary psychology rampant, without any Government leadership, having been abandoned by the executive branch—we are heading toward economic anarchy, with everybody scrambling to help themselves. Of course, those in economic power and influence fend for themselves. They do help themselves. But the people—especially the weak, the poor, the elderly and all those on fixed incomes—get left far behind. In time, Mr. President, without some such action as this, everybody will be left behind.

The public will demand action, perhaps far more drastic action than the reimposition of wage and price controls.

It is time, Mr. President, for Congress to take action.

I concede that this proposal does not presently have the President's personal support. On the other hand, it is not clear that he opposes it. This amendment does not require him to take action which he does not want to take. The authority to defer wage and price increases is permissive. It is not mandatory. As far as monitoring authority goes, the President has already indicated that he wants to monitor the economy. This proposal, Mr. President, would give him the ability to do so. I urge its support.

The PRESIDING OFFICER. The Senator from Wisconsin is recognized.

Mr. NELSON. Mr. President, I ask unanimous consent that Mr. STEVENSON's amendment be temporarily laid aside, while I propose an amendment on which I shall not ask for a rollcall vote, and immediately after I have proposed this amendment, that the Stevenson amendment be again the pending business.

The PRESIDING OFFICER. Is there objection?

Mr. TOWER. Reserving the right to object, I did not hear the proposition of the Senator from Wisconsin. I am sure it is a perfectly valid proposition, but I would like to hear it.

Mr. NELSON. The Senator is perfectly correct. It is.

I asked unanimous consent that the Stevenson amendment be temporarily laid aside so that I can propose an amendment on which I shall not ask for a rollcall vote, to make a very brief statement, and then the Stevenson amendment shall again become the pending business.

The PRESIDING OFFICER. Is there objection?

Mr. TOWER. Again, reserving the right to object, is this in the nature of an amendment to the Stevenson amendment?

Mr. NELSON. An amendment to the bill. I am asking unanimous consent that the Stevenson amendment be temporarily laid aside.

Mr. TOWER. But the amendment of the Senator from Wisconsin would not be disposed of?

Mr. NELSON. I will ask that it be printed in the RECORD, but I will withdraw the amendment.

Mr. TOWER. I have no objection.

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

Mr. NELSON. Mr. President, I send to the desk an amendment on behalf of myself and the Senator from Michigan (Mr. HART) and ask the clerk that it be stated.

The second assistant legislative clerk proceeded to read the amendment.

Mr. NELSON. Mr. President, I ask unanimous consent that further reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered; and, without objection, the amendment will be printed in the RECORD.

The amendment, ordered to be printed in the RECORD, is as follows:

At the end of section 4, add the following new subsections:

"(f) The Council shall have and exercise the right of full access to information and reports obtained by the Federal Trade Commission in its line-of-business program.

"(g) Information and reports obtained by the Federal Trade Commission in its line-of-business program shall be available—

"(1) to sworn officers and employees of the Federal Trade Commission, duly authorized in the premises to examine the line-of-business reports from individual firms, for purposes of carrying out specific statutory responsibilities of the Federal Trade Commission; and

"(2) to the extent that such information and reports pertain to lines of business in which inflationary or anti-competitive price and wage changes are determined by the Federal Trade Commission or the Council to have occurred after August 23, 1974, to the Department of Justice, the Securities and Exchange Commission, the General Accounting Office, and the Office of Management and Budget for the purposes of carrying out their lawful responsibilities.

"(h) The Federal Trade Commission, or the Council with prior notice to and concurrence of the Federal Trade Commission, shall make available to the public information obtained from individual companies in the Federal Trade Commission's line-of-business program, including all or parts of the reports received from individual companies, when the Federal Trade Commission, or the Council with the concurrence of the Federal Trade Commission, determines that—

"(1) such information is similar to the information that would normally be included in or inferable from a public annual report filed with the Securities and Exchange Commission under section 13 or 15 (d) of the Securities Exchange Act of 1934 (15 U.S.C., secs, 78m and 78o) by a hypothetical registered company which had, as its sole business property and operations, property and operations substantially identical to the property and operations of the line of business to which such information pertains; and

"(2) such information pertains to any inflationary or anti-competitive price or wage change determined by the Federal Trade Commission, or by the Council with the concurrence of the Federal Trade Commission, to have occurred after August 23, 1974.

"Section 552 of title 5, and section 1905 of title 18, United States Code, shall be construed consistently with this subsection and, in any conflict between such sections, or either of them, and this subsection, this subsection shall prevail. The rules, regulations, orders and procedures of the Federal Trade Commission and the Council shall be written, construed, or if necessary modified, to conform with this subsection."

Mr. NELSON. Mr. President, without losing my right to the floor, I yield for one moment to the Senator from Indiana for the purpose of calling up a conference report.

Mr. BAYH. I thank the Senator. I appreciate the cooperation of my distinguished friend from Wisconsin and the distinguished Senators from Illinois and Texas.

JUVENILE JUSTICE AND DELINQUENCY PREVENTION ACT OF 1974—CONFERENCE REPORT

Mr. BAYH. Mr. President, I submit a report of the committee of conference on S. 821, and ask for its immediate consideration.

The PRESIDING OFFICER (Mr. HELMS). The report will be stated by title.

The second assistant legislative clerk reads as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 821) to improve the quality of juvenile justice in the United States and to provide a comprehensive, coordinated approach to the problems of juvenile delinquency, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses this report, signed by a majority of the conferees.

The PRESIDING OFFICER. Is there objection to the consideration of the conference report?

There being no objection, the Senate proceeded to consider the report, which reads as follows:

(The conference report is printed in today's House proceedings on pages 28935–28946.

Mr. SPARKMAN. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. SPARKMAN. Is a vote to occur on the Stevenson amendment at 4:15 p.m.?

The PRESIDING OFFICER. There is only an informal agreement. There is no previous order specifying 4:15.

Mr. BAYH. Mr. President, the bill under consideration today, S. 821, is the product of the 3-year bipartisan effort, which as Chairman of the Senate Subcommittee to Investigate Juvenile Delinquency, I have been privileged to lead, to improve the quality of juvenile justice in the United States and to overhaul the Federal approach to the problems of juvenile delinquency and children in trouble.

The subcommittee held 10 days of

hearings and heard 80 witnesses on S. 821 and S. 3148, a similar bill which I introduced in the 92d Congress. These hearings demonstrated the need for comprehensive changes in Federal juvenile delinquency programs combined with assistance to States, local governments, and private agencies to prevent delinquency and to provide community-based alternatives to juvenile detention and correctional facilities.

The bill has been endorsed by the National Council on Crime and Delinquency, the National Council of Juvenile Court Judges, the American Parents Committee, the Boys' Clubs of America, the Girls' Clubs of America, the American Federation of State, County, and Municipal Employees, the National Congress of Parents and Teachers, the National Executive Committee of the American Legion, the National Legal Aid and Defender Association, the National Council of Jewish Women, the National Association of Social Workers, the Family Service Association of America, the National Governors Conference, the National League of Cities and U.S. Conference of Mayors, the National Conference of State Criminal Justice Planning Administrators, the National Youth Alternatives Project, the American Institute of Family Relations. B'nai B'rith Women and many other concerned organizations. Also, S. 821 provides for a program which in all respects meets the criteria for effective juvenile justice legislation set forth by the Interagency Collaboration on Juvenile Justice comprised of the Boys' Clubs of America, Boy Scouts of America, Camp Fire Girls, Future Homemakers of America, Girls' Clubs of America, Girl Scouts of the U.S.A., National Board of YMCA's, National Board of the YWCA's of the U.S.A., National Federation of Settlements and Neighborhood Centers, and Red Cross Youth Service. The support of these groups demonstrated that passage of S. 821 would represent a vital contribution to the well-being of the youth of our nation.

I was gratified when on March 5, 1974, the Senate Subcommittee to Investigate Juvenile Delinquency reported S. 821 unanimously to the full Judiciary. S. 821 originally proposed the creation of a new office to administer the program in the Executive Office of the President and the bill as reported from the subcommittee placed the program in the Department of Health, Education, and Welfare. The Judiciary Committee amended and reported the bill on May 8, 1974, placing the program in the Law Enforcement Assistance Administration (LEAA) of the Department of Justice and making certain other changes.

Following the May 8 action of the Judiciary Committee I worked closely with the distinguished ranking minority member (Mr. HRUSKA) to develop a strong bill which provides for administration of this program within LEAA and which guarantees that the program can achieve the crucial goals of S. 821 as originally introduced. I appreciate the special dedication of the Senator from Nebraska, other Members of this body, the House, and the private agencies to the cause of our youth.

I was pleased on July 25 when my colleagues in the Senate voted 88 to 1 in favor of the substitute bill that preserved the essence of the original Juvenile Justice and Delinquency Prevention Act.

I am especially gratified today to report the results of the House-Senate conference on S. 821. We had differences of opinion, but in the spirit of compromise, and in view of the 88-to-1 vote in this body and the 339-to-20 vote in the House, the conferees and their collective staffs labored mightily and have come up with a bill that will reach the goals we established more than 3 years ago.

I would like to express special appreciation to John Rector, Alice Popkin, Mary Jolly, and other members of my staff, and to Chuck Bruse of Senator HRUSKA'S staff, Paul Sumarit of Senator MCCLELLAN'S staff, and the many other staffers, House and Senate, who labored so long and hard on this measure.

The conference bill contains these key provisions:

It creates a new Office of Juvenile Justice and Delinquency Prevention in LEAA to be headed by an assistant administrator who will be appointed by the President subject to the advice and consent of the Senate.

It revises the method for the composition of the existing LEAA State and regional planning agencies to guarantee adequate representation on planning boards, at the State and local levels, of specialists in delinquency prevention, including representatives of public and private agencies involved in this important effort.

It authorizes a new set of programs of delinquency prevention, diversion from the juvenile justice system and community-based alternatives to traditional incarceration, all of which are designed to stem the high incidence of juvenile crime and the extremely high incidence of recidivism among juveniles. For these new programs, $75 million is authorized to be spent in the current fiscal year, $125 million for the second year, and $150 million for the third year, with a guaranteed commitment to help support useful programs of private agencies.

It requires, in addition to the new programs, that LEAA sustain its present commitment of $140 million a year to juvenile programs, while giving the new assistant administrator who will run the juvenile justice office policy control over existing LEAA juvenile programs.

It establishes the Coordinating Council on Juvenile Justice and Delinquency Prevention and it creates a National Advisory Committee appointed by the President to advise the LEAA on the planning, operations, and management of Federal juvenile delinquency programs.

It authorizes direct grants to agencies to develop new approaches to juvenile delinquency prevention and requires that at least 20 percent of these funds must go to private nonprofit agencies.

It establishes within this same Office a National Institute of Juvenile Justice, to provide ongoing research into new techniques of working with juveniles, to serve as a national clearinghouse for information on delinquency and to offer training in those techniques to personnel who will work with juveniles.

It improves significantly the Federal procedures for dealing with juveniles in the justice system, with the goal of letting Federal standards serve as a worthy example for improved procedures in the States.

It provides for a 1-year phasing out of the Juvenile Delinquency Prevention Act.

It establishes a National Institute of Corrections within the Federal Bureau of Prisons.

It establishes a Federal assistance program for local public and private groups to establish temporary shelter-care facilities for runaway youth and their families. This part of the bill is almost identical to the Runaway Youth Act, which I originally introduced in the Senate in 1971 and has passed the Senate twice, once in 1972 and again in June of 1973. It is designed to help the estimated 1 million youngsters who run away each year.

I am gratified by the support expressed for legislation to help children in trouble from concerned individuals and organizations in all parts of the United States. I am particularly appreciative of the dedicated citizens in my home State of Indiana, who deal with the problems of providing justice for juveniles on a daily basis and from whom I have learned much about what still needs to be done by the Federal Government to meet the needs of our youth. Indeed, S. 821 incorporates many of the recommendations made by Hoosiers at a series of meetings on juvenile justice held throughout Indiana.

This legislation offers a comprehensive response to the juvenile delinquency crisis that sees young people account for more than half the crime in this country. With the court caseloads of juvenile offenders increasing dramatically and the rate of recidivism for persons under 20 the highest of any age group, the present juvenile justice system has proven itself incapable of turning these people away from lives of crime. Our goal is to make the prevention of delinquency a No. 1 national priority of the Federal Government, and in so doing save tens of thousands of young people from the ravages of a life of crime, while helping them, their families and society.

It is often said, with much validity, that the young people of this country are our future. How we cope with children in trouble, whether we are punitive or constructive, or a degree of both, whether we are vindictive or considerate, will measure our success—and it will measure the depth of our conscience.

I urge my colleagues to act expeditiously to provide the Federal leadership and resources so desperately needed to deal with juvenile delinquency. By enacting the Juvenile Justice and Delinquency Prevention Act of 1974, we will contribute significantly to the safety and well-being of all of our citizens, particularly our youth.

Mr. HRUSKA. Mr. President, the Senate now moves to consider the conference report on S. 821, the Juvenile

Justice and Delinquency Prevention Act of 1974. As a Senate conferee, I take this opportunity to highlight the action of the conference committee.

I first want to commend the efforts of my distinguished colleague from Indiana (MR. BAYH) who served as chairman of the Senate conferees. His diligent work helped to further the bipartisan atmosphere in which our proceedings were conducted.

The primary purposes of S. 821 as passed by the Senate on July 25, 1974, were: First, to add a new part F to the Omnibus Crime Control and Safe Streets Act of 1968 in order to provide a comprehensive program within the Law Enforcement Assistance Administration for the purpose of dealing more effectively with the problems of juvenile justice and delinquency prevention and control; second, to extend and amend the Juvenile Delinquency Prevention Act for 1 year in order to permit an orderly transfer of the program to the LEAA; third, to establish a much needed National Institute of Corrections within the Bureau of Prisons; fourth, to correct the inadvertent failure of the 1973 amendments to the Omnibus Crime Control and Safe Streets Act to provide the Administrator of the Law Enforcement Assistance Administration with full authority to donate Federal surplus property to State criminal justice agencies; and fifth, to amend title 18 of the United States Code to assume certain rights for juveniles under Federal jurisdiction of delinquent acts.

Extensive hearings were held on S. 821 by the Subcommittee to Investigate Juvenile Delinquency, chaired by Senator BAYH. As originally introduced, this measure called for the establishment of a juvenile justice and delinquency prevention program within the Department of Health, Education, and Welfare.

When S. 821 was considered by the full Judiciary Committee, there was offered an amendment in the nature of a substitute to create this new program in the Law Enforcement Assistance Administration within the Department of Justice. I firmly believe that the issues of juvenile justice and delinquency prevention can be more successfully addressed by this agency. LEAA has an impressive record of dealing with this serious problem and has committed hundreds of millions of dollars in this area since the agency was first established in 1968.

Mr. President, the Senate bill differed significantly from the bill passed by the House. This latter bill, H.R. 15271, was reported to the House by the Committee on Education and Labor. It established a Juvenile Delinquency Prevention Administration within the Department of Health, Education, and Welfare. It also established a block grant program, a discretionary grant fund, an Institute for the Continuing Studies of the Prevention of Juvenile Delinquency, a Coordinating Council on Juvenile Delinquency Prevention, and a program to deal with runaway youth.

Despite the significant differences between the provisions of the Senate and House bills, and despite the strong insistance by the House conferees on several key provisions of that bill, I believe that the Senate conferees have been successful in retaining the essential provisions and character of the Senate bill. The conference report retains virtually all of the key features of the legislation passed by the Senate.

I am pleased to report that the conferees agreed to the Senate provision allowing LEAA to fulfill the lead role in the administration of the Juvenile Justice and Delinquency Prevention Act of 1974. This agreement is of overriding importance in that it established the Senate bill language as controlling for the general purposes of title II of the compromise bill.

The Office of Juvenile Justice and Delinquency Prevention is created within the Department of Justice, Law Enforcement Assistance Administration, rather than within the Department of Health, Education, and Welfare. As provided by the Senate bill there will be an Assistant Administrator at the head of the Office who shall be nominated by the President and appointed with the advice and consent of the Senate. The structure of this office will fit smoothly into the established structure of the Law Enforcement Assistance Administration. The Office will be able to utilize an established administrative structure to implement the LEAA activity in the individual States as required by this act.

The Administrator of LEAA will have the lead role in setting the policy and developing objectives and priorities for the Office as well as for all other Federal juvenile delinquency programs and activities of the juvenile justice system in the United States. The broad role given the Administrator will concentrate responsibility and the ability of one central Federal agency to achieve a coordinated and integrated Federal, State and local juvenile delinquency prevention and control program. The reporting requirements mandated by the compromise bill will allow the Congress to closely monitor the progress of LEAA as well as other Federal agencies in meeting their responsibilities under the Juvenile Justice and Delinquency Prevention Act of 1974.

Mr. President, the placement of this program in LEAA recognizes that in combating the problems of juvenile delinquency we must look, first and foremost, to the juvenile justice system—police, juvenile courts and juvenile correctional agencies.

This is consistent with the view taken by the National Advisory Commission on Criminal Justice Standards and Goals which, after an exhaustive study of the problem of crime in America and of the solutions to this problem, found that the Nation's first priority in reducing crime should be given to preventing juvenile delinquency. In its report "A National Strategy to Reduce Crime" the Commission said:

> The highest attention must be given to preventing juvenile delinquency, to minimizing the involvement of young offenders in the juvenile and criminal justice system and to reintegrating delinquents and young offenders in the community.

I am confident that LEAA can best provide assistance to police, juvenile courts, juvenile correctional agencies and others in their efforts in preventing and reducing juvenile crime, improving the quality of juvenile justice and dealing effectively with juvenile offenders.

There was substantial agreement, Mr. President, with the final version of this bill. All the Senate conferees signed the conference report. We believe that there has been a successful effort to retain the best features of both bills. This bill represents a culmination of years of hard work and the expertise and dedication of a great many individuals. The importance of this piece of legislation cannot be overstated. While we in government are attempting to achieve a balanced budget, certain crisis problems such as juvenile delinquency demand an immediate mobilization of Federal resources. The crisis of juvenile delinquency must be met.

I urge my colleagues to support the action of the conference committee.

I ask unanimous consent to have printed in the RECORD a statement describing and explaining the differences between the House and Senate bills, together with decisions made by the committee of conference in arriving at a reconciliation of those differences.

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

STATEMENT BY SENATOR HRUSKA ON S. 821 CONFERENCE REPORT: JUVENILE JUSTICE AND DELINQUENCY PREVENTION

The conferees agreed to the Senate provision that the Law Enforcement Assistance Administration fulfill the the lead role in the administration of the Juvenile Justice and Delinquency Prevention Act of 1974. This agreement is of overriding importance in that it establishes the Senate bill language as controlling for the general purposes of Title II of the compromise bill.

The Office of Juvenile Justice and Delinquency Prevention is created within the Department of Justice, Law Enforecement Assistance Administration, rather than within the Department of Health, Education, and Welfare. As provided by the Senate bill there will be an Assistant Administrator at the head of the office who shall be nominated by the President by and with the advice and consent of the Senate. The structure of this office will fit smoothly into the established structure of the Law Enforcement Assistance Administration. The Office will be able to utilize an established administrative structure to implement the LEAA activity in the individual states as required by this Act.

The Administrator of LEAA will have the lead role in setting the policy and developing objectives and priorities for the Office as well as for all other Federal juvenile delinquency programs and activities of the juvenile justice system in the United States. The broad role given the Administrator will concentrate the responsibility and the ability of one central Federal agency to achieve a coordinated and integrated Federal, State and local juvenile delinquency prevention and control program. The reporting requirements mandated by the compromise bill will allow the Congress to closely monitor the progress of LEAA as well as other Federal Agencies in meeting their responsibilities under the Juvenile Justice and Delinquency Prevention Act of 1974.

The Senate and House bills both required two annual reports of the Administrator, one containing an analysis and evaluation of Federal juvenile delinquency programs with

recommended modifications necessary to increase program effectiveness, and the other a comprehensive plan for Federal juvenile delinquency programs. In addition, the conferees adopted certain additional reporting requirements of the House bill. A House reporting requirement was accepted which specifies that the President, within 90 days of receiving the administrator's annual report analyzing and making recommendations pertaining to Federal juvenile delinquency programs, will submit a report to Congress and the Council of any action taken or anticipated with respect to recommendations made by the Administrator.

A series of requirements were accepted which specify that the Administration must submit one additional report in each of the first three report years. The first year's additional report is to enumerate specific juvenile delinquency criteria. The second year's additional report is to identify all Federal juvenile delinquency programs. In the third year's additional report the Administrator is to submit a detailed statement of procedures to be used with respect to the submission of juvenile delinquency development statements.

Finally, the Administrator is to require, through appropriate authority, each Federal Agency administering a Federal juvenile delinquency program to submit annually to the Council a juvenile delinquency development statement. This statement, together with the comments of the Administrator, will be included by the Federal agency in all budget related activity significantly affecting juvenile deliquency prevention and treatment.

These additional reporting requirements can be expected to substantially improve the ability of the Congress to oversee the entire Federal juvenile effort and to improve the overall coordination of Federal juvenile delinquency programs.

The conferees have also adopted the concept of the Interdepartmental Council established by the Senate bill. This Council, to be called the Coordinating Council on Juvenile Justice and Delinquency Prevention, is established as an independent organization in the executive branch. The function of the Council is to coordinate all Federal juvenile delinquency efforts. The conferees agreed that the Attorney General, as Chairman of the Council, will appoint an Executive Secretary of the Council. The Executive Secretary, with the approval of the Council, will appoint such personnel as are necessary to carry out the functions of the Council.

The conferees adopted the House provision for a separate authorized appropriation for the Council of such sums as may be necessary to carry out the purposes of the Council. This provision is in line with the important role envisioned for the Council by the conferees. The conferees retained the Senate provision that any individual designated by an agency head to represent him shall be a person exercising significant decision making authority in that agency. By this the conferees intend that the designated individuals will be senior officers of the agency with responsibility in an area closely related to juvenile justice and delinquency prevention activity.

The conferees also adopted the Senate bill's establishment of a twenty-one member National Advisory Committee for Juvenile Justice and Delinquency Prevention. The equivalent House bill provision established a six member Coordinating Council on Juvenile Delinquency Prevention. The agreement means that the Advisory Committee will, by virtue of its broad representative nature, have a more meaningful input into the Federal juvenile delinquency program. The House provision for appointment of regular members by the President was agreed to in lieu of appointment by the Attorney General as called for by the Senate.

The Senate provision that a majority of the regular members not be full time government employees was adopted. The House bill made no provision for public representation. Provision for public representation on the Advisory Committee will assure a broad expertise as well as fresh view points on methods to combat Juvenile Delinquency.

The duties of the Advisory Committee were adopted by the conferees verbatim from the Senate bill. These duties include: annual recommendations to the Administrator with respect to planning, policy, priorities, operations, and management of all Federal juvenile delinquency programs; designation of a subcommittee to advise the Administrator on particular functions or aspects of the work of the Administration; designation of a subcommittee to serve as members of an Advisory Committee for the National Institute for Juvenile Justice and Delinquency Prevention; and designation of a subcommittee to serve as an Advisory Committee to the Administrator on Standards for the Administration of Juvenile Justice. In addition, the conferees adopted the House provision allowing the Chairman of the Committee to appoint personnel to carry out the duties of the Advisory Committee.

It is my view that the conferees, by accepting these provisions, have increased the accountability of the executive branch in dealing with juvenile delinquency as well as the executive branch's ability to do the job.

FEDERAL ASSISTANCE FOR STATE AND LOCAL PROGRAMS

The conferees agreed upon a compromise match provision for formula grants. Federal financial assistance is not to exceed 90 percent of approved costs with the non-federal share to be in cash or kind, a so called soft match. This means that private non-profit agencies, organizations, and institutions will be better able to take advantage of opportunities afforded for financial assistance. The agreed upon match provision is in lieu of the Senate provision for no match and the House provision for a 90 percent cash, or hard match.

The conferees adopted the State plan provisions of the Senate bill. LEAA's existent State Planning Agencies are designated as the administering agencies in the States. The State's juvenile delinquency plan must be consistent with Section 303(a) of the Omnibus Crime Control and Safe Streets Act and such plan may, at the discretion of the Administrator, be incorporated in the State plan required in Section 303(a) for the receipt of Part C action funds.

The advisory group created by the Senate to advise the State Planning Agency and its Supervisory Board is retained over the House provision of a State Supervisory board. The Advisory Group is to consist of 21 to 33 members, as required by the Senate, rather than at least 15 members as required by the House. The advisory group is meant to be advisory in nature only and will have no power to approve, disapprove or modify State plans.

The conferees accepted a compromise pass-through provision, providing that at least 66⅔ percent of funds allocated to the State as formula grants be expended through programs of local government. The Senate had provided a 50 percent pass-through and the House 75 percent. This provision is not a hard and fast requirement since the Administrator can waive the requirement at his discretion if delinquency services are organized primarily on a statewide basis.

Supervision of local government programs by a local supervisory board as provided by the House was deleted by the conferees. This means that the State Planning Agency and the advisory group will be responsible for oversight of local government programs.

The State plan requirement for employee protection represents a compromise between the Senate and House positions. The provision adopted deletes the reference to the Secretary of Labor contained in the Senate bill but retains the enumerated protective arrangements of the Senate bill. The conferees expect LEAA to consult with the Secretary of Labor before issuing guidelines to the States regarding protective arrangements. However, the decision to eliminate the direct participation of the Secretary of Labor eliminates what would have been a bottleneck in the planning-funding process.

The Conferees agreed to the Senate provision for distribution of funds in the event that a State fails to submit a plan or fails to submit a plan meeting the necessary requirements for funding under this Act. The Senate bill gives States an incentive to attempt to meet the plan requirements since failure to make such an attempt could result in the funds being expended in other States. The House bill would have required the funds to be expended within the State whether or not the failure was a result of explicit and conscious decision.

The Conferees adopted the Special Emphasis Prevention and Treatment Programs provisions exactly as provided in the Senate bill.

The use of funds for construction, whether formula grant or special emphasis funds, was agreed by the conferees to be limited to not more than 50 percent of the cost of the construction of innovative community based facilities for less than twenty persons necessary to carry out the enumerated purposes of the Act. While this construction provision is restrictive, it illustrates the importance attached by the conferees to alternatives to incarceration of juveniles. The word construction, as used in Section 103 (10) and in Section 227, is to be liberally construed. The term construction does not include minor repairs or alterations. The term facility as used in Section 227 means all or any part of a building used to house a project or activity funded under the Act.

NATIONAL INSTITUTE FOR DELINQUENCY PREVENTION AND JUVENILE JUSTICE

The conferees adopted a provision establishing a National Institute for Delinquency Prevention and Juvenile Justice, a composite name derived from those of the Senate and House bills.

The Institute is established within the Juvenile Justice and Delinquency Prevention Office under the supervision and direction of the Assistant Administrator and headed by a Deputy Assistant Administrator as called for by the Senate bill.

The Act mandates that the activities of the National Institute for Delinquency Prevention and Juvenile Justice be coordinated with those of the LEAA's National Institute of Law Enforcement and Criminal Justice. The conferees anticipate that there will be, in addition, strong coordination between these two Institutes and the National Institute of Corrections created by Title V of this Act. The Attorney General has the authority and responsibility to effectuate this coordination in order to maximize results and eliminate duplication of efforts.

Several additional functions of the Institute called for by the House were included by the conferees, including dissemination of pertinent data and studies, preparation of studies on the prevention and treatment of juvenile delinquency, short term training and instruction, development of technical training teams to aid the States in setting up their own development and training programs, and establishment of an Institute training program designed to train enrollees with respect to methods and techniques for the prevention and treatment of juvenile delinquency. I believe that these additional functions will strengthen the vital role of the Institute in providing a coordinated nationwide approach to juvenile delinquency prevention and control.

The Senate provision for a report by the Advisory Committee on Standards for Juve-

nile Justice to the President and Congress within the year of the date of passage was accepted by the conferees. The House had vested responsibility for this report solely in the Institute without any advisory committee input. Another Senate provision was accepted which links the Advisory Committee for the National Institute for Delinquency Prevention and Juvenile Justice with the National Institute for Delinquency Prevention and Juvenile Justice, requiring the committee to advise, consult with, and make recommendations concerning the overall policy and operations of the Institute. These two committees strengthen the communication and coordination between the Advisory Committee and the Institute.

AUTHORIZATIONS OF APPROPRIATIONS

The conferees agreed to a compromise on the length and level of appropriations authorized to carry out the purposes of Title II. The Senate appropriation authorization for Part F was for two years at $75 million for fiscal year 1975 and $150 million for fiscal year 1976, while the House authorization was for four years at $75 million for each of fiscal years 1975 and 1976, $125 million for fiscal year 1977, and $175 million for fiscal year 1978. The compromise is a three year appropriation authorization of $75 million for fiscal year 1975, $125 million for fiscal year 1976, and $150 million for fiscal year 1977.

The extra year agreed to by the conferees assures that LEAA will have an adequate opportunity for careful planning, implementation, and evaluation of funded programs. The Congress can expect significant progress to be demonstrated by the end of this period of time.

The conferees agreed to include a provision from the Senate bill requiring LEAA to expend from its other appropriations, other than appropriations for Administration, at least the same level of financial assistance for juvenile delinquency programs as was expended by LEAA during fiscal year 1972. The conferees also intend that other Federal agencies maintain their current levels of funding for juvenile delinquency programs and that such funding not be decreased as a direct result of the new funding provided by this Act.

EXTENSION OF JUVENILE DELINQUENCY PREVENTION ACT

Due to the change in administering agencies from HEW to LEAA the conferees adopted the Senate provision for extension and amendment of the Juvenile Delinquency Prevention Act. As noted in the floor debate on S. 821 this title simply allows HEW sufficient time to wind down the activities funded under the Juvenile Delinquency Prevention Act without an abrupt discontinuation of the program. This transitional period will allow transfer of worthwhile services and programs to the new office in a smooth and orderly fashion.

FEDERAL SURPLUS PROPERTY AUTHORITY

The Senate conferees reluctantly receded to the wishes of the House conferees and deleted the Federal Surplus Property authority contained in Title VIII of the Senate bill. There were several reasons for this result. The House Education and Labor Committee does not have jurisdiction over surplus property and it was indicated by the conferees that such provision would be opposed by the appropriate House committee on these grounds. Further, the conferees received the text of a GSA letter opposing Title VIII and indicating that proposed legislation will liberalize the rules regarding the disposal of surplus and excess property. Finally, the Congress will be reviewing the entire surplus property program in the next session and major revisions can be expected. It is my hope that the Law Enforcement Assistance Administration may yet be granted surplus property authority in order to improve the country's law enforcement and criminal justice system capabilities.

NATIONAL INSTITUTE OF CORRECTIONS

The House conferees accepted the Senate Title which establishes the National Institute of Corrections within the Department of Justice, Bureau of Prison. While the House bill contained no similar title, the House conferees agreed that there is a urgent need for such an Institute to serve as a center of correctional knowledge for Federal, State and local correctional agencies and programs to develop national policies, educational and training programs and to provide research, evaluation and technical assistance.

As I noted earlier, it is expected that there will be strong coordination between the National Institute of Corrections, the National Institute for Law Enforcement and Criminal Justice, and the National Institute for Delinquency Prevention and Juvenile Justice.

FEDERAL JUVENILE DELINQUENCY ACT

The House conferees also accepted the Senate amendment to the Federal Juvenile Delinquency Act. These amendments provide basic procedural rights for juveniles who come under Federal jurisdiction and bring Federal procedures up to the standards set by State law and recent Supreme Court decisions.

RUNAWAY YOUTH ACT

In the spirit of compromise, the Senate conferees agreed to adopt the House provision for a runaway youth program in the Department of Health, Education, and Welfare to deal with the problems of runaway youth and their families. The Senate bill contained no similar provision since runaway youth programs are adequately provided within the framework of the provisions of the Omnibus Crime Control and Safe Streets Act and other provisions of this Act. The conferees expect that LEAA funded runaway projects will continue on a limited scale, with close coordination with HEW.

Frankly, I opposed this provision of the House bill but agreed with other Senate conferees that a runaway program in S. 821 would increase the probability of House agreement to the conference report.

CONFORMING AMENDMENTS

The Senate bill directly amended the Omnibus Crime Control and Safe Streets Act in order to reflect the key provisions of this Act in the body of that Act. The conferees agreed to write the compromise bill in such a way as to leave those titles affecting the LEAA program as free standing provisions. The conforming amendments reintegrate certain key provisions by amending this Act and the Omnibus Act. This will insure that the programs authorized by the Juvenile Justice and Delinquency Prevention Act of 1974 remain within the jurisdiction of the House Committee on Education and Labor. They represent no substantive changes from the Senate bill.

I would like to comment on several of the direct amendments to the LEAA Act. One important change is the Amendment to section 203(a) of the Omnibus Crime Control and Safe Streets Act. This amendment requires, rather than permits, the State Planning Agencies and Regional Planning Units to include representatives of citizen, professional, and community organizations including organizations directly related to delinquency prevention.

Another change is the addition of section 528 to the Administrative provisions of the Omnibus Act. This section authorizes the Administrator to select personnel to administer the provisions of the Act.

Mr. HRUSKA. This means that the Administrator will have the flexibility in personnel matters that is needed to get the job done in the fastest and most efficient manner possible.

I also want to note that the House bill's antidiscrimination provisions have been added in modified form to the compromise bill. These provisions parallel the current LEAA authority contained in section 518(c) of the Omnibus Crime Control and Safe Streets Act. They give LEAA a more specific legislative handle to use to eliminate discrimination and thereby guarantee the civil rights of all Americans.

There was substantial agreement, Mr. President, with the final version of this bill. All the Senate conferees signed the conference report. We believe that there has been a successful effort to retain the best features of both bills. This bill represents a culmination of years of hard work and the expertise and dedication of a great many individuals. The importance of this piece of legislation cannot be overstated. While we in government are attempting to achieve a balanced budget, certain crisis problems such as juvenile delinquency demand an immediate mobilization of Federal resources. The crisis of juvenile delinquency must be met.

I urge my colleagues to support the action of the conference committee.

The PRESIDING OFFICER. The question is on agreeing to the conference report.

The conference report was agreed to.

Mr. BAYH. Mr. President, I move that the Senate recede from its disagreement to the House amendment to the title of the bill and concur therein.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Indiana.

The motion was agreed to.

COUNCIL ON WAGE AND PRICE STABILITY

The Senate resumed the consideration of the bill (S. 3919) to authorize the establishment of a Council on Wage and Price Stability.

Mr. NELSON. Mr. President, this is an amendent to section 4 of the bill—S. 3919, the Council on Wage and Price Stability Act—which is the section on exchange, confidentiality, and disclosure of information.

The amendment is cosponsored by the Senator from Michigan (Mr. HART).

The purpose of this amendment, in a nutshell, is to give the new Council on Wage and Price Stability one additional power that might be of some real and immediate utility in damping down inflation. Our proposed amendment would empower the Council to disclose to Federal law enforcement agencies and the public certain secret product-line profits of the largest manufacturing corporations, if those profits were associated with inflationary price increases occurring after August 23, 1974.

By conferring that power, Congress would enable the Council to fight inflation three ways:

First, because of their almost universal preference to keep their profits made in individual product lines a secret from the public and the agencies, the affected giant corporations would be given a strong incentive not to raise prices, since

raising prices would cause their profit secrets to become public knowledge.

Second, disclosure by the Council of secret, very high product-line profits of a giant corporation, following a price increase, would enable both the public and governmental agencies to make better-informed judgments on whether an inflationary "abuse" had in fact occurred and whether political or law-enforcement actions, or both, might be warranted.

Third, the public exposure of secret, very high product-line profits might well attract new competitive entrants into the industry involved, and the new competition could itself be very helpful in pushing down inflationary pricing. After all, that is what free enterprise is all about. The profit motive is the engine; but competition is the regulator, the governor on the engine that keeps the system working for the benefit of the consumer. At least, that is the theory, and the theory may become truth if we can get more information out into the open.

SUMMARY OF AMENDMENT'S PROVISIONS

The proposed amendment would bring about these desirable results by doing these things:

First, by adding a new section 4(f) to the bill, the amendment would remove any possible doubt or ambiguity concerning the right of the Council on Wage and Price Stability to have access to the report forms to be collected by the Federal Trade Commission in its new line-of-business program for the largest manufacturing corporations. It would be my own curbstone legal opinion, as a lawyer reading the bill, that S. 3919 as reported, by clear implication, already grants that right to the Council. But this line-of-business program is too new and too important to leave any room for argument or doubt. To avoid confusion, delay, and possible litigation, our amendment would have the bill say that the Council is to have and to exercise the right of access to line-of-business reports obtained by the FTC. The Council is definitely going to need to see and use those reports, because they will contain data of a type never before systematically, regularly collected by the Government, information of a type that is not now and will not soon become available from any other source, and information of a type that could not be more relevant to the Council's interests and concerns and purposes. The line-of-business reports will cover various aspects of the giant manufacturers' investments, costs and profits, by standardized product line.

Second, by new subsection 4(g)(1), the amendment would enunciate the policy of Congress that all appropriate sworn officers and employees of the Federal Trade Commission and the Council would be given access—confidential access—to company line-of-business reports for purposes of carrying out all of the specific statutory responsibilities of both agencies. Thanks in large part to some very hard and able work by my colleague from Wisconsin (Mr. PROXMIRE) and also the cosponsor of the present amendment (Mr. HART), and the distinguished Senator from Wyoming (Mr. MCGEE), a provision concerning this kind of more widespread access, within the FTC, was included in the Senate version of the recently passed bill making appropriations for agricultural, environmental and consumer protection programs—H.R. 15472. The Senate provisions for wider access to the FFC's line-of-business forms were substantially lost in conference; then the whole bill, for other reasons, was vetoed by President Nixon on his last night in office, so we shall have to start over on that whole multibillion-dollar appropriation bill. I think it would be worthwhile to handle the subject of access to line-of-business reports right here and now in a legislative measure, where such things belong, and perhaps thereby avoid another round of discussion of the subject in an appropriations bill, where such things really do not belong.

Third, under new subsection 4(g)(2) and subsection 4(h), which the amendment would add to the bill, an inflationary price change occurring after August 23, 1974, would trigger a double-barreled further disclosure of information contained in any line-of-business report which the FTC or the Council determined to be pertinent to that change. The entire report would be made available to any or all of these agencies: the Department of Justice, the Securities and Exchange Commission, the General Accounting Office, and the Office of Management and Budget, for purposes of carrying out their lawful responsibilities. And information excerpted from the report would be made available to the public, through the use of a test for the legitimacy or illegitimacy of claimed confidential, proprietary status.

TEST FOR PUBLIC DISCLOSURE

The test is somewhat complicated, unless you happen to have been a fan and a follower, as I have been, of the Hathaway amendments which were engrafted, through the good work of the Senator from Maine, onto the Economic Stabilization Act Amendments of 1973—section 6 of Public Law 93-28—and the Federal Energy Administration Act of 1974—section 14 of Public Law 93-275. Then the test set forth in the amendment is perfectly simple, because it is just about the same test.

The agency—either the Federal Trade Commission or the Council—considers each piece of information in the line-of-business report that has become eligible for public disclosure, by reason of its pertinence to an inflationary price hike occurring after August 23, 1974. If it determines that the particular piece of information is SEC information, it becomes public. If it is not SEC information, it stays confidential.

And what is "SEC information?" It is information of the same type that would have to be made public in its annual report to the SEC by a hypothetical company—a public corporation—that had one and only one line of business, and that line would be identical to the line of business involved in the report to the FTC. The SEC, under sections 13 and 15(d) of the Securities Exchange Act of 1934 requires very detailed annual reports from all registered companies. Since some companies are very diversified—and those are the ones that will be reporting to the FTC on the new line-of-business form—and others are very specialized, a great competitive inequity has grown up, which has been recognized by economists and small businessmen for years.

If, for example, there was a company registered with the SEC that made nothing but refrigerators, anyone could look at that company's report to the SEC and tell what its costs and profits were in the refrigerator line of business, because that would be its only line of business. But when a company makes refrigerators only as one of hundreds of products, as General Motors does, as Ford Motor Co. does, and as other giant companies do, its consolidated company profit reports tell nothing at all about its profits on refrigerators. General Motors breaks down its business for public reporting purpose only into "automotive," 'nonautomotive," and "defense," and into foreign and domestic, and that also tells nothing about its refrigerator profits. Yet, GM is almost certainly the largest refrigerator maker in the world.

As a result of this kind of secrecy, many abuses can be carried on out of sight. I do not say that General Motors is making abusive, inflationary profits in refrigerators—I do not know; but I do say we all have a right to know what percentage of profit on sales and on investment GM is making, in refrigerators, and in every one of its major product lines.

In his address to a joint session of Congress on August 12, President Ford said we have to have equity in any inflation-fighting program, and no one can disagree with that, in principle—although there will be lots of disagreement on what is and is not equitable, no doubt.

But it seems to me inequitable to have it be a secret what kind of profits a giant diversified corporation is making in each product and vertical segment of its operations, simply because it is big enough to put the figures together in all sorts of meaningless ways. I have been trying for years, by one means and another, to get something done about that, and I expect to go on trying.

This amendment is an especially modest effort in that regard. It only applies to information that is going to be collected in the FTC's line-of-business program, and the public and even the agency disclosure of that information would not come about unless it were determined that some future report had some relevance to a price increase occurring after August 23, 1974, a date selected because it is the date the Congress is going to recess and the date by which the President told us we were to get this bill passed.

The four agencies—Justice, SEC, GAO, and OMB—selected in this bill for sharing of the line-of-business reports are the same ones that were contained in the comparable provisions of the Senate version of that vetoed appropriations bill. The reference to committees of Congress is omitted here, because outside the context in which that reference occurred in the appropriations bill, it is not necessary. It is well recognized that Congress, through its authorized committees for

authorized purposes, has full—although sometimes confidential—access to FTC records, and that will of course be true of the line-of-business records unless language comparable to the unfortunate House language in the vetoed appropriations bill is again adopted, which I trust it will not be.

SMALL BUSINESS NOT HIT BY AMENDMENT

The FTC's line-of-business reports will be filed by only 345 of the country's largest manufacturing corporations in the first year of the program—the forms have just been mailed out within the past few days. Only 500 corporations will be involved in the second year, unless plans and appropriations limitations change, and it is doubtful that the program would ever apply to more than the 1,000 or at most 2,000 largest corporations. Consequently, the FTC's line-of-business program is not opposed by small business; rather, it is welcomed by small business, because it has the potential of eventually providing for a long-overdue wider, more equitable sharing with the whole business community of the very valuable industrial information that is generated—and now closely held in a "knowledge monopoly"—by big business.

And while they may and no doubt will object to this amendment's provision for wider access to their line-of-business data, big business that is involved in the program cannot say that this will add to their reporting burdens, since they already are required to do the work to fill out the line-of-business forms.

PRESIDENT FORD'S ADDRESS TO THE CONGRESS

Mr. President, the address to a joint session of Congress on August 12 by the new President of the United States, set a refreshing tone and announced some priorities and policies which will surely be welcomed by all Americans. None was more welcome than these:

First, the Gerald Ford administration is going to fight inflation, and fight it hard.

Second, the Ford administration is going to be for openness and accountability of governmental power, as well as for the rights of privacy of the individual citizen.

The address was received by the Congress with the same warmth and cordiality, in the same spirit of new beginnings and new hope as the President delivered it. Every Member of Congress wants to go more than half way to meet the President's request, just as much as we want and welcome his promise to go more than half way to accomodate to the expressed desires of this branch of Government.

The President's first specific request of the Congress, in connection with the fight that he, and we, and all Americans want to wage and must wage against inflation, was to enact legislation reactivating, with some changes, the Cost of Living Council. An administration bill to that end had been introduced earlier Monday, even before the President spoke. That bill—S. 3394—was very promptly considered by the Senate Banking Committee, and the bill before us today—S. 3919—is a clean bill patterned, with not any very significant changes, on the President's bill.

But I would like to recall the words our new President used when he asked us for this legislation. President Ford said:

> For a start, before your Labor Day recess, Congress should reactivate the Cost of Living Council through passage of a clean bill, without reimposing controls, that will let us monitor wages and prices to expose abuses.

The words that stand out there are "without reimposing controls" and "monitor wages and prices to expose abuses."

Plainly, the President believes that mandatory wage and price controls will not do as good a job of curbing inflation as will the forces of public opinion—and the forces of competition—if only the abuses can be exposed.

Many in the Congress will differ with that optimistic view of President Ford's. For my own part, I think he has come up with one good and important remedy, but he is very probably wrong in his hope that it will be all the remedy we need. Wage and price controls, whether inflexible or flexible, are extremely distasteful and drastic; no one really wants them; yet, there are situations and times when there seems to be no adequate substitute for them, times when the only alternative is economic chaos and economic disaster.

I was one of a minority in the Senate that voted for giving to the President a revised, more equitable, standby wage and price control authority, to be exercised under certain circumstances. I also voted for continuing a monitoring system for wages and prices, not dissimilar to the one the President is currently proposing.

Consequently, I would feel more comfortable if the President were now asking for something more and stronger than a monitoring system; but to say that he is not, perhaps, asking Congress for enough is not to say that what he is asking for is not good, and necessary. It is.

In fact, the last three words in the quotation just read from the President's Monday speech have real merit and importance. That concept deserves the Congress' closest consideration.

The three words are: "To expose abuses."

The President's suggestion is in the spirit of Louis Brandeis' famous and beloved remark,

> Publicity is justly commended as a remedy for social and industrial diseases. Sunlight is said to be the best of disinfectants; electric light the most efficient policeman.

And the amendment which Senator HART and I are asking the Senate to consider and adopt is in the same spirit. It is an amendment to the President's own bill—as somewhat amplified by the committee—that is designed and intended to implement the Presidents' own suggestion that we try, as one possible remedy for inflation that has not yet really been tried, the exposure of abuses.

The new Council on Wage and Price Stability would be given the mandate, by the bill as reported, to monitor and report inflationary abuses in big government, and I approve of that. But this amendment would greatly enhance and strengthen the Council's power to carry out its equally important task of monitoring and exposing abuses in big business.

GIANT CORPORATIONS ARE PRIVATE GOVERNMENTS

Today, giant corporations are governments unto themselves, accountable to no one, richer and more powerful than many of the elected, public governments of States and even nations. It is time and past time that we stripped from these great world powers the veils of secrecy. It is time that we carried out our new President's advice that we establish machinery by which the government and the public can know whether inflationary prices and pressures and profits are, in fact, abusive, by knowing—in far more detail than we now do—what they are.

When a giant diversified company's secret, high profits on a particular product become known, the forces of competition will be brought to bear on that profit. Other companies will enter that line of business, the competition will mount, and the inflationary prices will come down. That is the way of free enterprise, of the competitive market, which corporate secrecy is actually killing.

A short time ago I read a quotation from our new Republican President. Now I would like to close with a quotation from our Republican Assistant Attorney General in charge of the Antitrust Division of the Justice Department, Mr. Thomas Kauker. In an address he made a few days ago, on August 1, to the House Republican Conference. Mr. Kauper said:

> We promote competition and prosecute those who seek to destroy it in the firm belief that only through vigorous, free competition, can we develop and maintain the economic potential to produce the things we all need at prices we can all afford. Without competition prices get sticky—they go up, they may eventually level off at a monopoly level, but they are slow to come down. We must rely on competition to drive prices down.

I agree with that, and I would point out that there is nothing this Congress could do to make competition work better as a check on inflation than to enact legislation which would provide for exposure of the high, secret profits, by product line, of our giant corporations.

As a Democrat, I will proudly cooperate with any Republican President to achieve that end. After all, President Ford's proposal is in keeping with the view of the first great pro-competition, giant-killing Republican President, Theodore Roosevelt.

It was T. R. who said, in connection with the founding of the predecessor to the Federal Trade Commission:

> Great corporations exist only because they are created and safeguarded by our institutions; and it is therefore our right and our duty to see that they work in harmony with these institutions. . . . The first requisite is knowledge, full and complete; knowledge which may be made public to the world.

In keeping with that observation, and with last Monday's remarks by President Ford, I urge the Senate to adopt our amendment.

Mr. President, I ask unanimous con-

sent to withdraw the amendment I sent to the desk.

The PRESIDING OFFICER. The Senator has the right to do so. The amendment is withdrawn.

The question is on agreeing to the Stevenson substitute for S. 3919, as amended.

Mr. SPARKMAN. Mr. President, I did not understand that the time for the vote had arrived.

The PRESIDING OFFICER. The Chair cannot hear the Senator.

Mr. SPARKMAN. When I asked earlier whether the time for the vote had been set at 4:15, I was told that that was only an informal agreement. I desire to be heard on the Stevenson amendment before the vote takes place.

The PRESIDING OFFICER. The Senator is recognized.

Mr. SPARKMAN. Do I correctly understand that the vote can occur earlier than 4:15?

The PRESIDING OFFICER. The Chair advises the Senator that his understanding is correct.

Mr. SPARKMAN. Mr. President, I have great respect for the Senator from Illinois and for his ability and his integrity. He does a thorough job, and I commend him for it. It just happens that in this matter I do not believe he is taking the right course. I do not believe that this is the time for Congress to try to enact wage and price controls. Of course, the Senator from Illinois will say that he is not providing for wage and price controls. He says he is placing upon the President of the United States the necessity to watch things and, when something seems to be getting out of order, to call a halt.

I am as much interested in the fight against inflation as anyone can be. It is undoubtedly the No. 1 problem throughout the country. It has been for a long time and may be for a long time to come. I wish we had the formula that would guarantee wiping out inflation and getting rid of it as soon as we can. But I do not think anybody has found that formula.

The President of the United States has announced that with him and with his administration, it is the No. 1 objective. He did not ask for controls. He asked us to give him what he considered the basic means of getting this fight on inflation started, and that was for—a task force, as he called it.

The House has already acted on their bill and passed it, without difficulty and without amendments. They gave him what he asked for.

If we are going to expect the President of the United States to win the fight against inflation, then we ought to give him the tools for which he asked. I am not suggesting that this is the only thing he will ask for. He probably will ask for other things as we go along. But he starts out by asking for a task force that he can set up, which will give the most serious consideration to this problem and come up with ideas. Those ideas may result in legislation. If they do, I hope he submits that legislation to us, and I hope we act according to his wishes on that legislation. That is the least we can expect, if he is going to carry on the fight as we want him to do.

Let us give him the bill he wants. I admit that there is some difference between the House bill and the Senate bill, but I think we can classify it as minimal. I believe that undoubtedly there can be quick agreement with the House in the event we pass this bill this afternoon as the committee reported it.

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

Mr. SPARKMAN. I yield.

Mr. TOWER. I might say that the Senate version is equally satisfactory to the administration as is the House version. As the Senator points out, these differences are so minimal, it is even conceivable that the House will accept the Senate amendment and that we will not have to go to conference—if our committee bill is accepted.

Mr. SPARKMAN. My understanding is that the only real difference in our bill is the disclosure provisions and they are in large part present law. Is that correct?

Mr. TOWER. That is correct.

Another difference is that we authorize the Council on Wage and Price Stability to monitor the impact of governmental programs on inflation

Mr. SPARKMAN. And I believe our programs on inflation.

Mr. TOWER. That is correct.

Mr. SPARKMAN. After hearings.

Mr. TOWER. After hearings.

Mr. SPARKMAN. And we heard from the President's Economic Counselor, Mr. Rush. We heard from the National Association of Manufacturers. We heard from the AFL–CIO. Was there anyone else?

Mr. TOWER. We had three Senators testify—Senator JAVITS, Senator ROTH, and Senator BENTSEN.

Mr. SPARKMAN. Is it not true that every one of those witnesses was in substantial agreement and wanted us to report that bill?

Mr. TOWER. That seemed to me to be the thrust of the testimony.

Mr. SPARKMAN. No one could read it otherwise. The committee voted to report that kind of bill.

Mr. President, I value highly the friendship of the Senator from Illinois. I have known him for a good many years. I knew him when he was a boy. He is a very fine member of our committee, one of the hardest working and one of the most able.

I admire him and I respect him. I respect his views, even when I do not agree with them. But I say to the Senator from Illinois that he offered this amendment in the committee and the committee rejected it, because they wanted to do what President Ford asked us to do: enact his bill as soon as we could. That is just exactly what we are trying to do, and that is what I plead with the Senate for us to do.

Does the Senator from Illinois wish to say something, Mr. President?

Mr. STEVENSON. Mr. President, I wish very briefly to respond to the distinguished chairman's comments.

First, I think the chairman may have been off the floor when I commended him earlier for acting with such dispatch and diligence in bringing this matter before the Committee on Banking, Housing and Urban Affairs, on which I am privileged to serve under his leadership, and therefore quickly bringing it to the floor. I share with him his desire to act quickly and support the President and give the President what he seeks. It is only at this point that I have to part company with the distinguished chairman, and it always distresses me to do that. He has been a friend and, I might add, a friend for two generations in my family. I have the greatest respect and affection for him.

The trouble is that the President did not ask for anything. He did not ask for any authority that he does not already have. That was acknowledged by, among others in the committee, the Senator from Texas. This bill does not give the President of the United States one iota of additional authority over what he already has, except for the authority to spend another million dollars, which, as one Member of the other body has said, is giving him nothing more than a million-dollar honeymoon.

Mr. President, this is not a radical proposal. It is not a suggestion that wages and price controls be reimposed. This proposal may not be sought by the President. But it is sought by the Chairman of the Federal Reserve Board and, I believe, by every member of the Federal Reserve Board. Its purpose is simply to make monitoring effective and give the President the authority to defer inflationary, unreasonable, and excessive wage and price increases.

The President has called upon Congress and upon the country for action and has proposed none. He has called for a monitoring of the economy. What I am trying to do is give him the necessary tools, and beyond that, just to jawbone, a means of deferring wage and price increases—not controlling them, but defining them, spotlighting them, giving the public an opportunity to see them and to bring pressure to bear.

It is not wage and price controls. It may be an alternative to wage and price controls, because without some such action, the Government which imposed controls when prices were going up at 4.4 percent, might very well reimpose them when they are going up at a rate of 44 percent. That is the annual rate at which wholesale prices were increasing during July.

I do not want to go that route. Perhaps by taking this modest action, we can avoid a reimposition of the controls and a freeze and still more dislocations in the economy.

Mr. SPARKMAN. Mr. President, I agree with the Senator to the extent that the President could have, by executive decree, set up such a council as this. But I think that we in Congress like to have the President lay the matter before us, let us have a hand in it, instead of just setting it up by Executive order.

Another thing which I notice the Senator has in his amendment is the power of subpena. I thought we had passed away from subpenas for the time, and I hope we have. I think we have all heard so much in connection with subpenas

that we would be glad to be out from under that burden.

I say again, the President is asking for a tool with which to work. It is all he is asking for, to give him the congressional authority to set up a task force or council as is provided in this bill to explore these various matters. That is his first step in his fight against inflation. We all want to see him win in that fight, and I am in favor of giving him what he asks for.

Mr. President, I am about to do something I have never done before, and I regret very much that it comes in connection with the amendment of the Senator from Illinois.

Mr. President, I move to lay on the table the amendment of the Senator from Illinois.

Mr. STEVENSON. I ask for the yeas and nays, Mr. President.

The yeas and nays were not ordered.

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

The PRESIDING OFFICER. The clerk will call the roll.

The second assistant legislative clerk proceeded to call the roll.

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

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

Mr. TOWER. I ask for the yeas and nays on the motion to lay on the table.

The yeas and nays were ordered.

The PRESIDING OFFICER (Mr. HELMS). The question is on agreeing to the motion to lay on the table the amendment—No. 1807, as amended—of the Senator from Illinois (Mr. STEVENSON). On this question, the yeas and nays have been ordered, and the clerk will call the roll.

The second assistant legislative clerk called the roll.

Mr. ROBERT C. BYRD. I announce that the Senator from Nevada (Mr. CANNON), the Senator from Mississippi (Mr. EASTLAND), the Senator from Arkansas (Mr. FULBRIGHT), the Senator from Alaska (Mr. GRAVEL), the Senator from Indiana (Mr. HARTKE), the Senator from Louisiana (Mr. LONG), the Senator from Wyoming (Mr. MCGEE), the Senator from South Dakota (Mr. MCGOVERN), the Senator from Minnesota (Mr. MONDALE), and the Senator from Mississippi (Mr. STENNIS) are necessarily absent.

Mr. GRIFFIN. I announce that the Senator from Oklahoma (Mr. BELLMON), the Senator from Utah (Mr. BENNETT), the Senator from New Jersey (Mr. CASE), the Senator from Kentucky (Mr. COOK), the Senator from New Mexico (Mr. DOMENICI), and the Senator from Virginia (Mr. WILLIAM L. SCOTT) are necessarily absent.

I further announce that, if present and voting, the Senator from New Jersey (Mr. CASE) would vote "nay."

The result was announced—yeas 50, nays 34, as follows:

[No. 366 Leg.]

YEAS—50

Aiken	Beall	Byrd, Harry F., Jr.
Allen	Bible	Chiles
Baker	Brock	Clark
Bartlett	Brooke	Cotton
Bayh	Buckley	Cranston
Curtis	Helms	Sparkman
Dole	Hruska	Stafford
Dominick	Huddleston	Stevens
Eagleton	McClellan	Taft
Ervin	McClure	Talmadge
Fannin	Nunn	Thurmond
Fong	Packwood	Tower
Goldwater	Pearson	Tunney
Griffin	Percy	Weicker
Gurney	Randolph	Williams
Hansen	Schweiker	Young
Hatfield	Scott, Hugh	

NAYS—34

Abourezk	Inouye	Moss
Bentsen	Jackson	Muskie
Biden	Javits	Nelson
Burdick	Johnston	Pastore
Byrd, Robert C.	Kennedy	Pell
Church	Magnuson	Proxmire
Hart	Mansfield	Ribicoff
Haskell	Mathias	Roth
Hathaway	McIntyre	Stevenson
Hollings	Metcalf	Symington
Hughes	Metzenbaum	
Humphrey	Montoya	

NOT VOTING—16

Bellmon	Eastland	McGovern
Bennett	Fulbright	Mondale
Cannon	Gravel	Scott, William L.
Case	Hartke	Stennis
Cook	Long	
Domenici	McGee	

So the motion to lay on the table was agreed to.

FINAL COST OF DIRKSEN OFFICE BUILDING WILL TOP $100 MILLION

Mr. HARRY F. BYRD, JR. Mr. President, I have a news article quoting the Capitol Architect, George M. White, as stating that the final cost of what started out to be a $48 million extension of the Dirksen Office Building possibly will top $100 million.

Mr. President, I do not feel that in this time of great inflation, that this time when the President of the United States is making as the key part of his program a determined effort to get Federal spending under control, I do not believe that Congress should go ahead at this time with a $100 million office building.

We must have some austerity in the Federal Government, and the place to start is in Congress and in the White House.

Congress can make a start by reviewing this proposed new Senate Office Building, because I think it would be unwise to go ahead with an expenditure of $100 million for a new building at the present time.

I know all the Senators are cramped for space. The Senator from Virginia is cramped for space. We have a lot of problems and difficulties in handling our duties and responsibilities, but the No. 1 problem is to get Government spending under control. A good place to start is to show that we have some austerity here in the city of Washington by getting along, for the time being at least, without a new Senate Office Building.

Mr. SPARKMAN. Before the Senator yields the floor, Mr. President, of course—by the way, I am chairman of the Senate Office Building Commission.

Mr. HARRY F. BYRD, JR. That I did not know.

Mr. SPARKMAN. I have been mixed in this.

Mr. HARRY F. BYRD, JR., The Senator then knows more about it than I do.

Mr. SPARKMAN. I do know the cost has gone up, as everything has. I am amazed at some of the costs that we are paying today for everything. But my memory goes back to about 1954, I guess it was, when the present new Senate Office Building, the Dirksen Building, was proposed. It may have been a year or two earlier than that.

I was on the Commission then. The chairman was the late former Senator Green of Rhode Island, by the way, and we worked very, very hard on that.

It was objected to here on the Senate floor when the time came to authorize it, or to get the appropriation, and the same argument was made then.

We had planned a more elaborate building than we have got. We had a big sun roof up there, with a nice dining room. We had a swimming pool down in the basement, and so many things. But the cost was too great, so the Commission went back to work, and we cut corners here, cut corners there, cut down the space, cut out the swimming pool, the gymnasium, the solarium, and all the other refinements, and cut the thing down considerably. But, of course, that took a couple of years, and by the time the building was built, the bobtailed building we are using now, it cost more—I think about $20 million more—than it would have cost had we gone on when it was first planned.

I do not know how such figures would add up today, but I do throw that out for the Senator to keep in mind.

Mr. HARRY F. BYRD, JR. I appreciate the history given to the Senate by the able Senator from Alabama. But I would point out that in 1958, the American people did not have the inflationary pressures which we have today. The cost of living was stable then. Today living costs are accelerating by an unprecedented degree, and the major cause is continued and accumulating Government deficits. The Government did not have the smashing Government deficits then, 1958, that it has today.

So, despite the history of the Dirksen building and despite the argument, which has a lot of merit to it, being made by the Senator from Alabama, I still hope that the Senator from Alabama and the Commission which he heads will give consideration to restudying this matter as to whether now is the proper time to be building a new Senate office building costing $100 million.

Mr. SPARKMAN. I thank the Senator from Virginia.

COUNCIL ON WAGE AND PRICE STABILITY

The Senate continued with the consideration of the bill (S. 3919) to authorize the establishment of a Council on Wage and Price Stability.

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

Mr. JAVITS. Mr. President, I send an amendment to the desk.

The PRESIDING OFFICER. The clerk will report it.

The second assistant legislative clerk read as follows:

Add to section 3 the following:

(8) Stay for not in excess of 60 days without prejudice any major wage or price

increase deemed to have a major inflationary impact on the economy.

The PRESIDING OFFICER. The Senate will be in order.

Mr. JAVITS. Mr. President, the amendment I am offering would permit the Council on Wage and Price Stability to delay for a period of up to 60 days a major wage or price increase that would have a major inflationary impact on the economy. I regard this provision as an essential element in a reconstituted Cost of Living Council.

There are several reasons why this cooling-off provision is needed. First, it will give real meaning to the hearing process on the wage or price increase. Without this provision hearings will be held after the increase has been announced or after it has been put into effect. Hearings could not then serve nearly the useful function they would otherwise have in determining whether the increase was justified and the materiality of its inflationary impact. I am not suggesting that there would be any return to controls and, therefore, after, at the maximum, a 60-day cooling-off period the increase could go into effect. But a major review procedure before the increase was put into effect would cause corporations or unions to proceed more cautiously, and hearings could then persuade them that the public would not tolerate a major increase that could not be fully justified during a public hearing.

Second, in the absence of a provision to permit cooling-off for a limited period, the alternative is pressure to roll back wage or price increases, a confusing process likely to produce more resistence than a period of cooling-off. While I am not proposing roll back authority as an alternative, and officially there would be no power to force a roll back, jawboning might result in a roll back. It would be far better to work out restraint measures while a delay was in effect, rather than after the increase had been put into effect.

Third, a cooling-off provision will allow the Council to mediate the increase quietly with the parties, in order to achieve a more permanent level of agreement on a reasonable increase that would satisfy the parties concerned as well as the American people. Dr. Dunlop proved conclusively the utility of mediation and negotiation to reach agreements with industry sectors to achieve reasonable price and wage stability.

Finally, if my colleagues are genuinely worried about whether a cooling-off device will be a precursor of controls, let me state my willingness to shorten the period to 45 or even 30 days, with no provision for renewal. But I stress that some period of enforced delay is essential if this Council is to have any effect on inflation.

We know that we cannot rely alone on a tight fiscal and monetary policy to stem the tide of inflation, even though we all recognize the importance of those measures and we are rapidly running out of time to deal with inflation. Urgent action is required, but we must not succumb to the temptation to act impetuously to deal with inflation by measures that will ultimately harm our economy still further. For example, we must revive and strengthen our capital markets, rather than enacting legislation that will hinder this effort. On the other hand, we cannot continue to hope that inflation will go away if we close our eyes and pray. It will not. It is just this attitude that has prevented any forward planning in agriculture with the calamitous results that may occur with declining corn, wheat, and soybean production.

May I remind my colleagues that about 60 percent of the rise in consumer prices last year was caused by higher food and fuel prices, and for wholesale prices the proportion was even higher. It is simply impossible to believe that tight fiscal and monetary policy will cure that kind of inflation. Thus a monitoring agency with some degree of cooling-off authority is an essential element in stemming further price increases. I want to give the President what he asks for, but I also want to give him the tools to deal with the real nature of our inflation, instead of a cosmetic program which we shall all regret in the months ahead.

Mr. President, an excellent editorial on causes of inflation and the measures to deal with it appeared yesterday in the Washington Post, written by Ms. Alice M. Rivlin. I ask unanimous consent that the article be printed in the RECORD.

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

FIGHTING WITH INFLATION

(By Alice M. Rivlin)

If the President is to reassure us that there is a leader in the White House, he must move quickly and firmly against inflation. But to do this he needs unequivocal answers to two questions: What caused the current inflation? What can we do about it?

At the moment experts and nonexperts are giving him answers that sort into two piles. One group tells him that the primary cause of inflation is excessive government spending and that the only cure is to cut that spending. Another group tells him that this particular inflation has little or nothing to do with government spending, but was set off by several shocks to the economy—the rapid rise of food prices attributable to crop failures, the leap of fuel prices associated with the oil embargo, world-wide escalation of raw material prices, and the increase in the cost of American imports that resulted from dollar devaluation. These coincident accidents drove up the cost of living, which, in turn, precipitated a new spiral of wage and price increases with labor demanding higher wages, to compensate for and anticipate cost of living increases, and business raising prices, to compensate for and anticipate increases in wages and other costs. If one accepts the shock-spiral explanation of what is happening, the appropriate cure is to persuade or force labor and business to moderate their wage and price demands.

The first view—that government spending is the culprit—is easy to comprehend and highly attractive to those who believe, as a matter of basic philosophy, that government is too big and should be whittled down. Nevertheless, although government deficit spending has contributed heavily to some past inflationary spurts—there is little evidence that it can be blamed for what is happening now.

In 1966–69, when unemployment was well below 4 per cent, the fact that the government was financing the Vietnam war by spending more than it was taking in created excess demand for goods and services and drove prices up sharply. Right now, however, the comparatively small deficit in the federal budget is the result of the fact that the economy is operating at less than full employment rather than inflationary force. If the unemployment rate were 4 or even 4.5 per cent instead of the current 5.3 per cent, the government would be taking in considerably more revenue than it is and paying out less unemployment compensation, and the budget would be running at a substantial surplus. Most economists believe that the "full employment surplus" (what the surplus would be at full employment) is a more accurate indicator of the budget's impact on the economy than the actual deficit. Moreover, state and local governments as a whole have been running actual surpluses, partly as a result of federal revenue sharing. The three levels of government taken together are running a regular old conventional budget surplus, even at current rates of unemployment. Hence, it is hard to argue that this particular inflation is caused by government spending unless one believes, as Secretary of the Treasury William Simon appears to, that the memory of the deficit-caused inflation in the late 1960s is adding to current inflationary expectations.

The shock-spiral explanation is supported by firmer evidence. As Federal Reserve Board Chairman Arthur Burns points out, "Last year, about 60 per cent of the rise in consumer prices was accounted for by food and fuel; for wholesale prices, the proportion was even higher." No conceivable economic policy would have prevented the food-fuel spurt or brought other prices down enough to offset its effect on the cost of living. After a period of surprising restraint, unions are now demanding catch-up increases in pay and built in protection against future cost of living increases. Last month, despite substantial unemployment, there were over 600 strikes, most of them by workers demanding multi-year wage increases to compensate for inflation. Business, in turn, is pushing up prices to cover higher wage and raw material costs and to protect profit margins.

If the shock-spiral explanation is correct, cutting government spending at this juncture is unlikely to have an appreciable impact on inflation; it almost certainly will push the economy deeper into recession. The Gross National Product (after allowance for inflation) has actually been falling for the last half year; unemployment is already running at 5.3 per cent and is expected, even by the administration, to rise to at least 6 per cent within the next few months. Cuts in government spending without compensating tax reductions could reduce demand for goods and services and lead to widespread layoffs that might take the unemployment rates still higher. This would mean real hardship, especially for the poor and for minority groups whose unemployment rates are a multiple of the average rate. It would be a political disaster for the Ford administration, especially, as seems likely, if the recession deepened while inflation remained high. We would then have a not-so-instant replay of the 1969–71 experience when the Nixon administration tried to cool off the inflation by using restrictive budgetary and monetary policy. It succeeded only in raising unemployment without reducing inflation and finally had to abandon the strategy in favor of freezes and controls.

But what is the alternative? Hardly anyone wants to reimpose mandatory wage-price controls right now. Even those who favored the policy in 1971 and believed that it was reasonably successful agree that this would be a bad moment to try again. The rules for wage and price controls have to be written in terms of deviations from some base period in which relative wages and prices can be assumed to be reasonably normal. The outside shocks to the economy of last year have

introduced imbalances and distortions in wage and price structure that make August 1974 a singularly poor base period for a control system. President Ford's best hope is that he can use the euphoria of the moment to bring business and labor together in a mutual non-aggression pact. If he is extraordinarily skillful, he can get them to agree to some general guidelines that will moderate average wage and price demands without freezing distortions into place.

The President's speech to the Congress on Monday revealed clearly that he has not yet made up his mind which explanation is correct—surely a fitting posture for a man on the third day of a new job. Rhetorically he gave major emphasis to the notion that government spending is responsible for inflation and should be cut, although he made it clear that his antipathy to big government is not tied to the inflation issue alone ("... a government big enough to give you anything you want, is a government big enough to take from you everything you have"). But the speech contained no specific proposals for budget cutting. The President did not endorse President Nixon's announced goal of cutting $5 billion from the government's proposed budget for the current fiscal year or the more drastic $10 billion cut proposed by Arthur Burns. He said only that he would submit a balanced budget for fiscal year 1976, which does not even begin until next July 1. The President's only specific programmatic references were to non-cuts (for example, he assured the Congress that there would be no "unwarranted" reductions in defense and urged passage of national health insurance, which could only add to government spending). Perhaps the President has not yet made up his mind where to ask for reductions in the current budget, but it seems more likely that he has concluded that substantial immediate budget cuts are either politically infeasible or economically unwise or both.

Two of the President's major recommendations suggest that, despite the rhetoric about cutting government spending, he realizes that the first phase of any battle plan against inflation must be a mutual restraint agreement between business and labor. First, he asked Congress to reactivate the Cost of Living Council so it can monitor wages and prices "to expose abuses." President Nixon, shortly before he resigned, also made this recommendation and Congress is moving quickly to pass the bill. The President has not requested any enforcement powers for the council and would be unlikely to use such powers even if Congress supplied them. But his sharp rebuke to General Motors shows he is not adverse to telling pricehikers what he thinks of them. If the President wanted to, he could turn the Cost of Living Council into an aggressive presence in all major wage and price decisions, which would develop guidelines, hold hearings, and turn a glaring official spotlight on transgressors (but make no arrests). With luck, skill, and a large dose of cooperative self-denial on the part of both labor and business, it might even work.

Second, he has accepted a congressional resolution to call an economic "summit" conference and to preside over it himself "in full view of the American public." Without meticulous behind-the-scenes preparation, this notion has about a 99 per cent chance of turning out to be a public relations fiasco in which representatives of various interest groups posture before the TV cameras, deplore inflation and call on *other* groups to make sacrifices to stop it.

But there remains a small chance that the summit could actually be a forum in which business and labor leaders publicly committed themselves to abide voluntarily by specific wage-price guidelines with a genuine expectation of doing so. For this to happen would take skillful advance diplomacy of the kind that enables heads of state to make dramatic breakthroughs and rise triumphant from the conference table after a few hours of conversation. The quiet negotiators would have to glide back and forth between the White House and the council chambers of business and labor, suggesting compromises and hammering out agreements for public ratification at the economic summit. To be successful, the agreements might have to touch on tax and spending policy—not just wage-price guidelines. Unless this careful advance work takes place, the conference will be a talk fest and President Ford will have lost the unique opportunity created by the post-resignation euphoria to bring labor and business into a serious cooperative effort to damp down the wage-price spiral before it gets entirely out of hand.

Mr. JAVITS. Mr. President, in addition, there are no renewals of the up to 60-day cooling-off period. It is just one period.

I believe that in fairness, the Senate ought to vote on this. It is the classic alternative suggested by the Chairman of the Federal Reserve Board who has testified to it at great length. It has been widely discussed in the country.

Whatever may be the reasons for tabling the Muskie-Stevenson measure, it was a substitute and had a good many things to it more than the simple opportunity for a cooling-off period to give the monitoring agency some little amount of muscle.

It had in it, for example, subpena power, the authority to evaluate the reasonableness of wage and price increases. It had more money for the agency. It had two cooling-off periods of 45 days each, et cetera.

This is simply one thing which is to give the monitoring agency some small element of authority which will give its deliberations and its public hearings some greater weight than they would have with no authority whatever except to hear.

I hope very much that in order to get the matter disposed of and to give the Senate at least the opportunity to express its will that the managers of the bill might let us go to a vote on the merits.

I have no way to control them and I tell them now that I am not going to protract the debate, it would be meaningless, but I do hope for that simply in deference to the position and arguments which have been made on this side of the issue and because——

The PRESIDING OFFICER. The Senator will suspend. The Chair feels obliged to point out that the Senator from New York is entitled to be heard. Conversations should be made in the cloakroom.

The Senator may proceed.

Mr. JAVITS. Mr. President, I simply have made this because I think it is the classic, simplest way to present the issue as to whether we want a monitoring agency with some element of strength or whether we simply want a monitoring agency to have hearings which may prove to be solely cosmetic.

Again, I will state that I shall vote for it. I still congratulate the committee on bringing it out as promptly as it did. But I do think we ought to add some element of strength and muscle to its proceedings and this is the simplest and most direct way to do it, and it does have the authority of backing.

Mr. PROXMIRE. Will the Senator yield?

Mr. JAVITS. I yield.

Mr. PROXMIRE. The Senator in his initial remarks said that the increase would be inevitable after the 60-day period.

I presume the Senator would feel there might be circumstances in which, with the opportunity for the President and Congress to focus on what might be causing an outrageous price and wage increase, the party involved may decide it was a mistake and that I might decide not to make the inquiry.

What would happen in the case of the Javits amendment——

Mr. JAVITS. Well, no question about that. If I implied what the Senator states, I misspoke myself.

The whole purpose of getting a cooling-off period is in the hope that the parties would think better of it.

When I said inevitable, that simply emphasizes that there is no cooling mechanism here. If the people seeking the increase persist, they will have it, they have no way of stopping, unless we suddenly pass new legislation. But the fact is that certainly the reason for this cooling-off period is in the hope they will think better of it as there is public disclosure or debate, or they might find some other way of doing it, or find their purposes are well served, as many unions did when the Cost of Living Council came back at them, there were reductions in what was sought in order to bring about approval. I would hope for the same kind of approach here.

I thank my colleague very much for helping me make that point.

Mr. TOWER. Mr. President, the same arguments lie against the proposal of the Senator from New York as did against the comparable section of the Stevenson amendment.

To achieve a delay, you must have an elaborate data-gathering system, which is, in essence, comprehensive prenotification. If there is delay on some and not others, there is a profound assumption that those not challenged are all right, and I think this would only serve to speed up price and wage increases.

It really is backdoor controls, because the power to delay is, in itself, by definition, a power to control.

I again would reiterate that the essence of this authority would place the President under intense pressure to use it and create the false impression in the mind of the public that such action will reduce inflationary pressure when, indeed, it may not.

The Senator has asked for a vote on the merits, and I appreciate that. But I think there are many of us who simply want a clean bill—because that is what the President has asked for—and do not necessarily want to assert or deny any particular position. Therefore, after the debate has run its course, and at the appropriate time—and I do not intend to gag anyone—I intend to move to table.

Mr. JAVITS. Mr. President, I have just one or two other points. Take this Gen-

eral Motors increase which has aroused so much concern in the country, and which has aroused the President—who is no wild-eyed liberal price-controller—to speak out against it. The people of the country ought to know what the dynamics are, why the increase, how it is accounted for. General Motors, without in any way denigrating its fantastically important function as a national producer and international producer, is an enormous enterprise which is able, I am sure, fully to account for the increase. Given the opportunity to do that, it may very well find its own public relations very materially increased.

In addition, Mr. President, given a fair opportunity, the kind I described, there is very much less likelihood of any rollback authority. If these prices continue to increase as they are increasing, we may have a big outcry in this country about rolling prices back. That has happened before. That would be really disastrous in terms of business practice. The procedure which I suggest, Mr. President, would avoid any such situation. In addition, there is a great effort to avoid controls. We do not want controls. We do not want even standby controls.

I most respectfully submit the experience of governance—and we have many former Governors here in the Chamber—the experience is that if you try to have things too tight, the reaction is very much more likely to be violent; whereas, if you give an opportunity for public consideration and discussions—discussions which are meaningful—the reaction, even if there has to be an increase, is very much tempered by the fact of the evidence.

I believe in the elementary interest of tranquillity in the country. If the present day means anything, the refreshing feeling in the country, because of President Ford's accession to power, has been one of feeling that we ought to have a period of tranquillity. We have a good chance for one now. On that ground, I think that the action which I propose in this amendment is eminently justified.

Mr. President, I do not want to protract the debate any further. I ask for the yeas and nays on my amendment.

The PRESIDING OFFICER. Is there a sufficient second? There is a sufficient second.

The yeas and nays were ordered.

Mr. TOWER. Mr. President, I move that the amendment of the Senator from New York be laid on the table.

Mr. JAVITS. I demand the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second? There is a sufficient second. The clerk will call the roll.

The second assistant legislative clerk called the roll.

Mr. ROBERT C. BYRD. I announce that the Senator from Nevada (Mr. CANNON), the Senator from Mississippi (Mr. EASTLAND), the Senator from Arkansas (Mr. FULBRIGHT), the Senator from Alaska (Mr. GRAVEL), the Senator from North Dakota (Mr. HARTKE), the Senator from Louisiana (Mr. LONG), the Senator from Wyoming (Mr. MCGEE), the Senator from South Dakota (Mr. MCGOVERN), the Senator from Minnesota (Mr. MONDALE), and the Senator from Mississippi (Mr. STENNIS) are necessarily absent.

Mr. GRIFFIN. I announce that the Senator from Oklahoma (Mr. BELLMON), the Senator from Utah (Mr. BENNETT), the Senator from New Jersey (Mr. CASE), the Senator from Kentucky (Mr. COOK), and the Senator from New Mexico (Mr. DOMENICI) are necessarily absent.

I further announce that, if present and voting, the Senator from New Jersey (Mr. CASE) would vote "nay."

The result was announced—yeas 50, nays 35, as follows:

[No. 367 Leg.]

YEAS—50

Aiken	Dominick	Percy
Allen	Eagleton	Randolph
Baker	Ervin	Schweiker
Bartlett	Fannin	Scott, Hugh
Bayh	Fong	Scott, William L.
Beall	Goldwater	Sparkman
Bible	Griffin	Stafford
Brock	Gurney	Stevens
Brooke	Hansen	Talmadge
Buckley	Hatfield	Thurmond
Byrd, Harry F., Jr.	Helms	Tower
Chiles	Hruska	Tunney
Clark	Huddleston	Weicker
Cotton	McClellan	Williams
Cranston	McClure	Young
Curtis	McIntyre	
Dole	Nunn	
	Pearson	

NAYS—35

Abourezk	Inouye	Muskie
Bentsen	Jackson	Nelson
Biden	Javits	Packwood
Burdick	Johnston	Pastore
Byrd, Robert C.	Kennedy	Pell
Church	Magnuson	Proxmire
Hart	Mansfield	Ribicoff
Haskell	Mathias	Roth
Hathaway	Metcalf	Stevenson
Hollings	Metzenbaum	Symington
Hughes	Montoya	Taft
Humphrey	Moss	

NOT VOTING—15

Bellmon	Domenici	Long
Bennett	Eastland	McGee
Cannon	Fulbright	McGovern
Case	Gravel	Mondale
Cook	Hartke	Stennis

So the motion to table the Javits amendment was agreed to.

CONGRESSIONAL REVIEW OF EXECUTIVE AGREEMENTS—REFERRAL OF BILL TO COMMITTEE ON THE JUDICIARY

Mr. ERVIN. Mr. President, I ask unanimous consent, with regard to S. 3830, which has been referred to the Committee on Foreign Relations, that the Committee on Foreign Relations be discharged from further consideration of that bill and that the bill be referred to the Committee on the Judiciary.

I introduced such a bill and the Subcommittee on Separation of Powers of the Committee on the Judiciary has held extensive hearings on it. It has been reported to the full committee, but there was an inadvertent omission of an amendment adopted in the subcommittee. I introduce this as a clean bill to take care of that situation. I have consulted the ranking members.

The PRESIDING OFFICER (Mr. HOLLINGS). Is there objection?

Mr. JAVITS. Mr. President, reserving the right to object, and I shall not object, has the Senator spoken to Senator FULBRIGHT on this matter?

Mr. ERVIN. I cannot find Senator FULBRIGHT. I have spoken to Senator SPARKMAN and Senator AIKEN.

Mr. JAVITS. And they have agreed?

Mr. ERVIN. Yes. I might say Senator FULBRIGHT was very interested in having this bill before the Subcommittee on Separation of Powers.

The PRESIDING OFFICER. Is there objection?

Mr. JAVITS. Mr. President, I do not object.

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

HEALTH REVENUE SHARING AND HEALTH SERVICES ACT OF 1974—COMMITTEE DISCHARGED AND BILL PLACED ON CALENDAR

Mr. MANSFIELD. Mr. President, this has been cleared on both sides. I ask unanimous consent that the Committee on Labor and Public Welfare be discharged from its consideration of H.R. 14214 and that the bill be placed on the calendar pending action on the Senate companion bill.

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

COUNCIL ON WAGE AND PRICE STABILITY

The Senate continued with the consideration of the bill (S. 3919) to authorize the establishment of a Council on Wage and Price Stability.

Mr. KENNEDY. Mr. President, I call up my amendment No. 1809 to S. 3919 and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will state the amendment.

The assistant legislative clerk read as follows:

In section 7, delete "June 30, 1976" and insert in lieu thereof "April 30, 1975".

Mr. TOWER. Will the Senator from Massachusetts yield?

Mr. KENNEDY. Yes, I am glad to yield.

Mr. TOWER. I wish to inquire at this point if there are other amendments, so that Senators may be informed of how many more amendments there may be to vote on tonight.

Mr. PROXMIRE. The Senator from Wisconsin has one.

Mr. TOWER. I know the Senator from Massachusetts has one, and there may be others.

Mr. KENNEDY. This will not take much time, Mr. President, and I hope we can avoid a yea-and-nay vote on this.

Mr. President, this is a very simple amendment. It would set the date of expiration of the Council's authority on April 30, 1975, instead of June 30, 1976, as the bill now provides. The purpose of the amendment is to require Congress to review in detail the operation of the Council early in 1975, and to act again by further legislation if the Council is to be continued beyond that date.

Obviously, there are doubts and reservations in Congress about the Council that is now to be established in response to President Ford's request for a new agency to monitor inflation. All of us

desire a quick and generous accommodation with the President in approving his first request to Congress. All of us hope that the Council will do an effective job in helping to launch the new administration's anti-inflation policy.

But Congress has a responsibility of its own to insure that the policy is effective, and the way we can best reach that goal is by conducting a prompt review of the Council's functions after its initial period of operation.

Clearly, June 30, 1976 is too long to wait for the sort of thorough review and detailed oversight that an expiration date for the Council's authority necessarily entails. I hope that my proposal to set the date at the end of April next year will be accepted by the Congress, and that Congress and the President will be able to work effectively together in a partnership against inflation.

Let me say, Mr. President, that I would have supported a recommendation by President Ford for stronger legislation. I supported the Stevenson amendment. I would have supported President Ford in asking for standby authority to impose wage-price controls. I also intend to support the President in this measure before the Senate. I have some reservations about its effectiveness in dealing with the issue of inflation, but I hope that it will provide a reasonable period for the President to exercise leadership in this area, and I hope he is successful.

But the amendment I am offering will provide an opportunity for Congress to act again early next year on this important issue of inflation. So I would hope that this amendment would be accepted. I think it will help insure that we meet our responsibilities.

If the economy is sound next year and the President feels that no further action is needed, based upon the efforts of business and labor and the Council, working together closely with the President, then a simple extension of the authority next year may very well be all that is needed. But something more significant may also be necessary, and that is why we should take every available step to insure early congressional review.

Mr. TOWER. Mr. President, I am not married to the 1976 date. I think the Senator from Massachusetts is quite right in saying that Congress should consider this matter next year. I think that all the amendment of the Senator does, however, is to mandate Congress to take up the matter, because it is fully within our capacity to take it up any time we want to, early in the session, perhaps. I think we should.

I think the date asked for by the Senator from Massachusetts is a little bit short, because if the Council is to be an ongoing forum for discussion and for indepth analysis, it occurs to me that it needs a reasonable amount of time, a reasonable life span, to allow it to perform these duties. There are many complicated and long-range duties that are to be undertaken by the Council, and I think this short period of time is not enough.

I anticipate that probably, the Council, through the President, will come back to us with legislative recommendations even before April 30 next year. But I do think that time is too short.

I think, however, that the Senator from Massachusetts is right in insisting that we give some consideration to these matters in Congress next year, and I hope we will do it even earlier in the session, facing an expiration date on April 30. I hope that the Senator will not press his amendment for April 30 of next year.

Mr. KENNEDY. Mr. President, the time allowed under the amendment would provide an 8-month period for the operation of the Council before the expiration date. That is one more than was originally provided when we enacted the Economic Stabilization Act of 1970. At that time, only a seven-month period was provided before the initial expiration date. The Economic Stabilization Act of 1970 was subsequently extended on five different occasions, for periods of 1 month, 2 months, 11 months, 1 year, and again 1 year.

The chronology of the 1970 act is as follows:

On August 15, 1970, the Economic Stabilization Act of 1970 was enacted, providing standby authority for the President to stabilize prices and wages. The authority was to expire on March 1, 1971.

On December 17, 1970, the expiration date was extended to March 31, 1971.

On March 31, 1971, the expiration date was further extended to May 31, 1971.

On May 18, 1971, the expiration date was again extended, to April 30, 1972.

Then, on December 22, 1971, the Economic Stabilization Act Amendments of 1971 were enacted. This was the so-called phase II legislation, enacted as a substitute for the Economic Stabilization Act of 1970. The expiration date was set at April 30, 1973.

Finally, on April 30, 1973, the expiration date was extended to April 30, 1974.

So it seems to me that the shorter expiration date I am proposing is in keeping with our original action in 1970. But if the manager of the bill wants to continue the authority for a full year, that will be satisfactory as far as I am concerned. What I am primarily interested in is that Congress should be required within the next year to exercise its judgment on the action we are taking today.

I would prefer an 8-month period. I would be prepared to accept a year, but I do think it is important that Congress act early next year, and that we have the chance to review the activities of the Council.

Mr. TOWER. I say that the Congress will have a chance anyway, because we are just like that 500-pound gorilla; we can do what we please. I suggest that this is something that we should and must do next year, even without the external discipline of a date certain by which we have to decide on the question of expiration or continuation.

However, in the same spirit of compromise that the Senator from Massachusetts has shown, if he will modify his amendment to make it 1 year from the date of enactment, then I think that I would be amenable to accepting it.

Mr. KENNEDY. For the purposes of the amendment, could we take July 31 as the date? That would make it just before the summer recess next year.

Mr. TOWER. I think it is fairly certain that we will be in session right up until the snow flies next year. Therefore, if we just make it 1 year from the date of enactment, I think that is sufficient. The Senator from Massachusetts originally suggested a year; now he is taking back a month of it.

Mr. KENNEDY. Well, we are now in the middle of August. If the Senator will accept the 15th of August, I am willing to modify my amendment to the 15th of August.

Mr. TOWER. How many days is that costing me, four, out of the year that I was given originally?

I am willing to agree to it.

The PRESIDING OFFICER. The amendment is so modified.

Mr. KENNEDY's amendment (No. 1809), as modified, is as follows:

In section 7, delete "June 30, 1976" and insert in lieu thereof "August 15, 1975".

Mr. KENNEDY. I might mention that August 15 is the anniversary of the enactment of the original standby authority, the Economic Stabilization Act of 1970.

The PRESIDING OFFICER (Mr. HOLLINGS). The question is on agreeing to the amendment (No. 1809), as modified, of the Senator from Massachusetts (Mr. KENNEDY).

The amendment, as modified, was agreed to.

AMENDMENT NO. 1806

Mr. HATHAWAY. Mr. President, I call up my amendment No. 1806, and ask for its immediate consideration.

The PRESIDING OFFICER. The amendment will be stated.

The assistant legislative clerk read as follows:

Section 3(a)(1) is amended as follows: After the word "demand," insert "supply, and the effect of economic concentration and anticompetitive practices,".

Mr. HATHAWAY. Mr President, this amendment just adds a couple of lines to section 3(a)(1) which would require that the Council look into the effects of economic concentration and anticompetitive practices, in trying to determine what the causes of inflation are.

I think this is an important area for study, as well as the other areas that have been listed in the bill, and I hope that the Senator from Texas as well as the Senator from Alabama will accept it.

Mr. TOWER. Mr. President, will the Senator from Maine yield for a question?

Mr. HATHAWAY. I yield.

Mr. TOWER. By "economic concentration and anticompetitive practices" the Senator means those on the part of, let us say, labor as well as industry, does he not?

Mr. HATHAWAY. The Senator is correct.

Mr. TOWER. I am not saying that there is, but if there were any such economic concentration and anticompetitive practices on the part of labor, that would be a proper matter to be looked into as well?

Mr. HATHAWAY. The Senator is correct.

Mr. TOWER. I thank the Senator. Under those circumstances, I think I am prepared to accept the amendment.

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

Mr. HATHAWAY. I yield.

Mr. BROCK. Would such anticompetitive practices include restrictive work rules?

Mr. HATHAWAY. Yes; it would. Any type of featherbedding operation whatsoever, whether by management or by labor, should be reviewed and come under study by the Council.

Mr. BROCK. I congratulate the Senator on his breadth of vision.

The PRESIDING OFFICER. The question is on agreeing to the amendment (No. 1806) of the Senator from Maine (Mr. HATHAWAY).

The amendment was agreed to.

Mr. PROXMIRE. Mr. President, I have an amendment at the desk which I call up and ask for its immediate consideration.

The PRESIDING OFFICER. The amendment will be stated.

The assistant legislative clerk proceeded to read the amendment.

Mr. PROXMIRE. Mr. President, I ask unanimous consent that further reading of the amendment be waived. I am going to read the rest of it, and I hope the Senators will give me their attention, because this is a different amendment than previous ceiling amendments.

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

Mr. PROXMIRE'S amendment is as follows:

At the end of the bill, insert the following new section:

"SEC. . Not later than twenty days following the enactment of this Act, the President shall submit to the Congress a proposal to limit expenditures and net lending during the fiscal year ending June 30, 1975, under the budget of the United States Government to $295,000,000,000 or such higher amount if the President determines a ceiling of $295,000,000,000 is infeasible and indicates his reasons therefor. The proposal submitted pursuant to this section shall include separate ceilings on expenditures and net lending for each major department and agency of the Government. Such proposal shall become law in twenty days following its submission to the Congress unless prior to such date the Congress by concurrent resolution disapproves of or modifies such proposal and any modifications so made shall have the full force and effect of law. Any resolution of disapproval or modification shall be considered under procedures established under sections 910 through 913 of title 5, U.S. Code."

Mr. PROXMIRE. This is different from the $295 billion ceiling amendment I have offered in the past. It provides for a considerable amount of cooperation between the President and Congress.

The President would be required to submit to Congress a ceiling of $295 billion, or such higher amount as he may determine if he considers that unfeasible.

This amendment does give the President considerable discretion. It does not mean he has to go all the way down to $295 billion. Anyone who studies this matter in detail knows how very hard that will be. Although the Senate and the House of Representatives may very well cut the budget $8 billion below the President's request, much of that is obligational authority that would be spent over the next 2 or 3 years. Only about half of that reduction would be felt in the present fiscal year. In view of other increases, inflationary increases, increases in the national debt, increases in interest rates, increases in released impoundment funds, we are really up to about a $310 billion level. For the President to cut down to $295 billion is going to be extremely difficult; we must recognize that, so the amendment does give the President that leeway.

Moreover, it does provide that the President shall submit to Congress ceilings in various categories of expenditures—Defense, HEW, Transportation, HUD, and so forth. Congress would have 20 days within which to act. If we do not act in 20 days, the President's ceilings would take effect. However, we can modify those.

I think we should also recognize that we are probably going to be out of session by the middle of October, so we can only have a short time in which to act. I think if we really mean business about fighting inflation, while this monitoring measure may be helpful, it cannot do the anti-inflationary job that reducing the immense increase in Federal spending can do.

I think everyone recognizes that the kind of reduction we are talking about can have an effect on inflation in several ways. First, the Federal Government is the biggest single buyer, with the greatest demand, in the economy. Much of what we buy is items in short supply, such as steel, oil, chemicals, and many other things that have gone up sharply in price.

Second, if we can cut the budget down to $295 billion, it will have the effect of taking the Federal Government out of the capital market as a net borrower, because we otherwise would have a $10 billion deficit, and this would permit us to balance the budget. That would greatly release pressure on interest rates, and we all know how vital this is.

Most important of all is the effect this could have on businesses and consumers. There is no question that inflation is very largely a matter of psychological expectations, and of business acting because they anticipate inflation, and moving ahead to increase their prices, and labor to increase their wages, because they feel convinced that inflation is inevitable.

If Congress will act in this decisive way, I think that could have a really serious anti-inflationary psychological effect.

For all these reasons, Mr. President, I feel that this proposal is something that should be given consideration. It seems to me that whether it is technically germane or not, it is certainly as germane in spirit as any amendment we could offer. If we really mean business about doing something effective about this anti-inflation proposal that is now before the Senate, it seems to me this is the single most important amendment we could propose.

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

Mr. PROXMIRE. Yes.

Mr. TOWER. I think the Senator from Wisconsin knows I think this is a good amendment, and support him. I do wish he could find another vehicle to attach it to other than this bill. Whether we like the rule of germaneness or not, or whether we think this amendment is germane or not, it might be in the Senate's best interest to find another vehicle where germaneness would not be an issue, because when we get to conference, the House might raise the issue of germaneness. The House just passed a clean bill by a vote of 379 to 23, which puts us in a little bit of a bad shape as far as amendments are concerned, considering the overwhelming margain by which they passed a clean bill. I wonder if the Senator would give some consideration to the possibility of finding another more appropriate vehicle.

Mr. PROXMIRE. Mr. President, there is no other bill on the calendar to which this amendment would be germane. I have discussed it with the staff of the policy committee and with others. I cannot find another bill as germane as this one is.

It seems to me that this is germane in a very real sense to what we are trying to do here: monitor prices. It seems to me that this proposal would have a more desirable effect in holding down prices than anything else this Congress can do.

I ask unanimous consent that the distinguished present Presiding Officer (Mr. HOLLINGS) be added as a cosponsor of the amendment.

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

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

Mr. PROXMIRE. I yield.

Mr. BROCK. As the Senator knows, I cooperated in his last endeavor, and we got passed a $295 billion ceiling.

I think, frankly, this proposal makes more sense than the earlier effort which we both made. I have only one concern with it, and that is whether or not 20 days is sufficient for the President to respond.

In the first place, 20 days would make his response come while the Senate, or at least the House of Representatives, was in recess. I wonder if it would not make more sense to give him 30 days, to at least have the time to act as wide as possible.

Mr. PROXMIRE. We thought about this, and we thought 20 days were desirable, but there is so little time when we come back. But I am happy to modify my amendment to make it 30 days instead of 20.

Mr. BROCK. Would the Senator allow me to join as a cosponsor?

Mr. PROXMIRE. Mr. President, I ask unanimous consent that the Senator from Tennessee (Mr. BROCK) be a cosponsor.

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

Mr. PROXMIRE. Mr. President, I ask unanimous consent that Senator NUNN and Senator CHILES be listed as cosponsors.

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

Mr. TOWER. Mr. President, will the Senator from Wisconsin yield? I have

discussed this with the manager of the bill, and we have agreed that this is a good amendment. We will take it to conference and see what we can do with it and, of course, obviously if the House raises the issue of germaneness, that is a problem we have to face. But I think we would both be willing to stand as fast as we can with the Senate position.

Mr. PROXMIRE. I may be on that conference, and I know, I talked with the chairman of the House committee, Congressman PATMAN, and he is sympathetic with this.

Mr. TOWER. As the Senator knows, if the House wants to, they can ignore the rule of germaneness.

Mr. SPARKMAN. Let me just say a word. Of course, the House has all the advantage in the world on this question of germaneness. As a matter of fact, I have often referred to it as a vicious rule—that is what it is.

If we go to conference on a House bill, if it comes here under an H.R., and it gets here before out bill gets over there, why then, we go to conference on that House bill, and the Senator from Wisconsin knows that they can knock off almost anything they want to that we add to this bill. I suppose since they passed theirs earlier in the day, it will be here before ours could possibly be over there, so it probably will be in conference.

However, I think it is worthy of taking to conference, and I am glad to join the Senator from Texas.

Mr. PROXMIRE. I thank the Senator.

The PRESIDING OFFICER. The Chair has an inquiry. The Senator has 30 days one place or two places in the amendment? Is it both places or just the first place?

Mr. PROXMIRE. Just one; that the President be given 30 days.

The PRESIDING OFFICER. The first line of the amendment.

The question is on agreeing to the amendment as modified.

Several Senators addressed the Chair.

The PRESIDING OFFICER. The Senator from Maine (Mr. MUSKIE).

Mr. MUSKIE. Mr. President, the amendment of the Senator from Wisconsin, which has just been presented to the Senate, is evidently about to be handled in a summary way. But I think its implications are so serious that I want to take at least a few minutes to explore them for the record.

There are two processes now underway in this body, and in Congress as a whole, for dealing with the issue of budget cuts. One is the regular appropriations process which, I think, is making its own record with respect to budget cuts, as was illustrated last week in the case of the defense budget.

Second is the new budget reform process, which Congress as a whole developed this year and the President signed into law. The second process is not yet fully equipped to deal with the 1975 fiscal year budget but, nevertheless, we are pressing to give the current budget our consideration.

One of the purposes of the new budget reform process is to provide a means for the Senate and Congress as a whole, to deal more effectively with the question of priorities in Federal spending.

The second sentence in the pending amendment, however, reads as follows:

The proposal submitted pursuant to this section shall include separate ceilings on expenditures and net lending for each major department and agency of the Government.

Now, the effect of that sentence is to delegate to the President the authority to establish priorities, and we will get in response, if the language is literally followed, a figure for each major department and agency without any indication of the impact of that spending figure on activities within those departments and agencies—and the impact upon particular programs.

Now, the next sentence of the amendment reads:

Such proposal shall become law in 20 days—

Now 30 days—

following—

Mr. PROXMIRE. It is still 20 days. We did not modify that.

Mr. MUSKIE. Still 20 days—

following its submission to the Congress unless prior to such date the Congress by concurrent resolution disapproves of or modifies such proposal and any modifications so made shall have the full force and effect of law.

Now, we will have 20 days. Within that time, we would first have to conduct hearings on the implications for budget priorities of the numbers that the President sends us. Then—still within that 20 days—we would have to develop a consensus in each House on possible modifications of those spending priorities. And then—still within the same 20 days—we would have to take action in each House on a concurrent resolution, then resolve differencies in conference, and finally come to a formal agreement of both Houses, so that our spending priorities, and not the President's might become law.

Mr. President, in the little more than 3 weeks since I have been chairman of the Senate Budget Committee, we have begun the laborious process of getting organized, and begun conducting hearings to understand the implications of questions of this kind. And in those brief 3 weeks I have been chairman, it has become clear to this Senator that the Federal budget is even more complex than it is generally understood to be; that the options available to us within that $304 billion or $305 billion total outlay level are not all that great; and that the total number of dollars available to us for reductions of actual outlays or spending this year are much less substantial than it would seem merely by citing the size of the total.

I have no objection to the objective of my friend from Wisconsin of reducing spending—actual spending—now. The Senator from Wisconsin (Mr. PROXMIRE) has made the point in his remarks that if we are going to cut $10 billion in spending we would have to cut much more than that in appropriations. So the actual cuts are going to be difficult to make.

Any Senator—and especially the Senator from Wisconsin, who has devoted so much time to this question—is, of course, within his rights in offering proposals to cut Government spending. In addition, of course, the newly created Senate Budget Committee now has a mandate to try to bring a discipline to Government spending. I do not know how many processes we must establish before we are convinced that we are moving in the right direction.

Before I lend my support to this amendment, with its delegation of a blank check to the President, I would want to know much more about the implications.

In a year when Congress has undertaken to swing the balance of power with respect to the public purse back to Congress, this proposal seems to go in the reverse direction. I, for one, am willing, as a Member of the Senate, to take responsibility to do the work, to decide where we can cut responsibly, and what our priorities should be. I am not yet ready to delegate that power back to the President after we have made such an effort this year to get a handle on it for ourselves.

Mr. PROXMIRE. Mr. President, in response to the Senator from Maine, let me first say that I agree with almost everything he has had to say. I think he has done an excellent job in starting the Budget Committee, and moving as he has.

I disagree in a few very important respects, however. One is the fact that the timing in stopping of inflation is of the greatest importance. If we proceed to move ahead in a way which would enable us to hold detailed hearings in all of these areas, by the time we act we may not be suffering from inflation but from something else, for inflation may have gotten way out of control.

Mr. President, this is not a blank check. This is not a blank check to the President of the United States. This provides, as the Senator read in the third sentence, that "unless prior to such date the Congress by concurrent resolution disapproves of or modifies such proposal and any modifications so made shall have the full force and effect of law." So the Congress will in fact under this amendment have the last word.

Now I think we have to do this in a cooperative way. We cannot expect—I do not think we should unilaterally make—the reduction, and I do not think the President should make it either. It mandates the President to tell us what his plan is, where he would make the reductions. It then gives us ample time to act, and we have the protections here so that it cannot be filibustered. We will have to act within those 20 days. We have the authority to do so. We will then be in a position to say whether we approve of the priorities or disapprove, and designate finally the priorities ourselves.

Mr. President, I did say that an appropriation reduction now does not mean we are going to get a corresponding reduction in outlays on spending in the coming year. I am very happy the Senator from Maine made this point. When we talk about outlays we may not have to

make as big an appropriation cut in order to get a corresponding outlay reduction; similarly the President can on our instruction reduce outlays and postpone those expenditures of the Federal Government that are most inflationary, to a much greater extent than we can when we reduce appropriations. Without this amendment, I am confident the President will not balance the budget this year. With this amendment he may very well do so, and we in Congress will determine just where the budget cuts are made.

We should postpone the inflationary spending until later in the area of steel, oil, and with respect to other products where prices are going up so high. It is this kind of recommendation the President can make, and the Congress can act upon because we are not talking about appropriations, we are talking about outlays, expenditures.

Here is where this kind of proposal I have made here, it seems to me, can be most useful.

Finally, I would like to say that the Senator from Maine is right in saying it would be far better if we could take time, 6 months or 9 months, and have a very careful analysis of this, but the fact is that this inflation is now, and it is getting worse every day, every week.

Just last month we had an enormous increase in wholesale prices, a very big increase. We cannot postpone this.

Mr. President, I do hope the Senate can see its way clear to accept this amendment tonight and move ahead.

It is too bad we could not have gotten action on the similar ceiling amendment we passed last June. Now in August, it is much more harder. If we postpone this again, it seems to me it is going to be impossible. I think the time is rapidly running out on us.

I yield to the Senator from Maine.

Mr. MUSKIE. Everyone in this body shares the concern about inflation expressed by my distinguished colleague from Wisconsin (Senator PROXMIRE). If we could, by wiping out $10 billion in Federal spending, stop inflation tomorrow morning, I do not think there would be a dissenting vote to such a proposal.

Mr. PROXMIRE. May I say on that point, I think the Senator is absolutely right. This is only one step. We need jawboning, we need antitrust, we need monetary policy, we need many other things to be effective. This is only one step. I think it is a very important step, but it is only one step, the Senator is correct.

Mr. MUSKIE. Of course, fundamental to the Senator's proposal is the proposition that we ought to put together a new budget. The Senator is asking, in his amendment, that the President to do it, and evidently the Senator does not want him to take too much time for the purpose.

We explored the question of new budget submissions by this administration in hearings the Budget Committee held last week. The Director of the Office of Management and Budget, Mr. Ash, appeared at those hearings, and we asked him for specifics:

Where would he cut $10 billion, or where would he cut $5 billion?

He was not prepared to give us those answers. He said, "We will work out those numbers at the summit conference the President requested with Members of Congress."

I submit that we are not in a position to obtain the kind of information that the Senator's amendment calls for in its first two sentences. I have asked Mr. Ash to give us these kinds of numbers. If they are sent to Congress, the Budget Committee is in a position to deal with them, and the Senator from Arkansas has indicated his receptiveness to further agreements on budget cuts.

Meanwhile, the hard task of budget cutting, item by item, is being performed by the Committee on Appropriations under the able chairmanship of the Senator from Arkansas. They have spent all year on it. They have already given the time to the task, and have produced results in the form of budget cuts.

Nevertheless, we can certainly use the information called for in the first part of the Senator's amendment. The more information we can get, even this late in the session, the better judgments we can make.

But what I am concerned about is the last two sentences, or the last three, because what they do is delegate to the President the authority to establish, almost unilaterally, the entire set of priorities for the Federal budget. When we get his new order of priorities—and we do not know whether they would be based on a budget of 295, 297, 300, or 304 billions of dollars—their impact will be concealed under the number for each department and agency. And we will have just 20 days to evaluate and modify them before his proposal would become law.

I would suggest to the Senator that 20 days is so inconsequential that perhaps he ought to change that sentence to read as follows:

Such proposal shall become law following its submission to Congress.

I think, as a practical matter, that the 20 days is so inadequate as to have that effect. The kind of thoughtful job of budget analysis which I am sure the Senator has in mind just cannot be accomplished in that time.

So if we think that such arbitrary action on the part of the President is necessary, given our economic difficulties, then let us wipe out the cosmetics, let us wipe out the 20 days, let us wipe out any pretense that Congress can look at this proposal in a thoughtful, meaningful way—and simple say that our circumstances are so dire that we are forced to hand this blanket authority to the President.

Mr. PROXMIRE. May I say to the distinguished Senator from Maine that this amendment does provide that Congress shall have the authority to decide, Congress shall have the authority.

The Senator from Maine says 20 days is inconsequential——

Mr. MUSKIE. I said inadequate.

Mr. PROXMIRE. Well, whether inadequate or inconsequential, we might as well proceed about giving Congress the priorities because it is so short a time.

In fact, I am a member, chairman of the subcommittee that has a $20 billion budget. I think we can decide within 10 days, but it will not be comfortable. All I say, we may not like it, but if we have to do it, we have to do it. We are in that kind of crisis now.

Mr. MUSKIE. My concern is that we would create the impression with the American people that Congress is looking at the details of the budget in a meaningful way. It would be a deception to suggest to the people that such a job could be performed thoughtfully in a few days. Given the time out of those days that it would take to get legislative action on the floor, how many days have we left over for a meaningful analysis of the President's proposal?

I say we ought not deceive the people on that point.

Mr. PROXMIRE. May I say to the Senator from Maine that the President had that complete authority, now without our doing anything at all over outlays. He always has had. If he wished, he could spend $320 million. He determines the pace of spending. Of spending, not appropriation, but spending.

He has outstanding obligational authority on which he can act. This amendment would limit the President's authority and require him to come in with a limit.

It is true, 20 days is not a year, not 6 months, but it would give us an opportunity to say yes or no and some knowledge of this whole operation.

It would give us some chance on the basis of the hearings we have been holding, our understandings we have been building up, to determine where those priorities are.

Suppose he should come in without any reduction in the outlay area for defense?

Suppose he should do that? Under my amendment we would be in a position to overrule that and decide that there must be a reduction in outlays, so far as defense expenditures are concerned. We can take the same position with respect to HUD or HEW. It is up to us to make the final decision.

Mr. SPARKMAN. Will the Senator yield?

Mr. PROXMIRE. I am happy to yield to my friend from Alabama.

Mr. SPARKMAN. I may say that this amendment is most likely subject to the Budget Control Act. I do not believe that it should hold up the passage of this bill. After all, both Senator TOWER and I have agreed to take it to conference, but we have warned about the question of germaneness.

Mr. MAGNUSON. Has the Senator agreed to take this to conference?

Mr. SPARKMAN. What did the Senator say?

Mr. MAGNUSON. Has the Senator agreed to take this to conference?

Mr. SPARKMAN. We agreed that we would take it to conference, but warned the Senator at the time that all in the world the House conferees would have to do would be to object to it on the ground of germaneness and it is out. We did not want to take it to conference under any misunderstanding.

Mr. PROXMIRE. I will be happy to yield the floor to the Senator from Washington.

Mr. MAGNUSON. I would think this is marching uphill and down again. The President of the United States now has authority to send up a budget which has priorities. We have removed his budget authority to the extent that we are going to establish our priorities. The Budget Committee is going to establish the ceiling.

Mr. PROXMIRE. I am not giving the President any additional authority. I am giving the Congress authority. We are telling the President——

Mr. MAGNUSON. All right, so he sends up the budget. The Senator and I sit on the Appropriations Committee and the Congress reviews what the President sends up. That goes on now.

The Budget Committee is going to establish priorities. We have authority now. I do not know what more the Senator wants.

The Senator must know that the Appropriations Committee takes a look at what the President sends up, and we try to establish our priorities.

Next year we must work within a ceiling. We do not need to clutter up this process with another amendment.

Mr. PROXMIRE. May the Senator from Wisconsin respond?

Mr. MAGNUSON. I have not yielded the floor.

I just do not see the reason for this. This clutters up things. We established a Budget Committee. The Senate worked hard on it. We have the Appropriations Committee. So when a President sends up a budget, we take a look at it.

Mr. PROXMIRE. May I respond?

Mr. MAGNUSON. We can appropriate or not appropriate, or take the budget figures. Next year we will have the added addition of the committee of the Senator from Maine from which we will have a ceiling to work within.

Congress has taken the authority away from the President in all fiscal matters, except to send up a budget. What is a budget? A budget is an advisory thing. That is all it is. It is just advisory. Congress can take it or leave it. Many times, as the Senator from Wisconsin knows, he and I in Appropriations Committee have voted to cut the budget.

I happen to have a very sensitive area in HEW, which a lot of Senators want to up. We will have a ceiling when we begin the next time.

Mr. PROXMIRE. Will the Senator yield, Mr. President?

Mr. MAGNUSON. Let me finish.

Another thing about the budget it that it is a very flexible thing. It is a difficult thing to go by in some respects. I know there are in the budget some uncontrollable items. But we keep books in the United States Government.

You cannot just take a look at our fiscal problems between July 1 and June 30. They do not work that way. That is why the new Budget Committee is going to be a great help.

I do not see any sense to this amendment at all.

Mr. PROXMIRE. Will the Senator let the author of the amendment explain the sense?

Mr. MAGNUSON. I yield the floor.

Mr. PROXMIRE. Mr. President?

The PRESIDING OFFICER. The Senator from Wisconsin.

Mr. PROXMIRE. The Senator from Washington makes a point that a lot of people feel to be compelling. He says we have authority over all the appropriations. What we do not have authority over is outlay, the amount of money to be spent in 1975. No matter how little we appropriate or how much we appropriate, the President determines that. Outlay is all important in determining the impact of Federal spending on inflation. That is it. That is the name of the game—outlay.

All I am saying is that we should ask the President of the United States to recommend to us a ceiling of, hopefully, $295 billion on outlay. If he feels that is not feasible, he could be as close to that as he possibly can be. It is true that 20 days is not very much time. It would give us the final word so that we can decide. And we can decide. We can do a lot in 20 days. We can do a lot in a day, if we have to.

Certainly, in 20 days we can decide whether we agree with those priorities or do not agree. It seems to me that is a simple procedure. If we do not do that, on the basis of past appropriations, appropriations made in 1971, in 1972, in 1973, and in 1974, to date, the President will be in a position to expend funds far beyond the $295 billion, $305 billion, or $310 billion, if he wishes to do so, or far less.

This will bring Congress into the act so that, in partnership, we can have an effective way of controlling inflation through controlling Federal spending.

I yield to the Senator from New York.

Mr. JAVITS. Mr. President, I had a question or two to ask the Senator.

Even taking into consideration the managers may take the amendment, still, if we think it through, it will be helpful in the conference, if it should remain in the conference. What troubles me about it, Mr. President, is this concurrent resolution proposition.

I would like to submit this to the Senator: a concurrent resolution of both Houses does mean that we are turning legislative authority over to the President because if we do not stop him, then it becomes law. This is a greater authority the Senator is giving the President than he would normally have.

Mr. PROXMIRE. If the Senator will yield on that——

Mr. JAVITS. Let me finish.

Mr. PROXMIRE. No greater authority. He has the authority over outlays anyway.

Mr. JAVITS. If he does, that negates the Senator's amendment. If our impoundment legislation in the budget bill meant nothing so that he can impound, are we not yielding him far more than we have any design to? That is why we have a Budget Committee.

If the President already has the power, then this does not mean anything. He has the power. We have power. It is a contest of power. But it seems to me that when we say that it becomes law, we are admitting that he does not have the power; otherwise what do we need this for? If we admit he does not have the power, I think we are giving him much too much when we require a concurrent resolution. In other words, it becomes law unless we stop it. We do not have to do that. That is no way to confer authority.

I would think that if one House vetoed, that would be adequate, because that is assimilating our authority. But when we say we can only stop him by concurrent resolution, we are giving him the grant of authority, which I do not think we should do.

Mr. PROXMIRE. I say to the Senator from New York that the concurrent resolution we would pass, on the basis of the President's recommendation, but modifying it with respect to priorities any way we wish, would have the force of law, and he could not veto it.

Mr. JAVITS. Why?

Mr. PROXMIRE. Because it is a concurrent resolution.

Mr. JAVITS. In other words, he would have presented his proposition in advance. But is it not a fact that if we did not say that by concurrent resolution, it would not have the force of law, because he is getting the force of law without one House being able to knock it over? Suppose we do not like it but we cannot get the concurrent resolution. We are dead.

Mr. PROXMIRE. We have given away absolutely nothing the President does not now have. The President now has the authority to determine outlays any way he wishes. He has an enormous amount of obligational authority, especially in defense and other areas, which gives him the power to expend money during the coming fiscal year.

This would give Congress a power it does not now have, and it would be the power of law.

Mr. JAVITS. I cannot see it, in view of the budget bill.

Mr. SPARKMAN. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. SPARKMAN. Who has the floor?

The PRESIDING OFFICER. The Senator from Wisconsin has the floor at this time.

Mr. JAVITS. Mr. President, the Senator has yielded to me. I should like to finish my thought.

Mr. SPARKMAN. Mr. President, we have a bill here that we are trying to carry forward, and all this discussion has absolutely nothing to do with it. I think we ought to have some way of controlling this thing and not lose control completely of the floor.

Mr. JAVITS. Mr. President, this is very novel.

Mr. SPARKMAN. It is not novel.

Mr. JAVITS. We can now amend rule XXII, right here and now, so that the managers of the bill can control the floor. That is what people like myself have been contending for since 1957, when I came to the Senate. But that is not the

law. So long as the law is that we can debate it, we will.

Mr. President, I ask the Senator to think this through: Is it not self-contradictory that we passed the bill to prevent the impoundment; yet, the Senator says that the President has the complete power to impound, which negates that bill? Then, the next proposition is that something becomes law over which the President already has power. Why is it necessary to provide that it becomes law?

In addition, it deprives us of the initiative, because if one House does not want to go along, it becomes law. It turns the Constitution on its ear. I hope the Senator will explain that.

Mr. PROXMIRE. I will be happy to explain it to the Senator from New York.

We have had a good debate here. The time is getting late. The Senator from Maine and the Senator from New York are two of the most articulate and persuasive men in the Senate.

I think we have some confusion about what I think is a simple resolution. I will try to explain it simply; and if it is still confusing, I hope we can simply proceed on the basis of the best understanding we can get.

It reads:

Not later than 30 days following the enactment of this Act, the President shall submit to the Congress a proposal to limit expenditures and net lending during the fiscal year ending June 30, 1975 under the budget of the United States government to $295,000,000,000 or such higher amount if the President determines a ceiling of $295,000,000,000 is infeasible and indicates his reasons therefor.

The reason for that is that many of us feel that we should balance the budget. If the President feels that we cannot and should not do so this year, he can tell us. We had a 74-to-12 vote last time we considered the issue that we ought to balance the budget. I would like to hear from the President if he thinks we cannot, and why not. We need that kind of explanation, if we are not going to balance the budget.

Second:

The proposal submitted pursuant to this section shall include separate ceilings on expenditures and net lending for each major department and agency of the government. Such proposal shall become law in 20 days following its submission to the Congress unless prior to such date the Congress by concurrent resolution disapproves of or modifies such proposal.

That means we have the power, if he says that the spending should not be decreased in the military area, to overrule that.

I have provisions here that will prevent a filibuster. So we have the ability to act within that time.

I realize that this is imperfect. One can throw darts and arrows at anything that is proposed. There is no way we can get on top of spending this year without taking action that is going to be painful, difficult, and embarrassing. Many people will feel that it is some kind of surrender of authority. But this gives authority we do not have now. This would give us authority over outlays—the final authority. It would give the President the partnership authority to make his recommendations.

As Senator MUSKIE has said, this is not a new precedent. This President may have priorities different from those of President Nixon. He should have that chance. This resolution gives him that opportunity.

Overall, Mr. President, no matter how it is rationalized, discussed, or explained, the fact is that if one believes in holding spending down to $295 billion, he will vote "Yea" on this amendment; if he does not believe in it, he will vote "nay."

Mr. SPARKMAN. Mr. President, the Senator from Wisconsin will recall that we offered to take his amendment to conference, although we cautioned him on the rule of germaneness, and the Senator from Wisconsin understands that fully. He has been in many a conference when that rule was invoked by the House.

This is my feeling about the matter. I think there is a great deal in what the Senator from Wisconsin has said and what the Senator from Maine has said, but it seems to me that the matter that the Senator has proposed is one that needs to be threshed out with the Budget Committee. It does not belong as a part of this bill that we have been trying to pass here today. The House has already passed it by a vote of 379 to 23.

We have been killing time around here all afternoon. It seems to me that it is time to bring this discussion to an end. I earnestly hope that the Senator from Wisconsin will take up his measure in the confines, shall I say, of the new Budget Committee. Or, if he wants us to take it to conference, we will be glad to take it to conference. But he knows and I know that the House can knock it out on the rule of germaneness.

Mr. PROXMIRE. I do not know whether the House will knock it out on the rule of germaneness, because I think it is sufficiently important. I have spoken to Members of the House committee, and they are sympathetic to it. I may be wrong; the Senator may be right. I hope the Senator will let us take it to conference.

Mr. SPARKMAN. Senator TOWER and I have agreed to do that.

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

Mr. SPARKMAN. I yield.

Mr. TOWER. I wonder whether we can get a controlled time agreement on this matter, because obviously this debate is going to go on all evening. This is the first thing the President has asked us to send him, and we are trying to do it. I hope the Senator from Wisconsin will withdraw his amendment. Apparently, he is not going to do so. Therefore, I think we should agree to controlled time, so that we will have some reasonable time when the Senate is going to vote on this matter tonight.

Mr. SPARKMAN. I wonder whether we can vote on the amendment. The Senator will accept a voice vote, I presume.

Mr. PROXMIRE. I am happy to vote at any time. We can vote now or 10 minutes from now or a half hour from now.

Mr. STEVENS. Mr. President, I join the Senator from Maine in this amendment. I do not believe it has any business on this bill. I think it is a cosmetic approach to inflation. It certainly is not directed the way the Senate has been going. I thought we were directed toward eliminating unnecessary Federal expenditures and created a budget committee for that purpose.

I think it implies that we are going to set some ceilings on expenditures before the Appropriations Committee have even completed their work. I do not see any reason to assume that Government spending per se is the cause of inflation. Unnecessary Government spending would contribute to inflation, but I thought that we had all labored pretty hard, and we have given plaudits all around to the people who created this budget committee. Now, suddenly, we are going to rush into an invitation to impoundment.

If there has ever been an invitation to impoundment, this amendment is one. We fought a battle here for 4 years against Executive impoundments. Here is a simple little amendment that says that, despite what we have done on appropriations bills, now we want the President to come up and set a limit on expenditures.

What about all these appropriations bills that have become law? I am not willing to see the President come up and set a ceiling on something that amounts to an impoundment on something we have set priorities on already. If the Budget Committee wants to tell us that we were wrong and to set procedures so that we will limit those expenditures, I am entirely in accord with that. But I agree with the chairman entirely. I hope he will make a motion to table this. If he will not, I will.

I do not think this amendment has any place in a bill that was supposed to be a clean bill. Some of us have voted here already, on something which, under other circumstances, we might have supported. This was supposed to be a thing that the President had asked the Congress to give him a clean bill to monitor this, and I thought, in the spirit of cooperation, we were going to do that. But if we are going to get into something that emasculates our budget control and imputes to the Committee on Appropriations improper judgment on bills we have already passed, I certainly cannot support it and I want to be able to vote against it.

Mr. HUMPHREY. Mr. President, I have listened attentively to a very fine debate. It appears to me that the chairman of the committee, the Senator from Alabama, has stated it very well, that this bill should be passed, that this particular amendment is not directly related to this bill, and that it poses problems of germaneness.

The Senator from Maine has stated very convincingly that the Budget Control Act that was adopted by Congress would be, in a sense, bypassed by this amendment. The Senator from Alaska has fortified that argument, as has, indeed, the Senator from New York. It appears to me that we can expedite this by just biting the bullet. I, therefore, move to table the amendment.

Mr. PROXMIRE. Mr. President, I ask for the yeas and nays on the Humphrey motion to table.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Minnesota to table. On this question, the yeas and nays have been ordered. The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. ROBERT C. BYRD. I announce that the Senator from Nevada (Mr. CANNON), the Senator from Arkansas (Mr. FULBRIGHT), the Senator from Alaska (Mr. GRAVEL), the Senator from Indiana (Mr. HARTKE), the Senator from Louisiana (Mr. LONG), the Senator from Wyoming (Mr. McGEE), the Senator from South Dakota (Mr. McGOVERN), the Senator from Minnesota (Mr. MONDALE), and the Senator from Mississippi (Mr. STENNIS) are necessarily absent.

Mr. GRIFFIN. I announce that the Senator from Oklahoma (Mr. BELLMON), the Senator from Utah (Mr. BENNETT), the Senator from New Jersey (Mr. CASE), the Senator from Kentucky (Mr. COOK), and the Senator from New Mexico (Mr. DOMENICI) are necessarily absent.

The result was announced—yeas 58, nays 28, as follows:

[No. 368 Leg.]

YEAS—58

Abourezk	Hart	Muskie
Aiken	Haskell	Pastore
Baker	Hatfield	Pearson
Beall	Hathaway	Percy
Bentsen	Hruska	Randolph
Bible	Huddleston	Scott, Hugh
Brooke	Hughes	Scott, William L.
Church	Humphrey	Sparkman
Clark	Inouye	Stafford
Cotton	Jackson	Stevens
Cranston	Javits	Stevenson
Dominick	Johnston	Taft
Eastland	Kennedy	Thurmond
Ervin	Magnuson	Tower
Fannin	Mathias	Tunney
Fong	McClellan	Weicker
Goldwater	McIntyre	Williams
Griffin	Metzenbaum	Young
Gurney	Montoya	
Hansen	Moss	

NAYS—28

Allen	Chiles	Nunn
Bartlett	Curtis	Packwood
Bayh	Dole	Pell
Biden	Eagleton	Proxmire
Brock	Helms	Ribicoff
Buckley	Hollings	Roth
Burdick	Mansfield	Schweiker
Byrd, Harry F., Jr.	McClure	Symington
Byrd, Robert C.	Metcalf	Talmadge
	Nelson	

NOT VOTING—14

Bellmon	Domenici	McGee
Bennett	Fulbright	McGovern
Cannon	Gravel	Mondale
Case	Hartke	Stennis
Cook	Long	

So the motion to lay on the table was agreed to.

NATIONAL SCIENCE FOUNDATION AUTHORIZATION ACT—CONFERENCE REPORT

Mr. KENNEDY. Mr. President, I submit a report of the committee of conference on H.R. 13999, and ask for its immediate consideration.

The PRESIDING OFFICER. The report will be stated by title.

The assistant legislative clerk read as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 13999) to authorize appropriations for activities of the National Science Foundation, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses this report, signed by all the conferees.

The PRESIDING OFFICER. Is there objection to the consideration of the conference report?

There being no objection, the Senate proceeded to consider the report, which is as follows:

CONFERENCE REPORT (H. REPT. No. 93-1302)

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 13999) to authorize appropriations for activities of the National Science Foundation, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate and agree to the same with an amendment as follows:

In lieu of the matter proposed to be inserted by the Senate amendment insert the following:

That there is hereby authorized to be appropriated to the National Science Foundation for the fiscal year ending June 30, 1975, for the following categories:

(1) Scientific Research Project Support, $358,700,000.

(2) National and Special Research Programs, $91,900,000.

(3) National Research Centers, $52,500,000.

(4) Science Information Activities, $6,300,000.

(5) International Cooperative Scientific Activities, $8,000,000.

(6) Research Applied to National Needs, $148,900,000.

(7) Intergovernmental Science Program, $2,000,000.

(8) Institutional Improvement for Science, $12,000,000.

(9) Graduate Student Support, $15,000,000.

(10) Science Education Improvement, $70,000,000.

(11) Planning and Policy Studies, $2,700,000.

(12) Program Development and Management, $39,500,000.

SEC. 2. Notwithstanding any other provision of this or any other Act—

(a) of the total amount authorized under section 1, not less than $10,000,000 shall be available for the purpose of "Institutional Improvement for Science";

(b) of the total amount authorized under section 1, not less than $15,000,000 shall be available for the purpose of "Graduate Student Support";

(c) of the total amount authorized under section 1, not less than $70,000,000 shall be available for the purpose of "Science Education Improvement";

(d) of the total amount authorized in category (2) of section 1—

(1) not less than $1,600,000 shall be available for "Experimental R. & D. Incentives", and

(2) not less than $4,000,000 shall be available for "Ship Construction/Conversion";

(e) of the total amount authorized in category (6) of section 1—

(1) not less than $1,000,000 shall be available for "Fire Research", and

(2) not less than $8,000,000 shall be available for "Earthquake Research and Engineering"; and

(f) of the total amount authorized in category (10) of section 1—

(1) not less than $1,500,000 shall be available for "Science Faculty Fellowships for College Teachers",

(2) not less than $3,800,000 shall be available for "Student Programs" including "Undergraduate Student Projects" and "Student Originated Studies", and

(3) not less than $2,000,000 shall be available for "High School Student Projects".

SEC. 3. Appropriations made pursuant to this Act may be used, but not to exceed $5,000, for official consultation, representation, or other extraordinary expenses upon the approval or authority of the Director of the National Science Foundation, and his determination shall be final and conclusive upon the accounting officers of the Government.

SEC. 4. In addition to such sums as are authorized by section 1, not to exceed $5,000,000 is authorized to be appropriated for the fiscal year ending June 30, 1975, for expenses of the National Science Foundation incurred outside the United States to be paid for in foreign currencies which the Treasury Department determines to be excess to the normal requirements of the United States.

SEC. 5. Appropriations made pursuant to sections 1 and 4 shall remain available for obligation, for expenditure, or for obligation and expenditure, for such period or periods as may be specified in Acts making such appropriations.

SEC. 6. No funds may be transferred from any particular category listed in section 1 to any other category or categories listed in such section if the total of the funds so transferred from that particular category would exceed 10 per centum thereof, and no funds may be transferred to any particular category listed in section 1 from any other category or categories listed in such section if the total of the funds so transferred to that particular category would exceed 10 per centum thereof, unless—

(A) a period of thirty legislative days has passed after the Director or his designee has transmitted to the Speaker of the House of Representatives and to the President of the Senate and to the Committee on Science and Astronautics of the House of Representatives and to the Committee on Labor and Public Welfare of the Senate a written report containing a full and complete statement concerning the nature of the transfer and the reason therefor, or

(B) each such committee before the expiration of such period has transmitted to the Director written notice to the effect that such committee has no objection to the proposed action.

SEC. 7. Notwithstanding any other provision of this or any other Act, the Director of the National Science Foundation shall keep the Committee on Science and Astronautics of the House of Representatives and the Committee on Labor and Public Welfare of the Senate fully and currently informed with respect to all of the activities of the National Science Foundation.

SEC. 8. This Act may be cited as the "National Science Foundation Authorization Act, 1975".

And the Senate agree to the same.

OLIN E. TEAGUE,
JOHN W. DAVIS,
JAMES W. SYMINGTON,
MIKE McCORMACK,
CHARLES A. MOSHER,
ALPHONZO BELL,
MARVIN L. ESCH,
Members on the Part of the House.

EDWARD M. KENNEDY,
CLAIBORNE PELL,
THOMAS F. EAGLETON,
ALVIN CRANSTON,
WALTER F. MONDALE,
PETER H. DOMINICK,
ROBERT T. STAFFORD,
Managers on the Part of the Senate.

JOINT EXPLANATORY STATEMENT OF THE COMMITTEE OF CONFERENCE

The managers on the part of the House and the Senate at the conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 13999) to authorize appropriations for activities of the National Science Foundation, and for other purposes, submit the following joint statement to the House and the Senate in explanation of the effect of the action agreed upon by the managers and recommended in the accompanying conference report:

The amendment of the Senate struck out all after the enacting clause in the House bill and substituted new language. The committee of conference agreed to accept the Senate amendment with certain amendments and stipulations proposed by the conferees.

The National Science Foundation requested authorization in the amount of $783,200,000 for fiscal year 1975, plus $5,000,000 in excess foreign currencies. The House authorized the amount requested. The respective Senate figures were $829,800,000 and $5,000,000 in excess foreign currencies.

The committee of conference recommends $807,500,000, plus $5,000,000 in excess foreign currencies. This figure is $24,300,000 more than authorized by the House and $22,300,000 less than authorized by the Senate for fiscal year 1975.

The specific actions taken by the conference are as follows:

SECTION 1—FUNDS

1. For Scientific Research Project Support, the budget request of the National Science Foundation was $363,700,000. The House authorized $354,000,000 and the Senate authorized $363,700,000. The two Houses agreed on $358,700,000.

2. For National and Special Research Programs, the Foundation requested $84,800,000. The House authorized $86,000,000 and the Senate authorized $94,700,000. A compromise of $91,900,000 was approved by the conferees, which includes an additional $5,900,000 for oceanography-related programs, with emphasis on ship construction/conversion.

3. For National Research Centers, the House, the Senate, and the conferees approved the Foundation request for $52,500,000.

4. For Science Information Activities, the Foundation requested $5,000,000. The House authorized $8,300,000 which was the 1974 level of support and the Senate authorized $5,000,000. The conference committee agreed on $6,300,000 as a reasonable sum to maintain this vital function.

5. For International Cooperative Scientific Activities, the House, the Senate, and the conferees approved the Foundation request for $8,000,000.

6. For Research Applied to National Needs, the Foundation requested $148,900,000. The House authorized $139,100,000 and the Senate authorized $160,700,000. A compromise was reached at the original figure requested, $148,900,000.

7. For Intergovernmental Science Programs, the Foundation requested $1,000,000, which the House approved. The Senate authorized $3,000,000. A compromise was reached at $2,000,000.

8. For Institutional Improvement for Science, the Foundation requested $3,000,000. The House increased this figure to $10,000,000, largely to revitalize the Institutional Grants Program. The Senate authorized $12,000,000, to which the House agreed in conference.

9. For Graduate Students Support, the Foundation requested $12,700,000. The House authorized $13,200,000 and the Senate authorized $17,000,0000. The committee of conference agreed on $15,000,000 as adequate for this program.

10. For Science Education Improvement, the Foundation requested $61,400,000. The House authorized $68,900,000 in order to compensate for funds diverted from this program to technical training. The Senate authorized $71,000,000. The conferees agreed on a compromise of $70,000,000.

11. For Planning and Policy Studies, the Foundation requested $2,700,000 which both the House and Senate accepted.

12. For Program Development and Management, the Foundation requested $39,500,000 which was accepted by both the House and Senate.

SECTION 2

The bill as passed by the House put budgetary floors under the following:

(1) National and Special Research Program—$2,200,000 to assure continuance of the Experimental R&D Incentives Program.

(2) The Research Applied to National Needs Program—$2,000,000 for Fire Research to assure continuance of this effort.

(3) The Institutional Improvement for Science Program—$10,000,000.

(4) The Graduate Student Support Program—$13,200,000.

(5) The Science Education Improvement Program—$68,900,000, which included three sub-floor limitations. The latter were $1,500,000 for Science Faculty Fellowships, $3,800,000 for College Student Science Education, and $2,000,000 for High School Students Projects.

The Senate puts floors under the following:

(1) National and Special Research Programs—$8,000,000 for Ship Construction and Conversion.

(2) Research Applied to National Needs—$8,000,000 to assure continuance of the Earthquake Research Program.

(3) Institutional Improvement for Science—$12,000,000.

(4) Graduate Student Support—$17,000,000.

(5) Science Education Improvement—$71,000,000.

The latter three floors incorporated by the Senate, in effect, fixed the floor at the total amount of the Senate authorization and were designed to assure that these programs should not be cut in any way.

The committee of conference agreed to lower most of these floors in order to permit the Foundation additional funding flexibility in view of the fact that appropriations were expected to be lower than the authorization figures. The conferees agreed to the following floors:

(1) National and Special Research Programs—$1,600,000 for the Experimental R&D Incentives Program; $4,000,000 for Ship Construction and Conversion.

(2) Research Applied to National Needs—$1,000,000 for Fire Research; the $8,000,000 for Earthquake Research was retained.

(3) Institutional Improvement for Science—$10,000,000.

(4) Graduate Student Support—$15,000,000.

(5) Science Education Improvement—$70,000,000.

The sub-floors placed by the House within the Science Education Improvement category remain intact: for Science Faculty Fellowships, $1,500,000; for College Student Science Education, $3,800,000; for High School Student Projects, $2,000,000.

SECTION 3

Section 3 is identical to Section 3 of the House bill and Section 5 of the Senate bill.

SECTION 4

Section 4 is identical to Section 4 in both the House and Senate bills.

SECTION 5

Section 5 is identical to Section 5 of the House bill and Section 6 of the Senate bill.

SECTION 6

Section 6 is identical to Section 6 of the House bill and Section 7 of the Senate bill.

SECTION 7

Section 7 is identical to Section 8 of both House and Senate bills.

SECTION 8

Section 8 is identical to Section 9 of both House and Senate bills.

ADDITIONAL CONFERENCE ACTION

The committee of conference made three non-funding changes in the two versions as follows:

(1) *The Student Unrest Provision.*—The House bill carried a provision which the Foundation authorization bills had carried for several years to the effect that students or other persons receiving grants or payment of any kind from NSF should be completely severed from any NSF program providing such funds, if it were found that they had been guilty of causing disruption or damage by the use of force to the institution attended. The Senate bill eliminated this clause on the grounds that it was no longer necessary. The House concurred in the Senate view, but conferees wish to point out that similar restrictions are contained in the Apropriations Act pertaining to the National Science Foundation. Hence, inclusion of the clause in the Authorization Bill is redundant.

(2) *Fetal Research.*—The House bill contained a provision, adopted by amendment on the Floor of the House, to the effect that no funds appropriated pursuant to this act should be used to conduct research on a human fetus. The Senate bill eliminated this provision on the grounds that it was unnecessary. It was pointed out that H.R. 7724, which was in conference at the time and which is now P.L. 93-348, contained a special title known as the "Protection of Human Subjects Act." This law establishes a broad gauge expert commission whose duties will include the study of all kinds of research on humans and eventuate in recommendations to the Congress for necessary legislation. The House concurred with the Senate view on this matter, and believes such action to be particularly appropriate since, in any event, the Foundation has never supported research of the kind involved and does not do so at present.

(3) *Solar Energy Research.*—The House bill contained a provision which would have required special coordination between the National Science Foundation and the National Aeronautics and Space Administration with regard to solar energy research. The purpose of the provision was to insure that the two agencies, which were equally responsible for the findings of the President's Solar Energy Research Advisory Panel of several years ago, should coordinate their efforts in this area. While it was acknowledged that NSF should be the lead agency in this area, it was directed that those applied research areas in which NASA had particular capabilities should be managed and carried out by NASA when appropriate. The Senate eliminated this provision and substituted a clause providing simply that the Director of the National Science Foundation should be responsible for the planning, coordinating and directing of solar energy research throughout the federal government. In conference it was agreed that both provisions should be eliminated from the bill, and the essence of both stipulated in the Statement of Managers as follows:

First, the National Science Foundation should be the lead agency responsible for such research, as it has been designated by the Administration.

Second, prior to the inauguration of new phases of its program of Solar Energy Research and Technology, the Foundation is directed to coordinate such programs, particularly with regard to such areas as heating and cooling of buildings, wind energy, and satellite solar energy with the National Aeronautics and Space Administration and other appropriate Federal agencies, and report the resulting plans, schedules, and other findings to the Committee on Science and Astronautics of the House of Representatives and the Committee on Labor and Public Welfare of the Senate within 90 days from the effective date of this Act. The coordinated program should be designed to take maximum advantage of the special capabilities of the Foundation, NASA, or other agencies involved. Such part or parts of the program which can be feasibly carried out by NASA or other appropriate agencies should be so assigned, including managerial responsibility, and should be funded by the Foundation pursuant to section 11(c) of Public Law 81-507.

Third, the Foundation is further directed to coordinate its Solar Energy and Technology program with the academic community, and with private industry—giving particular attention to the capabilities of small businesses and to innovative applied research proposals emanating therefrom.

OLIN E. TEAGUE,
JOHN W. DAVIS,
JAMES W. SYMINGTON,
MIKE MCCORMACK,
CHARLES A. MOSHER,
ALPHONZO BELL,
MARVIN L. ESCH,
Managers on the Part of the House.

EDWARD M. KENNEDY,
CLAIBORNE PELL,
THOMAS F. EAGLETON,
ALAN CRANSTON,
WALTER F. MONDALE,
PETER H. DOMINICK,
ROBERT T. STAFFORD,
Managers on the Part of the Senate.

Mr. KENNEDY. Mr. President, I urge my colleagues to give their full support to the conference report on the National Science Foundation which is before us today.

As approved by the Senate, the authorization provided $834.8 million for the Foundation's programs in fiscal 1975. The figure approved by the House was $788.2 million. The conference report provides $812.5 million.

The scientific research supported by the NSF extends the frontiers of science and provides the new knowledge that is essential if the United States is to conquer not only technological problems, but also the social and economic challenges that confront this Nation. The National Science Foundation is the only Federal agency charged with the responsibility of maintaining the health of U.S. science. Its grants, contracts, and facility support are designed to meet diversified scientific needs and to be responsive in identifying problems of national concern. Equally significant are the Foundation's science education programs which are designed not only to improve the effectiveness of science education at all academic levels, but to enhance scientific literacy and provide the scientific and technical manpower so vital to our country's future.

The authorization will permit the Foundation to continue to provide essential support for basic research in the science disciplines, for research-focused problems of national concern, for initiatives aimed at solving our energy crisis, and to maintain an adequate level for science education and institutional science support necessary to sustain the science education and research roles of academic institutions. It is the largest authorization in the Foundation's history, and is a reflection of the growing recognition that the research supported by NSF is an essential part of our effort to solve the problems which confront us as a nation. The scientific community is making its voice heard in virtually every agency and office of Government—and that voice must be strong if the Nation is to reap the benefits of our increasingly complex technology.

One of the single most important elements in the authorization is the Foundation's expanded role in energy research and technology. Approximately one-third of the amount authorized will be directed to this effort—pushing forward our basic knowledge and applying the results of that research to the introduction of new energy sources which hold enormous potential in our effort to free this nation from its dependence on dwindling fossil fuel supplies. The Foundation has extensive capabilities in this area, and its full participation in the formulation of public policy and the national effort to develop new energy sources is essential if that effort is to meet with success.

The programs authorized will build to a large degree upon existing NSF research programs. During the second session of the 92d Congress, for example, the Congress increased significantly the level of support for energy-related efforts to permit the Foundation to augment significantly its support of energy and related technology, particularly in solar, geothermal, and other nonconventional energy sources. It is especially important that the NSF continues and expands its efforts in the energy area at this time, in view of this Nation's acute need for alternative energy sources and the unique capabilities of the Foundation to foster this kind of research.

The National Science Foundation is calling on experts from government, industry, and universities in its broad scale energy research undertaking. It is sponsoring research dealing with conservation, conversion, production, and transmission, as well as with issues of environmental quality and the impact of energy production on the ecology and economies of various regions.

NSF has a major responsibility for the development of solar and geothermal energy. Its programs are designed to bring solar and geothermal energy sources into widescale application as quickly as possible. For example, as part of the solar energy program, four schools have been outfitted with experimental solar systems which went into operation in March of this year. They will provide important initial information on the systems performance and on their acceptability to the public, and more data has come from these experimental collectors than all the data that has been collected in laboratory experiments thus far.

The Foundation's solar energy research is a broad effort which focuses on advancing the technology for solar, thermal conversion, wind energy conversion, bioconversion to fuels and ocean thermal and photovoltaic conversion, as well as the heating and cooling, and to produce renewable supplies of clean-hydrocarbon fuel. It is estimated that, with widespread application of these technologies, solar energy could meet 30 percent of the Nation's energy needs as we move into the next century. In the case of heating and cooling of buildings, the estimates are that 25 percent to 50 percent of the total energy needs of the Nation could be satisfied in that same period with solar energy applications.

Also included in the authorization is a significant increase in research support in the science disciplines, establishing the most vigorous program of fundamental research in the Foundation's history. This basic research program, aimed at assuring adequate fundamental understanding of science, provides the undergirding for advanced research as well as for applied and developmental work. It provides support for all fields of science. It is an investment in discovery and innovation. It may lead to new sources of energy; to advances which will create new industries and transform old ones; to increased understanding of the principles that govern the physical, life, and social sciences—understanding which is essential if we are to enhance the quality of life.

And underlying these efforts must be a continued investment in science education and in support for graduate students and faculty members in the science disciplines in our colleges and universities. The training of men and women in the most advanced techniques and concepts of basic science is essential to the development of new technology—technology we will need to ensure our continued progress as a nation. Moreover, our need for trained scientists is as great now as it has ever been, and covers the whole range of science disciplines. We are looking to our scientists for guidance in finding solutions to air and water pollution control problems; for improved designs for mass transportation systems; for more effective utilization and delivery of health services; and for methods of allocating our scarce resources as fairly and effectively as possible. There is no significant unemployment of Ph. D. scientists in the United States today, in any discipline. In fact, in the field of engineering there is a growing shortage, with current unemployment levels estimated at about one-half of 1 percent, on a scale where 3 percent is considered full employment.

The authorization also recognizes that inflation has affected the cost of scientific research and equipment even more than it has affected the cost of food, housing and fuel. This is as true for applied research aimed at meeting our immediate needs, as it is for basic research from which benefits may only be reaped by future generations. Since fiscal 1967 there has been a 22-percent decline in constant dollars in the amount of Federal support for scientific research. This

has worked a particular hardship on NSF and academic science and represents an inconsistent posture on the part of the Federal Government in its treatment of research and development support. Federal agencies with in-house laboratories have been able to compensate for inflation by means of salary, instrument and facility budget allowances. NSF has no in-house research capability, and the authorization, including the increases it makes over the administration's request, is designed to take into account the escalating costs of operating academic research laboratories, so that the Nation's capacity to produce quality scientific research will not be severely hampered.

The National Science Foundation operates no laboratories or scientific facilities of its own. Through grants and contracts it supports programs of scientific research and education in thousands of universities, research institutes and other organizations in all of the 50 States.

These programs represent an essential investment in this Nation's future, and no expenditure has a wider implication for the health, welfare and safety of the American people. Measured by any standard, American science has for decades sustained a level of productivity unmatched in the history of modern science.

It is the responsibility of the National Science Foundation to see that our scientists receive the financial support they need to carry forward promising research. As the only Federal agency with a direct mandate to strengthen science and education science, the NSF is called on to perform a critically important and unique function, and the authorization before us today will enable it to meet the responsibility.

The PRESIDING OFFICER. The question is on agreeing to the conference report.

The conference report was agreed to.

COUNCIL ON WAGE AND PRICE STABILITY

The Senate continued with the consideration of the bill (S. 3919) to authorize the establishment of a Council on Wage and Price Stability.

Mr. BAYH. Mr. President, I agree with President Ford—inflation is domestic enemy No. 1.

As I have pointed out repeatedly in Senate debates, and in travels throughout my State, the present rate of inflation cannot, must not, be tolerated. The "double digit inflation" of today poses severe economic hardships for all Americans. Unfortunately, we have made very little progress in the fight to end inflation, as evidenced by the rise in wholesale prices in July at an annual rate of 44 percent. The future course of inflation, it appears, is to continue upward—at an even more alarming rate than at present unless we act now.

Not content to merely point to the evils of inflation, I have worked for months on a number of very specific actions to bring the escalating rise in the cost of living in check. The list includes:

ROLL BACK OIL PRICES

I have voted for, and continue to support, a rollback in the price of crude oil and refined petroleum products. Excessive oil prices have been a principal culprit in causing inflation, driving upward not only fuel prices but increasing significantly the cost of scores of products which use petroleum such as drugs, synthetic rubber and fabrics, plastics, et cetera. Yet, the profits of the five largest oil companies were 67 percent higher during the first half of 1974 than during the same period last year. Obviously a reduction in oil prices would go a long way to slowing inflation, while indicating to the huge, multinational oil companies that they are not going to continue to exploit the American people.

REDUCE GOVERNMENT SPENDING

While there has been much talk about reducing Government spending to help stem inflation, I have offered a number of specific amendments to achieve this important and necessary objective. For example, last year I was successful in cutting more than a billion dollars from the Federal welfare budget. This was done by reducing waste and did not result in any reduction in services for deserving individuals and families. I have proposed another billion-dollar cut in welfare expenditures this year, as well as other steps to cut the fat out of the budget in such areas as new furniture, public relations personnel for the executive branch, travel expenses for Government employees, et cetera. In addition, as a member of the Senate Appropriations Committee, I am supporting significant cutbacks in foreign aid and in military expenditures unrelated to our national security. The combined effect of reductions in unnecessary foreign aid and military spending that I am supporting would be to strike approximately $6 billion from the budget requests.

BUDGET CEILING

To fulfill the objective of reducing Federal spending, I voted for an amendment—which we passed some weeks ago—to set a budget ceiling for the current fiscal year of $295 billion, approximately $10 billion below the $305 billion budget request. Since my proposed cut in welfare spending plus the cuts that I support in foreign aid and military expenditures would strike $7 billion from the budget, it is reasonable to expect that careful attention to waste in Federal spending could eliminate another $3 billion, or approximately 1 percent from the budget, to meet the overall goal of a $295 billion spending ceiling.

LOWER INTEREST RATES

For some time I have spoken out for a reduction in excessively high interest rates. The extremely tight monetary policy being practiced by the Federal Reserve Board is supposed to help control inflation. Obviously, it has not worked. Instead, the high interest rates have increased unemployment, especially in the home building industry, and added to the recession that hit the economy during the first half of the year. And, I should add, that if the Fed's very tight monetary policies do continue, we will have an equally disastrous second half and 1 year of no growth is 1 year too many. High interest rates have themselves become a cause of inflation, ironically adding significantly to the cost of doing business and to the final cost of consumer purchases, both through the cost of consumer credit and through the increased cost of goods which businessmen must charge to recoup their increased borrowing expenses. It is long past the time when interest rates should have been reduced.

EXPORT POLICY

Since a significant cause of inflation has been the rise in exports—and resulting domestic shortages—of such key commodities as scrap steel and petrochemicals, I authored an amendment that the Senate passed to provide more effective monitoring of exports of commodities in short supply. While free trading is the course of action I most prefer, I also believe we must be prepared to limit exports when extreme demand abroad creates major shortages and resulting inflation here at home. My amendment does not take the step of limiting exports of any product, since those decisions must be made on a case-by-case basis with great care, but it does provide the Congress with the independent data base on which to assess Commerce Department policies on exports. To date those policies have not been adequate and I would hope that through close monitoring we can anticipate tight supply situations instead of overreacting to them after they have surfaced.

TAX REFORM

While cutting Federal spending to reduce the budget deficit is one way to fight inflation, the same objective of reducing the deficit can be achieved by increasing Federal revenues. One of the best ways to do this is to close expensive tax loopholes exploited by large, multinational corporations—such as the oil companies—and by a few extremely wealthy individuals. To this end, I was the principal sponsor earlier this year of a major tax reform package that would have increased Federal revenues by more than $4 billion a year by closing these loopholes:

Oil depletion allowance;

Asset depreciation range, which enables large companies to depreciate equipment faster than the normal useful life of that equipment;

Minimum tax, to make certain extremely wealthy individuals do not escape reasonable taxation by using loopholes that are available only to the rich;

Domestic International Sales Corporation—DISC—a subsidy for sales of U.S. products overseas.

Mr. President, these are just some of the steps I have taken in the battle against inflation. I have worked for those specific objectives which I believe will be most effective in controlling inflation with an absolute minimum of negative impact on the economy and on those average Americans who have been the main victims of inflation.

This Nation cannot afford an anti-inflation policy built on a deliberate slowdown in economic activity and in-

creased unemployment. That idea, if it continues, will reflect nothing more than the failure of policy. I believe we can do better.

Nor is it wise to control inflation by shortchanging vital programs, such as education, medical research, and others of need to the American people.

This raises another point, Mr. President. Much of the talk about the economy revolves around numbers. Too often those using the numbers forget the people make up those numbers. Inflation destroys the standard of living for millions of Americans, especially senior citizens and others on fixed incomes. Unemployment means destroyed hopes for millions of workers and their families, breeding despair and disenchantment with our Government. We must never lose sight, Mr. President, of the impact of our economic ills on the people of our country; we cannot deal with the economy in the abstract.

All of this, Mr. President, takes us to the measure before us today—the legislation requested by the President to create a Council on Wage and Price Stability.

I am prepared to support this proposal to create a means to closely, carefully, and constantly monitor prices and wages so we will have ample information on those actions which are themselves inflationary. In this context, I agree with the President that this Council should be only a monitoring body without the authority to control or to postpone wage or price increases. We have traveled that route, only to watch a once good program collapse under the weight of special interest lobbying in the previous administration and a willingness on the part of those charged with administering the program to sabotage its working.

While some have suggested the new Council have the power to postpone wage or price increases—in a so-called cooling off period—I fear that such an approach would create economic chaos and dislocations in the economy. Moreover, those singled out for such action would logically find ways to avoid Council action, perhaps through a series of small increases over a period of months rather than a single large increase. The fact is that through an effective monitoring agency that could call public attention to inflationary practices, we might well succeed in creating an atmosphere that would discourage wage and price policies which run counter to the fight against inflation.

Mr. President, shedding light on the sources of inflation could well provide us with an effective tool for dealing with this problem. To this end, I support the pending legislation and urge its adoption.

But we should not pretend that this measure will, of itself, solve inflation. A solution to the problem requires specific actions—such as those steps I outlined above—and I urge strongly that the President and Congress be prepared to follow up passage of this bill with tough action to stem the tide of inflation. It is that kind of action, and not just a monitoring body, that the American people want and deserve.

Mr. TAFT. Mr. President, I am pleased that the Senate today will pass legislation recommended by President Ford to establish a council on wage and price stability. As passed by the Senate, this council would have the seven specific functions proposed for an economic monitoring agency in the Inflation Restraint Act of 1974, which I introduced last May 14.

The Senate has already waited an excessive period of time to act upon legislation along the lines of the Inflation Restraint Act. In this time of hyperinflation, the least the Government can do is to allow a successor agency to the Cost of Living Council to act as an anti-inflation watchdog and to work for voluntary private efforts to reduce further inflation, as well as efforts to cut down inflationary actions by the Government itself.

Under this legislation, as under my bill, an entity within the executive branch would be empowered specifically to review Federal programs and make recommendations for anti-inflationary changes; review industrial capacity, demand and supply, and recommend appropriate price-restraint actions, improve wage and price data bases to help improve collective bargaining; conduct public hearings when appropriate; focus attention on the need to increase productivity; monitor the economy as a whole including wages, costs, productivity, prices, sales, profits, imports and exports; and analyze the impact of concentration and anticompetitive behavior on the economy. Both bills refrain from affording the President new power to control wages and prices. I note that strong information-gathering and staffing provisions of the Inflation Restraint Act have been dropped. That act's authority to enforce commitments made to the Cost of Living Council during the price-decontrol process, which would have been extremely useful in May but is not as important now, has also been dropped.

The creation of this council is a minor but necessary step in the fight against inflation because it will help pinpoint our inflationary problems. With an annual inflation rate at double-digit levels, however, we should not deceive ourselves into expecting the council to do too much. It is a complement and not a substitute for more fundamental anti-inflation policies, such as fiscal and monetary restraint and policies to expand the supply of various goods.

During the course of debate, I supported an amendment which would allow the President to delay wage and price increases for up to 60 days, if he finds that they would have a serious inflationary impact on the economy. I realize that both business and labor strongly opposed this amendment and it lost. However, I believe that wage or price increases likely to contribute further at this time to the inflation problem should be scrutinized carefully by the public. It is not too much to ask for careful analyses and justifications to determine whether such increases could or should be foregone.

Mr. BENTSEN. Mr. President, on July 31, in making the Democratic response to President Nixon's economic message, I urged the President to establish a Cost of Living Task Force—to keep track of price increases and wage settlements in the coming months—and to offer guidance to business and labor about what is best for the Nation. I did not advocate a return to controls. But, I noted that the President presently has no machinery for telling business and labor what is responsible. I stated that, if the President did not seek legislation to establish such a cost of living, then the Congress must move on its own.

President Nixon responded by submitting legislation on August 2 which would establish a Cost of Living Task Force wholely within the executive branch. President Ford inherited that proposal and urged its enactment in his nationwide address last Monday night. In a desire to cooperate with the new President, both the House and Senate Banking Committees held prompt hearings and have reported basically the "clean" bill the President asked for. While I applaud both the President's desire to institute some form of cost-of-living machinery and the House and Senate committees' rapid response. I have serious reservations about the effectiveness of machinery created by this legislation. The true power of any such agency will not lie in its mandatory authority, but rather in the public's regard for the fairness and competence of its findings. All sectors of our economy—business, labor, and the consumer—must feel that their views are represented in the deliberations and reflected in the findings. I seriously question whether that type of public confidence and support can be maintained for a board made up exclusively from within the executive branch.

Last week I introduced S. 3900 cosponsored by Senators MANSFIELD, SPARKMAN, HUMPHREY, TALMADGE, and NELSON, to create an independent anti-inflation task force with more specific functions and responsibilities. Senators HART, MCGEE, and ABOUREZK also have asked that their names be added to that measure. I request unanimous consent that they be added as cosponsors to S. 3900.

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

Mr. BENTSEN. That bill would provide for a five-member task force with two of its members appointed by the President and three by the joint bipartisan congressional leadership. As I indicated in my testimony before the Senate Banking Committee, I believe that this approach would be far more likely to result in an effective and evenhanded anti-inflation effort. I believe the more specific responsibilities and guidelines for action contained in my bill would also be very helpful. Unfortunately, these are not part of the bill as reported. However, I was pleased to see that the President's legislation was expanded to include what I regard is a key element of my bill—an effort to assess and reduce the negative impact of Government actions on our ability to achieve more reasonable price levels. I believe a special effort is needed in this area.

So, Mr. President, while the bill re-

ported by the Banking Committee is far less than I would have liked, I shall support it. And I hope that despite my reservations the new task force will be able to make a positive contribution to our efforts to control inflation.

Mr. BAKER. Mr. President, I wish to apprise my colleagues that my support for S. 3919, establishing a Council on Wage and Price Stability, without amendments is not to be reviewed as an absolute rejection of the proposals for empowering the President with the authority to defer, temporarily, price and wage increases. Rather, I shall vote against all amendments to S. 3919 solely in deference to the request of the President for a "clean bill," as I believe that the immediate creation of a wage and price increase monitoring council is a vitally important economic tool for combating inflation.

Consequently, the distinct possibility that a lengthy and unsatisfactory conference between the House and Senate would result, if this bill delegated to the President or the Council on Wage and Price Stability the authority to impose mandatory economic controls, mitigates, in my opinion, against supporting the various amendments to S. 3919.

I do urge the relevant jurisdictional committees of the Congress, however, immediately upon passage and enactment of S. 3919 to reinitiate consideration of vesting the President with the authority to postpone, for an established period of time, the implementation of wage and price increases.

While I am not yet convinced that present economic circumstances mandate a moratorium on wage and price increases, a number of eminent economists, including the distinguished Chairman of the Board of Governors of the Federal Reserve System, Dr. Arthur Burns, favor the delegation to the President and/or the Council on Wage and Price Stability of such authority; and I believe that Congress should accord serious consideration to the passage of such legislation—but not as an attachment to a bill which President Ford specifically has requested to be "clean" and has labeled as urgently needed.

Mr. President, with these reservations, I am pleased to support the creation of a Council on Wage and Price Stability. In addition, I have been reassured by the determination of this new administration to effect fiscal responsibility through the submission of a balanced budget for fiscal year 1975. It seems very clear to me that stern fiscal and monetary measures are urgently required to restore economic well-being; and I hope that additional, viable economic proposals soon will emerge from the joint efforts of Congress and the administration and from the deliberations of the Economic Summit Conference recently called by the President at the suggestion of four of our colleagues.

Mr. MATHIAS. Mr. President, I intend to support S. 3919, establishing a Council on Wage and Price Stability. While many of the functions that this Council will perform could be performed by existing structures within the Federal Government, the President has made a judgment that these functions can best be performed by a council established for that specific purpose. I believe we should give him our support as he tackles the vexing problems of the economy.

I wish to note that section 3(b) of S. 3919 specifically provides:

> Nothing in this Act . . . authorizes the continuation, imposition, or reimposition of any mandatory economic controls with respect to prices, rents, wages, salaries, corporate dividends, or any similiar transfers.

During the recent period of wage-price controls, I became very concerned about the manner in which the program was being administered. In hearings held before the Subcommittee on Separation of Powers, I heard testimony from officers of the previous Cost of Living Council, practicing attorneys, representatives of business, labor experts, consumer groups. All were in agreement that the controls were administered in a manner that was inequitable and without proper procedural safeguards. I learned, for instance, that the basic guidelines upon which decisions were being made were kept secret by the Council. I learned that no adequate mechanism for establishing and following precedent was in existence.

As a result, I drafted a series of procedural regulations and offered them to the Senate in the form of an amendment to the bill we were last considering when extension of controls was proposed. I was pleased that the Senate adopted those amendments, although this act was later rendered moot when the Senate refused to extend the controls.

Because there are no controls provided under S. 3919, I will not offer my amendment to this bill. Should proposals be advanced at a later date which include wage-price controls, I shall request that the Senate give careful consideration to the procedural aspects of the imposition of such controls, consideration which was lacking at the earlier time. I consider this question vital because it goes to the heart of public acceptance of any such systems' legitimacy and fairness.

The time has come, I believe, for brutal frankness about our current economic situation. It is a common technique of Government, in times such as these, to refrain from pessimism because of the effect that it can have on public confidence, which is itself an important factor in the financial and economic health of the Nation. But it is quite clear to me that confidence is on its last legs and can no longer be propped up with rosy predictions and false hopes. Reality is to be found in the plunging stock market, in skyrocketing prices, in the elusiveness of credit, and in rising unemployment and underemployment. We must squarely face these truths if we are to be able to deal wtih them.

In March 1973, in response to the developing Watergate horrors, I spoke of the necessity for truth in Government. That principle is no less applicable now, for truth in Government—or the lack of it—is an important element of our current economic difficulty. And it reaches far back in time, at least to the "guns and butter" policy of the Johnson administration, where a lack of candor about the costs of the Vietnam war threw off our econmic forecasts. I believe that, in addition to the other medication which should be applied to the economy, a strong dose of truth would be helpful.

President Ford has a unique opportunity to do just this. Freed from the necessity to defend the decisions which got us here and backed by a reservoir of national good will, he is in a position to call attention to the difficult choices with which we are now confronted. He is the type of man who is inclined by personality to operate in this fashion. I hope that he will do so because I believe that the American people will respond.

Mr. ROTH. Mr. President, over the past 5 months I have been urging my Senate colleagues to develop a coordinated program to restrain inflation. Specifically, I have repeatedly urged the Congress to take action on my proposal to establish a National Commission on Inflation to promote voluntary wage and price restraint.

The Senate is now on the verge of acting on a very similar proposal in the form of President Ford's proposal to establish a Cost of Living Task Force. My proposal and the President's are identical in almost every respect. Both would review industrial supply and demand, encourage wage and price restraint, and monitor the economy as a whole to spotlight inflationary problems. But the one important distinction between the two proposals was the membership of the commission.

I believe that the most important function of an anti-inflation commission is to encourage cooperation between business and labor to work for price and wage restraint.

On August 15, I testified before the Committee on Banking, Housing and Urban Affairs that it is vitally important for all segments of the economy to be united in this national program to control inflation. I recommended that representatives of business, labor and other segments of the economy be included as members of this new anti-inflation commission.

I am pleased to see that the committee has voted to expand the membership to allow four nongovernmental positions, and I have written to President Ford urging him to appoint representatives of business and labor to the unit.

Business-labor representation, combined with their full attendance at the upcoming domestic summit on inflation, could be the beginning of the end for the traditionally adversary, and inflationary, relationship between business and labor. A renewed spirit of cooperation between business and labor is essential for the success of voluntary wage and price restraint policies.

The legislation before us today is the first step in a renewed fight against inflation. This new anti-inflation unit will not automatically cure inflation, and we should not tell the American people that it will. But strong bipartisan support for this legislation will signal the American people of the Federal Government's strong determination to develop answers to the problem of inflation.

This new Commission will not have the authority to freeze or control wage and prices, but it will serve to dampen the economy's inflationary expectations and create a climate of joint cooperation between the Government, business, labor, and others.

I support the Federal Reserve Board's recommendation to give the Commission subpena power and the authority to delay the implementation of inflationary price and wage increases for up to 90 days.

This new Commission will recommend to the President, the Congress, and the American people specific anti-inflation policies and programs it believes to be needed. It will conduct public hearings on inflation and will spotlight any price and wage increases it determines to be inflationary.

Our action today will enable all segments of the economy to come together and hammer out a unified response to inflation.

Mr. EAGLETON. Mr. President, the President of the United States has asked the Congress to meet him halfway in the effort to fight inflation and I am certainly willing to give a new administration the tools it believes are needed to deal with inflation. I shall vote in favor of the bill.

But I must say that I do not believe that an inflation-monitoring agency can be effective in the current economic environment, although I hope it will be. A few months ago, I voted with the majority to defeat a similar proposal. At that time, there was no indication that such authority could or would be used to control inflation. Now, however, in the context of a bipartisan and wide-ranging review of the economic environment, we have been asked specifically to provide a cost-of-living monitoring council. Therefore, we should do so.

Mr. President, I would urge the new administration to continue to seek out advice and information from diverse sources. The situation is serious and I wish Mr. Ford success in meeting it. By voting in favor of this measure, I hope to indicate my willingness to support his efforts to cope with the problem.

SENATOR RANDOLPH URGES DEFINITE REPORTING PERIODS

Mr. RANDOLPH. Mr. President, I had intended to offer an amendment to this measure to require that the President report to the Congress every 90 days, or more often, as he deems appropriate—but at least every 90 days—on the activities, findings, and recommendations of the Council on Wage and Price Stability. It is my belief that a definite reporting time is absolutely essential in this legislation and in other measures approved by the Congress.

I strongly urge that a firm reporting time be contained in the final version of this proposal to establish a Council on Wage and Price Stability. The able managers of this measure, the Senator from Alabama (Mr. SPARKMAN) and the Senator from Texas (Mr. TOWER), have informed me in discussions that a quarterly reporting requirement is contained in the House bill and that the Senate conferees will agree to this provision in conference. Therefore, Mr. President, I shall not offer my amendment. I commend my colleagues for their thinking on this problem.

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

Mr. SPARKMAN. Mr. President, I know of no further amendment. I suggest third reading.

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

The bill (S. 3919) was ordered to be engrossed for a third reading, and was read the third time.

The PRESIDING OFFICER. The bill having been read the third time, the question is, Shall it pass?

Mr. PASTORE. I ask for the yeas and nays.

The yeas and nays were ordered.

The PRESIDING OFFICER (Mr. ALLEN). The question is, Shall the bill pass? On this question, the yeas and nays have been ordered, and the clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. ROBERT C. BYRD. I announce that the Senator from Nevada (Mr. CANNON), the Senator from Arkansas (Mr. FULBRIGHT), the Senator from Alaska (Mr. GRAVEL), the Senator from Indiana (Mr. HARTKE), the Senator from Louisiana (Mr. LONG), the Senator from Wyoming (Mr. MCGEE), the Senator from South Dakota (Mr. MCGOVERN), the Senator from Minnesota (Mr. MONDALE), and the Senator from Mississippi (Mr. STENNIS) are necessarily absent.

I further announce that the Senator from Minnesota (Mr. MONDALE) would vote "yea."

Mr. GRIFFIN. I announce that the Senator from Oklahoma (Mr. BELLMON), the Senator from Utah (Mr. BENNETT), the Senator from New Jersey (Mr. CASE), the Senator from Kentucky (Mr. COOK), and the Senator from New Mexico (Mr. DOMENICI) are necessarily absent.

The result was announced—yeas 83, nays 3, as follows:

[No. 369 Leg.]

YEAS—83

Abourezk	Goldwater	Nelson
Aiken	Griffin	Nunn
Allen	Gurney	Packwood
Baker	Hansen	Pastore
Bartlett	Hart	Pearson
Bayh	Haskell	Pell
Beall	Hatfield	Percy
Bentsen	Hathaway	Proxmire
Bible	Helms	Randolph
Biden	Hollings	Ribicoff
Brock	Hruska	Roth
Brooke	Huddleston	Schweiker
Burdick	Hughes	Scott, Hugh
Byrd, Harry F., Jr.	Humphrey	Scott, William L.
Byrd, Robert C.	Inouye	Sparkman
Chiles	Jackson	Stafford
Church	Javits	Stevens
Clark	Johnston	Stevenson
Cotton	Kennedy	Symington
Cranston	Magnuson	Taft
Curtis	Mansfield	Talmadge
Dole	Mathias	Thurmond
Dominick	McClellan	Tower
Eagleton	McIntyre	Tunney
Eastland	Metcalf	Williams
Ervin	Metzenbaum	Young
Fannin	Montoya	
Fong	Moss	
	Muskie	

NAYS—3

Buckley	McClure	Weicker

NOT VOTING—14

Bellmon	Domenici	McGee
Bennett	Fulbright	McGovern
Cannon	Gravel	Mondale
Case	Hartke	Stennis
Cook	Long	

So the bill (S. 3919) was passed, as follows:

S. 3919

An act to authorize the establishment of a Council on Wage and Price Stability

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 "Council on Wage and Price Stability Act".

SEC. 2. (a) The President is authorized to establish, within the Executive Office of the President, a Council on Wage and Price Stability (hereinafter referred to as the "Council").

(b) The Council shall consist of eight members appointed by the President and four adviser-members also appointed by the President. The Chairman of the Council shall be designated by the President.

(c) There shall be a Director of the Council who shall be appointed by the President. The Director shall be compensated at the rate prescribed for level IV of the Executive Schedule by section 5315 of title 5, United States Code. The Director of the Council shall perform such functions as the President or the Chairman of the Council may prescribe. The Deputy Director shall perform such functions as the Chairman or the Director of the Council may prescribe.

(d) The Director of the Council may employ and fix the compensation of such officers and employees, including attorneys, as are necessary to perform the functions of the Council at rates not to exceed the highest rate for grade 15 of the General Schedule under section 5332 of title 5, United States Code. Except that the Director, with the approval of the Chairman may, without regard to the provisions of title 5, United States Code, relating to appointments in the competitive service, appoint and fix the compensation of not to exceed five positions at the rates provided for grades 16, 17, and 18 of such General Schedule, to carry out the functions of the Council.

(e) The Director of the Council may employ experts, expert witnesses, and consultants in accordance with the provisions of section 3109 of title 5, United States Code, and compensate them at rates not in excess of the maximum daily rate prescribed for grade 18 of the General Schedule under section 5332 of title 5, United States Code.

(f) The Director of the Council may, with their consent, utilize the services, personnel, equipment, and facilities of Federal, State, regional, and local public agencies and instrumentalities, with or without reimbursement therefor, and may transfer funds made available pursuant to this Act to Federal, State, regional, and local public agencies and instrumentalities as reimbursement for utilization of such services, personnel, equipment, and facilities.

SEC. 3. (a) The Council shall—

(1) review and analyze industrial capacity, demand, supply, and the effect of economic concentration and anticompetitive practices, and supply in various sectors of the economy, working with the industrial groups concerned and appropriate governmental agencies to encourage price restraint;

(2) work with labor and management in the various sectors of the economy having special economic problems, as well as with appropriate government agencies, to improve the structure of collective bargaining and the performance of those sectors in restraining prices;

(3) improve wage and price data bases for the various sectors of the economy to im-

prove collective bargaining and encourage price restraint;

(4) conduct public hearings necessary to provide for public scrutiny of inflationary problems in various sectors of the economy;

(5) focus attention on the need to increase productivity in both the public and private sectors of the economy;

(6) monitor the economy as a whole by acquiring as appropriate, reports on wages, costs, productivity, prices, sales, profits, imports, and exports; and

(7) review and appraise the various programs, policies, and activities of the departments and agencies of the United States for the purpose of determining the extent to which those programs and activities are contributing to inflation.

(b) Nothing in this Act, (1) authorizes the continuation, imposition, or reimposition of any mandatory economic controls with respect to prices, rents, wages, salaries, corporate dividends, or any similar transfers, or (2) affects the authority conferred by the Emergency Petroleum Allocation Act of 1973.

SEC. 4. (a) Any department or agency of the United States which collects, generates, or otherwise prepares or maintains data or information pertaining to the economy or any sector of the economy shall, upon the request of the Chairman of the Council, make that data or information available to the Council.

(b) Disclosure of information obtained by the Council from sources other than Federal, State, or local government agencies and departments shall be in accordance with the provisions of section 552 of title 5, United States Code.

(c) Disclosure by the Council of information obtained from a Federal, State, or local agency or department must be in accord with section 552 of title 5, United States Code, and all the applicable rules of practice and procedure of the agency or department from which the information was obtained.

(d) Disclosure by a member or any employee of the Council of the confidential information as defined in section 1905 of title 18, United States Code, shall be a violation of the criminal code as stated therein.

(e) Consistent with the provisions of section 7213 of the Internal Revenue Code of 1954, nothing in this Act shall be construed as providing for or authorizing any Federal agency to divulge or to make known to the Council the amount or source of income, profits, losses, expenditures, or any particular thereof, set forth or disclosed solely in any income return, or to permit any income tax return filed pursuant to the provisions of the Internal Revenue Code of 1954, thereof, to be seen or examined by the Council.

SEC. 5. The Council shall report to the President, and through him to the Congress, from time to time, concerning its activities, findings, and recommendations with respect to the containment of inflation and the maintenance of a vigorous and prosperous peacetime economy.

SEC. 6. There is hereby authorized to be appropriated not to exceed $1,000,000 for the fiscal year ending June 30, 1975, to carry out the purposes of this Act.

SEC. 7. The authority granted by this Act terminates on August 15, 1975.

Mr. TOWER. Mr. President, I move to reconsider the vote by which the bill was passed.

Mr. SPARKMAN. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Hackney, one of its reading clerks, announced that the House disagrees to the amendment of the Senate to the bill (H.R. 14883) to amend the Public Works and Economic Development Act of 1965 to extend the authorizations for a 2-year period, and for other purposes; requests a conference with the Senate on the disagreeing votes of the two Houses thereon; and that Mr. BLATNIK, Mr. JOHNSON of California, Mr. ROBERTS, Mr. HARSHA, and Mr. HAMMERSCHMIDT were appointed managers of the conference on the part of the House.

The message also announced that the House agrees to the amendments of the Senate to the bill (H.R. 13871) to amend chapter 81 of subpart G of title 5, United States Code, relating to compensation for work injuries, and for other purposes.

The message further announced that the House agrees to the amendment of the Senate to the bill (H.R. 3620) to establish the Great Dismal Swamp National Wildlife Refuge.

The message also announced that the House agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 16027) making appropriations for the Department of the Interior and related agencies for the fiscal year ending June 30, 1975, and for other purposes; and that the House recedes from its disagreement to the amendments of the Senate numbered 18, 22, 23, 24, 26, 36, 37, 38, 40, 43, and 51 to the aforesaid bill; and recedes from its disagreement to the amendments of the Senate numbered 9, 15, 16, 17, 20, 25, 27, 39, 34, and 50 to the aforesaid bill, and concurs therein with amendments, in which it requests the concurrence of the Senate.

The message further announced that the House has agreed to the following joint resolutions, without amendment:

S.J. Res. 66. A joint resolution to authorize the erection of a monument to the dead of the First Infantry Division, U.S. Forces in Vietnam;

S.J. Res. 220. A joint resolution to provide for the reappointment of Dr. William A. M. Burden as citizen regent of the Board of Regents of the Smithsonian Institution;

S.J. Res. 221. A joint resolution to provide for the reappointment of Dr. Caryl P. Haskins as citizen regent of the Board of Regents of the Smithsonian Institution; and

S.J. Res. 222. A joint resolution to provide for the appointment of Dr. Murray Gell-Mann as citizen regent of the Board of Regents of the Smithsonian Institution.

ORDER TO VACATE CONSIDERATION OF COPYRIGHT LAW REVISION, S. 1361

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that the order providing for the calling up of S. 1361, Calendar Order No. 995, at this time be vacated.

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

FEDERAL OFFICE OF PROCUREMENT POLICY ACT—CONFERENCE REPORT

Mr. CHILES. Mr. President, I submit a report of the committee of conference on S. 2510, and ask for its immediate consideration.

The PRESIDING OFFICER (Mr. ALLEN). The report will be stated by title.

The assistant legislative clerk read as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 2510) to create an Office of Federal Procurement within the Executive Office of the President, and for other purposes having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses this report, signed by all the conferees.

The PRESIDING OFFICER. Is there objection to the consideration of the conference report?

There being no objection, the Senate proceeded to consider the report.

(The conference report is printed in the House proceedings of the CONGRESSIONAL RECORD of August 7, 1974 at pp. 27205–27208.)

Mr. CHILES. Mr. President, the conference was held on August 6, 1974. All conferees signed the report. As chairman of the Procurement Subcommittee, I want to express my sincere appreciation to my colleagues—Senators NUNN, HUDDLESTON, ROTH, and BROCK—who, as subcommittee members and conferees, gave unrelentlessly of their time to mold this legislation over the last year.

The House has passed the conference report by a vote of 389 to 1.

The importance of this legislation cannot be over emphasized in these times of rapid inflation. President Ford has stated that we must work together to control Federal spending. The new Office we are creating with this legislation will have the necessary authority to clean up the maze of conflictions and duplicative agency spending practices that have kept the taxpayer from getting his dollar's worth in the Government's $60 billion annual purchasing bill.

This conference substitute reflects, in all major respects, the Office of Federal Procurement Policy, OFPP, bill passed by this body on March 4, 1974. While there have been changes, the substance of the Senate bill has been retained.

As originally passed by the Senate, we envisioned that an Office of Federal Procurement Policy would be created within the executive office of the President, which includes the Office of Management and Budget. The Senate bill did not specify where within the executive office, but the recommendation of the Commission on Government Procurement, as reflected in the House bill, specifically placed the Office within the Office of Management and Budget, OMB. As conferees, we accepted specifying the location of the Office. But this was done only after we had the necessary assurances that the stature of the Office would not be diminished by its organizational location.

These assurances took many forms. For example, the House agreed to establish at the head of the Office an Administrator to be subject to Senate confirmation. With the exception of the Director of OMB and his Deputy, this Administrator will be the only senior operating official in OMB subject to our confirmation.

As an Administrator, we have also insured his independence. He will, for ex-

ample, have his own appropriations expandable only for the purposes specified in this act. He, and not the Director, must keep the Congress informed as to his activities. Moreover, these activites must be limited to those specified in this act. Mr. President, I am convinced that this Office of Federal Procurement Policy is clearly at the level and with the independence we intended for it.

There should be no question raised in the future regarding the clear expectation that the authority, functions and responsibilities granted the Office in this act, shall be aggresively exercised by the Administrator. This act does not empower the Director of OMB; it empowers the Administrator of the OFPP.

S. 2510 contained a declaration of policy providing a conceptual framework for the conduct of Federal procurement. It intended to demonstrate that Congress now is, and will continue to be, an active watchdog of the procurement process. That declaration remains.

To assure congressional participation, the Senate bill further required of the Administrator that he provide Congress with advance notices of proposed policy changes and that major policies would be subject to a veto by either House on a majority vote. I am pleased to inform my colleagues that while modifications were made to remove the congressional veto provision, strong advance reporting requirements were retained in the conference substitute.

We are all too painfully aware of the public climate of Government distrust. It is because of this that I insisted upon the inclusion of a sunshine provision in this bill to require that meetings for the purpose of establishing procurement policies will be open to the public in order that the Office be conducted so as to give substantial visibility to its determinations. It gives me a great deal of pleasure to be able to report that the Senate sunshine provision has been agreed to by the House.

Mr. President, this effectively highlights our conference and the substitute bill agreed to by the conferees. It was, in my judgment, a successful conference. I believe that the conference substitute I am reporting on today accurately represents the intent of this body and clearly sets forth a congressional mandate to bring about long overdue and fundamental improvements in the procurement process—improvements that should result in an effective and viable Federal procurement system and ultimately benefit each and every one of us as Federal taxpayers.

Mr. President, I urge its enactment.

I ask unanimous consent that statements by Senator ROTH, Senator NUNN, Senator HUDDLESTON, and Senator BROCK in regard to the conference report be printed in the RECORD.

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

STATEMENT BY SENATOR ROTH

I would like to join Senator Chiles, the chairman of our subcommittee on Federal procurement in expressing my agreement in the outcome of the conference on S. 2510, the bill to create an Office of Federal Procurement Policy. The conferees of both the House and Senate are to be commended for coming forth with a conference bill which retains the character and purpose of the legislation that was sent to conference by the respective houses. I note that there was only one negative vote in the House on the conference bill when it was passed by that body on August 14.

S. 2510, the Office of Federal Procurement Policy Act, will put into operation the first recommendation of the commission on government procurement. It is the cornerstone of the 149 recommendations of the commission to bring increase efficiency, effectiveness and economy in the purchase of Federal agencies. Many of my colleagues will recall that this commission was established by public law in November 1969 to take a comprehensive, systematic look at the way in which the Federal Government expends almost $60 billion annually to procure good and services. After 3 years of intensive study, the commission provided to the Congress a blueprint for correcting the root causes of many of the ills that plague the procurement process and have been of so much to Congress and the public.

The enactment of the Public Law establishing the Commission on Government Procurement, the development and passage of S. 2510, and the deliberations of the conferees have been characterized by a bipartisan determination to insure that a dollar's value is obtained for every dollar expended by the Federal Government in the acquisition of goods, services and facilities. As a member of the subcommittee on Federal Procurement, it has been a privilege to work with Senators Chiles, Brock, Huddleston, and Nunn in this kind of joint effort.

The Office of Federal Procurement Policy Act is but the first major legislative effort of the subcommittee to update and restructure the procurement process of the Federal Government, to correct the abuses of the past, and to provide a system tailored to the demands of the future. But it is the step that will set the pace for the future. By acceptance of the conference report, the Senate will have put someone in charge of procurement policy in the executive branch for the first time.

Significantly, in providing an executive branch focal point for procurement policy, as prescribed in the conference report, the conferees have insured that this Office will be responsive to the needs of Congress. As the report states, this has been done by the following:

A requirement for Senate confirmation of the Administrator (the head of the Office of Federal Procurement Policy);

Vesting the functions of the Office in the Administrator;

Separate appropriations for the Office which can only be used for the purposes specified in the Act;

A requirement that the Administrator keep the Congress fully and currently informed of his activities;

A requirement that the Administrator give the Congress 30 days' advance notice before the effective date of any major policy;

A provision that the Administrator is not to be assigned any functions other than those specified in the act.

I join with Senator Chiles in asking the Members support of the conference report. With the acceptance of this report, we will have made a good beginning on a long overdue return to greater fiscal responsibility in the process through which a fifth of the Federal budget is expended.

STATEMENT BY SENATOR NUNN

Today we are to vote on the bill to create a central Office of Federal Procurement Policy. I joined in cosponsorship of this important measure because it provides the sorely needed guidance and control over Federal agency procurement processes.

Over the years, we watched agency regulations, procedures and forms multiply and divide with little rhyme or reason, leaving a labyrinth of diverse procurement rules and regulations. Our tax dollars are buying paperwork and red tape as much as they are buying needed goods and services and, at the same time, making it more difficult for business to do business with the Government. Our Federal Government now spends over $60 billion annually in procurement outlays. This coupled with over $50 billion spent in grants, amounts to 40% of the Federal budget. We can no longer afford to overlook opportunities for improving economy and efficiency in such a vast area of Federal spendings.

The President of the United States has committed himself to the resolution of our Nation's economic difficulties as his top priority program. In the short run, we can receive beneficial results by reducing this year's Federal budget. It is a painful but necessary exercise and one in which we can not afford to play favorites.

Item by item cuts on a year to year basis alone, however, will not prove sufficient to bring about an ordered system of control over the Federal budget. By establishing the Office of Federal Procurement Policy we will have a central policymaking authority independent of any agency with the long-term task to be sure that every dollar spent on contracts is well spent. In our conference report we made certain that the OFPP will have directive rather than advisory authority, and that it will be directly responsive to Congress.

Mr. President, in my opinion, this legislation is desperately needed. We cannot in good conscience ask the American people to tighten their belts unless we tighten ours. We cannot expect them to put their house in order until we ourselves take action to clear out the bureaucratic cobwebs from the Federal Government's purchasing practices.

I join with the distinguished Senator from Florida and other members of the Procurement Subcommittee to urge the Senate to pass favorably on this conference report.

STATEMENT BY SENATOR HUDDLESTON

I support the conference report on S. 2510 and to commend the distinguished Chairman (Mr. Chiles) of the Subcommittee on Federal Procurement and the ranking minority, the Senator from Delaware (Mr. Roth).

As one of the Senate conferees, I urge my colleagues to pass this legislation so that we can get on with the business of instituting real, meaningful reform in Federal spending practices.

The chairman has already emphasized the tax savings to be gained through this legislation and goodness knows that taxpayers need a break. Americans need to know that their tax dollar is being spent with the utmost care. But equally important, taxpayers need to have faith in the procurement system they support.

Mr. President, the subcommittee heard too much evidence of conflicting, confusing, complex regulations; we heard too much evidence of bureaucratic red tape strangling and stagnating a system which disburses over $60 billion a year.

We heard too much evidence of the need for reform, not to do something. I think the "something" we did as embodied in S. 2510 is a hard, realistic first step toward restoring public trust and faith in the procurement process.

The Federal procurement process involves everything from purchasing pencils to missile systems, but the common denominator is that it's all being bought with hard-earned taxpayers money. We owe it to those taxpayers to provide a system that unifies the current fragmentation, standardizes the current haphazard maze of doing things, and offers a focal point for future leadership.

The need for honest reform in procurement goes beyond the much heralded cases of cost overruns, and cries out for simplicity and clarification of regulations and statutes.

I personally feel that the conference bill expresses the desire of Senate and deserves enactment. I urge acceptance of the conference report.

STATEMENT BY SENATOR BROCK

I want to associate myself with and support the remarks made by other members of the Subcommittee on Federal Procurement. I believe the conference bill is a good one and should be accepted by the Senate and sent to the President for his signature.

It is—and has been—extremely wasteful to have fragmented regulations issued by each agency governing the procurement system. The conference bill before the Senate will give us the opportunity to provide a uniform set of regulations and policies where none now exist, among other vital functions for the Office.

I, for one, personally support President Ford's call for curtailing government spending. The Federal Government must tighten its belt and establishing the Office of Federal Procurement Policy can help us do so by trimming the excess costs of paperwork and bureaucracy off the government's $60 billion a year purchases. This Office has a mandate and the authority to promote efficiency within the government and promote positive spending practices, and I expect it to be aggressively implemented.

Mr. President, I believe the conference bill reflects all the major points passed by the Senate and recommended by the Commission on Government Procurement in its report.

I join the Chairman and commend the other Senate conferees in working to produce this bill.

Mr. President, I urge favorable Senate action on this legislation.

Mr. CHILES. Mr. President, I move the adoption of the conference report.

The motion was agreed to.

CONSIDERATION OF CERTAIN ITEMS ON THE CALENDAR

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that the Senate now proceed to the consideration of Calendar Order 1043, and after that Calendar Order 1055.

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

NATURAL GAS PIPELINE SAFETY ACT AMENDMENTS OF 1974

The Senate proceeded to consider the bill (S. 3620) to amend the Natural Gas Pipeline Safety Act of 1968, as amended, to authorize additional appropriations, and for other purposes which had been reported from the Committee on Commerce with amendments on page 2, in line 14, after the word "necessary" insert "not to exceed $2,000,000 for the fiscal year ending June 30, 1975."

On page 2, in line 22, strike out the semicolon and the following language: "the sum of $1,450,000 for the fiscal year ending June 30, 1976; the sum of $1,700,000 for the fiscal year ending June 30, 1977; and the sum of $1,950,000 for the fiscal year ending June 30, 1978".

So as to make the bill read:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Natural Gas Pipeline Safety Act Amendments of 1974".

SEC. 2. Subsection 5(c) of the Natural Gas Pipeline Safety Act of 1968, as amended (49 U.S.C. 1671), is amended by renumbering paragraphs (2) and (3) as (3) and (4), respectively, and by inserting a new paragraph (2) as follows:

"(2) Funds authorized to be appropriated by section 15(b) of this Act shall be allocated among the several States to aid in the conduct of pipeline safety programs approved in accordance with paragraph (c)(1) of this section.".

SEC. 3. The text of section 15 of the Act is amended to read as follows:

"SEC. 15. (a) There are authorized to be appropriated such sums as are necessary not to exceed $2,000,000 for the fiscal year ending June 30, 1975 for the purpose of carrying out the provisions of this Act, except that the funds appropriated pursuant to this subsection shall not be used for Federal grants-in-aid.

"(b) For the purpose of carrying out the provisions of subsection 5(c) of this Act, there is authorized to be appropriated for Federal grants-in-aid, the sum of $1,200,000 for the fiscal year ending June 30, 1975.".

Mr. BEALL. Mr. President, I ask unanimous consent that additional views I attached to the report from the Committee of Commerce in respect to this bill be included in the RECORD at this point.

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

ADDITIONAL VIEWS OF SENATOR J. GLENN BEALL, JR.

While I voted to report S. 3620, the Natural Gas Pipeline Safety Act Amendments of 1974, I did so with reservations.

Since the Act expires, we obviously must provide for its extension. I believe, however, that this Act needs more than a simple extension, without even a single day of hearings. In fact, the growing problem of natural gas explosions calls for a reexamination of both the Act and its administration.

My interest in natural gas problems grew out of the series of explosions which have rocked the Washington and Baltimore areas in recent years. In 1973 I offered an amendment to the Department of Transportation Appropriations bill authorizing a study of the growing problem of natural gas explosions in residential areas. This amendment passed and contracts, pursuant to this appropriation, have been let for studies of the safety of plastic pipes, odorants and their effectiveness, and the evaluation of the procedures and tools for assessing the safety of gas distribution systems.

Since then, I have continued my examination of this problem and have made a series of recommendations for administrative action, particularly with respect to the major cause of pipeline accidents—damage to pipelines during excavation. (See Congressional Record of May 21, 1974, pages S 8666-8668).

Damages to pipelines as a result of construction activities seems to be an area that cries out for immediate attention. These are steps that can and should be taken to dramatically reduce such accidents. As the National Transportation Safety Board has stated, "Pipeline accidents caused by excavation and construction activities, including blasting, can be prevented . . . Although new technological advancements and new concepts should be developed, the hardware and knowledge currently available can be used to reduce the number of excavation-damage accidents." When we keep in mind that damage to pipeline during excavation is already the primary cause of pipeline accidents, and it is estimated by the Association of General Contractors that between now and the year 2000, the United States will match all the construction that has taken place in our Nation's history, the need for action, and action now, to prevent construction-related accidents to pipelines and other underground utilities is apparent.

States, for example, should be required to establish statewide utility coordination councils and see to it that local councils are established in appropriate areas within the State. These are ongoing in a number of areas and they can and do work.

Similarly, at the state and local level, legislation should be enacted to require contractors to notify, via a one call or other similarly effective system, all utilities prior to commencing work. The utilities then should be required to respond with appropriate markings and assistance to contractors so as to avoid damage to buried lines.

Also, I believe that there is a critical need for examining the adequacy of existing inspection and staff. Earlier this year, I introduced S. 3245, the National Transportation Safety Board Independence and Improvement Act of 1974, which would broaden and expand the role of the National Transportation Safety Board in surface transportation safety, including pipeline safety. When I introduced the bill I pointed out that there are only two employees at the NTSB working on pipeline safety. Similarly, the Office of Pipeline Safety, in my judgment, is also understaffed with only eighteen professional employees. One might feel better if the staffing by the states in this field were adequate, but this is not the case.

For example, the Prince Georges County Task Force on Underground Utility Hazards, in my State of Maryland, concluded in a recent study that both the Office of Pipeline Safety and the Maryland Public Service Commission had minimal personnel in the field. Little or no on-sight inspection was found to be conducted by State and Federal agencies to verify compliance with regulations. Maryland had only one pipeline safety inspector for the entire State and ours is a representative State in this regard. At the very minimum, I believe that the Federal grants to the State must be sufficient to pay for the cost of a full time safety engineer and not less than one full time inspector.

In voting to report this bill, reserve my right to offer floor amendments or to offer amendments to subsequent bills which the Commerce Committee will be considering. I was pleased that the Committee, during our discussions of the reported measure, indicated its willingness to entertain such amendments to another measure at a later time. I will be discussing and working with my colleagues in determining the best course of action to pursue.

While it is true that pipelines, as compared to other modes of surface transportation, have a good safety record, nevertheless, the potential for catastrophe is overwhelming.

Because of the potential for catastrophe, the *Washington Post* in an editorial, urged "Federal and State officials, not to mention gas companies themselves, take the problem with more seriousness." I agree.

I hope the Commerce Committee will be able to conduct the needed and serious evaluation of this growing problem of natural gas explosions from which we have witnessed a tripling of fatalities since 1969.

The amendments were agreed to.

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

AMENDMENT OF FARM CREDIT ACT OF 1971

The Senate proceeded to consider the bill (S. 3801) to authorize the Federal Farm Credit Board to fix the compensation of the Governor and the Deputy Governors of the Farm Credit Administration which had been reported from the Committee on Agriculture and For-

estry with amendments on page 1, in line 8, strike out "V" and insert in lieu thereof "5".

On page 2, in line 5, strike out "V" and insert in lieu thereof "5".

On page 2, in the line 7, strike out "V" and insert in lieu thereof "5".

So as to make the bill read:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. The Farm Credit Act of 1971 (85 Stat. 583; 12 U.S.C. 2001–2259) is amended as follows:

(a) The first sentence of section 5.11 is amended by striking out "in the Executive Pay Schedule" and inserting in lieu thereof "by the Federal Farm Credit Board without regard to the provisions of title 5 of the United States Code relating to classification and pay".

(b) The second sentence of section 5.13 is amended by striking out "not exceed the maximum schedule rate of the general schedule of the Classification Act of 1949, as amended" and inserting in lieu thereof "be at the rate fixed by the Federal Farm Credit Board without regard to the provisions of title 5 of the United States Code relating to classification and pay".

SEC. 2. Section 5314 of title 5 of the United States Code is amended by striking out paragraph (58).

The amendments were agreed to.

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

Mr. ROBERT C. BYRD. Mr. President, I move to reconsider the action by which both bills were passed.

Mr. GRIFFIN. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

ORDER FOR RECOGNITION OF SENATOR BIDEN ON WEDNESDAY

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that on Wednesday, after the two leaders or their designees have been recognized under the standing order, that Senator BIDEN be recognized for not to exceed 15 minutes.

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

PROGRAM

Mr. ROBERT C. BYRD. Mr. President, the Senate will convene at 9 o'clock tomorrow morning.

After the two leaders or their designees have been recognized under the standing order, there will be a period for the transaction of routine morning business with statements limited therein to 3 minutes each, the period to extend to no later than 9:15 a.m.

At 9:15 a.m. the Senate will resume consideration of the unfinished business, S. 707. Debate will ensue thereon for 4 hours, from 9:15 to 1:15 p.m., with the time to be equally divided between Mr. ALLEN and Mr. RIBICOFF.

At the hour of 1:15 p.m., the 1 hour for debate on the motion to invoke cloture under rule XXII will begin running.

At the hour of 2:15 p.m., the automatic quorum call will occur, and upon the establishment of a quorum, or at about 2:30 p.m., the automatic rollcall vote will occur on the motion to invoke cloture on S. 707.

What happens after the vote on the motion to invoke cloture will depend upon the outcome of that vote. If cloture is invoked, then the Senate will proceed to the further consideration of S. 707 to the exclusion of all other business until final action is taken thereon.

If the vote to invoke cloture fails, the Senate will then proceed to the consideration of H.R. 16243, an act making appropriations for the Department of Defense for the fiscal year ending June 30, 1975.

So at least one rollcall vote will occur tomorrow at about 2:30 p.m. and other rollcall votes may follow.

ADJOURNMENT UNTIL 9 A.M.

Mr. ROBERT C. BYRD. If there be no further business to come before the Senate, I move, in accordance with the previous order, that the Senate stand in adjournment until 9 a.m. tomorrow.

The motion was agreed to, and, at 6:48 p.m., the Senate adjourned until tomorrow, Tuesday, August 20, 1974, at 9 a.m.

NOMINATIONS

Executive nominations received by the Senate August 19, 1974:

IN THE AIR FORCE

The following officers for appointment in the Reserve of the Air Force under the provisions of chapters 35 and 837, title 10 of the United States Code:

To be major general

Maj. Gen. John J. Pesch, 065-16-6597FG, Air National Guard.

To be brigadier general

Brig. Gen. John T. Guice, 427-64-7613FG, Air National Guard.

IN THE U.S. COAST GUARD

The following-named officer to be a permanent commissioned officer in the Coast Guard in the grade of captain having been found fit for duty while on the temporary disability retired list.

Hugh C. McCaffrey

The following-named officer to be a permanent commissioned officer in the Coast Guard in the grade of chief warrant officer, W4 having been found fit for duty while on the temporary disability retired list.

Russell A. Scruggs

The following-named officer to be a permanent commissioned officer in the Coast Guard in the grade of chief warrant officer, W3 having been found fit for duty while on the temporary disability retired list.

Thomas L. Wofford

CONFIRMATION

Executive nomination confirmed by the Senate August 19, 1974:

COUNCIL OF ECONOMIC ADVISERS

Alan Greenspan, of New York, to be a member of the Council of Economic Advisers.

(The above nomination was approved subject to the nominees' commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.)

HOUSE OF REPRESENTATIVES—*Monday, August 19, 1974*

The House met at 12 o'clock noon.

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

My voice shalt Thou hear in the morning, O Lord; in the morning will I direct my prayer unto Thee and will look up.—Psalms 5: 3.

Eternal God, our Father, we thank Thee for Thy mercies which are new every morning and fresh every day and for the word that they who wait upon Thee shall renew their strength. As we wait upon Thee do Thou come anew into our hearts with wisdom to walk wisely, with truth to think truly, and with love to live loftier lives.

Direct us in all our endeavors on behalf of our country that we may be just and kind and determined to do the right as Thou dost reveal the right to us.

To this end grant us the courage of our convictions and the strength to stand firm for all that is good and true and beautiful.

In the spirit of Christ we pray. Amen.

THE JOURNAL

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

Without objection, the Journal stands approved.

There was no objection.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Arrington, one of its clerks, announced that the Senate had passed without amendment bills and a concurrent resolution of the House of the following titles:

H.R. 10044. An act to increase the amount authorized to be expended to provide facilities along the border for the enforcement of the customs and immigration laws;

H.R. 15936. An act to amend chapter 5, title 37, United States Code, to provide for continuation pay for physicians of the uniformed services in initial residency; and

H. Con. Res. 603. Concurrent resolution authorizing the Secretary of the Senate to correct the enrollment of the bill S. 3066.

The message also announced that the Senate agrees to the amendment of the House to a bill of the Senate of the following title:

S. 3190. An act authorizing funds for the Board for International Broadcasting for fiscal year 1975.

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 15842) entitled "An act to increase com-

pensation for District of Columbia policemen, firemen, and teachers; to increase annuities payable to retired teachers in the District of Columbia; to establish an equitable tax on real property in the District of Columbia; to provide for additional revenue for the District of Columbia; and for other purposes."

The message also announced that the Senate had passed with amendments in which the concurrence of the House is requested, bills of the House of the following titles:

H.R. 8352. An act to establish the Cascade Head Scenic-Research Area in the State of Oregon, and for other purposes;

H.R. 13261. An act to amend the International Claims Settlement Act of 1949, as amended, to provide for the timely determination of certain claims of American nationals settled by the United States-Hungarian Claims Agreement of March 6, 1973, and for other purposes.

H.R. 13595. An act to authorize appropriations for the Coast Guard for the procurement of vessels and aircraft and construction of shore and offshore establishments, to authorize appropriations for bridge alterations, to authorize for the Coast Guard an end-year strength for active duty personnel, to authorize for the Coast Guard average military student loads, and for other purposes;

H.R. 14402. An act to amend the act of September 26, 1966 (Public Law 89-606), as amended, to extend for 2 years the period during which the authorized numbers for the grades of lieutenant colonel and colonel in the Air Force are increased; and

H.R. 15572. An act making appropriations for the Department of Housing and Urban Development; for space, science, veterans, and certain other independent executive agencies, boards, commissions, corporations, and offices for the fiscal year ending June 30, 1975, and for other purposes.

The message also announced that the Senate insists upon its amendments to the bill (H.R. 12231) entitled "An act to continue until the close of June 30, 1975, the suspension of duties on certain forms of copper," disagreed to by the House; agrees to the conference asked by the House on the disagreeing votes of the two Houses thereon, and appoints Mr. LONG, Mr. TALMADGE, Mr. HARTKE, Mr. BENNETT, and Mr. CURTIS to be the conferees on the part of the Senate.

The message also announced that the Senate insists upon its amendments to the bill (H.R. 15572) entitled "An act making appropriations for the Department of Housing and Urban Development; for space, science, veterans, and certain other independent executive agencies, boards, commissions, corporations, and offices for the fiscal year ending June 30, 1975, and for other purposes," requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. PROXMIRE, Mr. PASTORE, Mr. STENNIS, Mr. BAYH, Mr. CHILES, Mr. MCCLELLAN, Mr. MOSS, Mr. MATHIAS, Mr. CASE, Mr. LONG, Mr. BROOKE, Mr. STEVENS, and Mr. YOUNG to be the conferees on the part of the Senate.

The message also announced that the Senate disagrees to the amendments of the House to the bill (S. 355) entitled "An act to amend the National Traffic and Motor Vehicle Safety Act of 1966 to promote traffic safety by providing that defects and failures to comply with motor vehicle safety standards shall be remedied without charge to the owner, and for other purposes," agree to a conference requested by the House on the disagreeing votes of the two Houses thereon, and appoints Mr. MAGNUSON, Mr. HARTKE, Mr. MOSS, Mr. GRIFFIN, and Mr. COOK to be the conferees on the part of the Senate.

The message also announced that the Senate disagrees to the amendments of the House to the bill (S. 3044) entitled "An act to amend the Federal Election Campaign Act of 1971 to provide for public financing of primary and general election campaigns for Federal elective office, and to amend certain other provisions of law relating to the financing and conduct of such campaigns," requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. CANNON, Mr. PELL, Mr. PASTORE, Mr. LONG, Mr. KENNEDY, Mr. ALLEN, Mr. CLARK, Mr. HUGH SCOTT, Mr. BENNETT, Mr. GRIFFIN, Mr. STEVENS, and Mr. MATHIAS, to be the conferees on the part of the Senate.

The message also announced that the Senate disagrees to the amendments of the House to the bill (S. 3792) entitled "An act to amend and extend the Export Administration Act of 1969," requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. STEVENS, Mr. CRANSTON, Mr. HATHAWAY, Mr. BIDEN, Mr. PACKWOOD, Mr. BROCK, and Mr. BROOKE to be the conferees on the part of the Senate.

The message also announced that the Senate had passed bills of the following titles, in which the concurrence of the House is requested:

S. 2149. An act to amend title 10, United States Code, to provide certain benefits to members of the Coast Guard Reserve, and for other purposes;

S. 3239. An act to amend the act of August 10, 1939 (53 Stat. 1347), and for other purposes;

S. 3302. An act to amend section 2 of title 14, United States Code, to authorize icebreaking operations in foreign waters pursuant to international agreements, and for other purposes; and

S. 3906. An act to amend title 10, United States Code, by repealing the requirement that only certain officers with aeronautical ratings may command flying units of the Air Force.

CONSENT CALENDAR

The SPEAKER. This is Consent Calendar Day. The Clerk will call the first bill on the Consent Calendar.

EMERGENCY TOBACCO PRICE SUPPORT INCREASE

The Clerk called the bill (H.R. 16056) to provide for emergency increases in the support level for the 1974 crop of Flue-cured tobacco.

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

Mr. ROSE. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

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

There was no objection.

AUTHORIZING THE CONVEYANCE TO THE CITY OF SALEM, ILL., OF A STATUE OF WILLIAM JENNINGS BRYAN

The Clerk called the bill (H.R. 5507) to authorize the conveyance to the city of Salem, Illinois, of a statue of William Jennings Bryan.

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

H.R. 5507

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 and directed to convey, by quitclaim deed, and without monetary consideration, to the city of Salem, Illinois, all right, title, and interest of the United States in and to the statue of William Jennings Bryan authorized by the Act of June 18, 1930 (46 Stat. 783). Such conveyance shall be on condition that the city of Salem, Illinois, shall suitably display and maintain within such city such statue as a memorial to William Jennings Bryan, onetime Member of the House of Representatives of the United States, Secretary of State of the United States, and three times nominated by his party for President of the United States.

With the following committee amendments:

Page 1, line 4, strike the words "to convey, by quitclaim deed," and insert in lieu thereof "to donate, by appropriate ecoperative agreement,".

Page 1, line 8, strike the word "conveyance" and insert in lieu thereof "donation".

The committee amendments were agreed to.

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 ERECTION OF A MONUMENT TO THE DEAD OF THE 1ST INFANTRY DIVISION, U.S. FORCES IN VIETNAM

The Clerk called the Senate joint resolution (S.J. Res. 66) to authorize the erection of a monument to the dead of the 1st Infantry Division, U.S. Forces in Vietnam.

There being no objection, the Clerk read the Senate joint resolution as follows:

S.J. RES. 66

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Society of the First Infantry Division—First Division Memorial Committee is authorized to erect (at no cost to the United States or the District of Columbia) a monument to the dead of the First Infantry Division, United States Forces in Vietnam, on the public grounds of the United States in the District of Columbia previously set aside for memorial purposes of the First Infantry Division, adjacent to the monument to the dead of the First Infantry Division, American Expeditionary

Forces in World War I, and adjacent to the monument to the dead of the First Infantry Division, United States Forces in World War II.

SEC. 2. The design and plans for such monument shall be subject to the approval of the Secretary of the Interior, the National Commission of Fine Arts, and the National Capital Planning Commission.

SEC. 3. The Secretary of the Interior shall be responsible for the maintenance and care of any such monument, in accordance with the provisions of the Act entitled "An Act to establish a National Park Service, and for other purposes", approved August 25, 1916, and the Act entitled "An Act to provide for the preservation of historic American sites, buildings, objects, and antiquities of national significance, and for other purposes", approved August 21, 1935.

The Senate joint resolution was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

PROVIDING FOR THE REAPPOINTMENT OF DR. WILLIAM A. M. BURDEN AS CITIZEN REGENT OF THE BOARD OF REGENTS OF THE SMITHSONIAN INSTITUTION

The Clerk called the Senate joint resolution (S.J. Res. 220) to provide for the reappointment of Dr. William A. M. Burden as citizen regent of the Board of Regents of the Smithsonian Institution.

The SPEAKER. Is there objection to the present consideration of the Senate joint resolution?

Mr. GROSS. Mr. Speaker, reserving the right to object, I should like to ask someone who is familiar with this bill what these Regents of the Smithsonian Institution do, the duties they perform, how they are paid, and what they are paid.

Mr. BRADEMAS. Mr. Speaker, if the gentleman will yield, I might say that 20 U.S.C. 42 directs that the general policy of the Smithsonian is set by the Board of Regents. The Regents act as a board of directors, set general policy, and guide the overall operation of the Institution by the Secretary.

I might say further that the Board of Regents is composed of the Vice President, the Chief Justice of the United States, three Members of the Senate appointed by the President of the Senate, three Members of the House appointed by the Speaker, and nine other persons other than Members of Congress.

The subject of the resolution now under consideration is the reappointment of Dr. William A. M. Burden as a member of the Board of Regents. The purpose of Senate Joint Resolution 220 is to provide for his extension for one more 6-year term.

Mr. GROSS. What do these so-called public members do?

Mr. BRADEMAS. They meet in January, May, and September of each year with the other members of the Board of Regents to discuss policy problems that come before the Smithsonian Institution.

As the gentleman from Iowa knows, the Smithsonian Institution is an institution of some lengthy history, and of some size here in Washington, D.C. The Institution receives upward of $100 million in Federal funds, and the Regents provide indispensable guidance on the prudent disposition of these funds.

Mr. GROSS. Are not the Members of Congress competent to handle this? What does it cost to support the Board of Regents?

Mr. BRADEMAS. Congress, in the Act of 1846, determined that a mixture of both public and private persons on the Board of Regents would insure that the Institution would be operated with maximum efficiency and responsiveness to the American people. In any event, the purpose of the three resolutions that are before us today is not to change the manner of operation of the Board of Regents.

Mr. GROSS. I am trying to find out what they have been doing in the past to justify their positions. Do they do a lot of traveling?

Mr. BRADEMAS. No. Most of their meetings are held in Washington. The Regents do not often travel. I do not represent myself as a particular authority on the operation of the Board of Regents in that I am responding today in the stead of Mr. NEDZI, chairman of the subcommittee that deals with the Smithsonian, but I would make clear to the gentleman from Iowa that membership on the Board of Regents of the Smithsonian is not a way for an American citizen to get rich. Indeed, pursuant to 20 U.S.C. 44, the Regents serve without salary and are authorized to receive only reimbursement for actual travel and other expenses incurred with respect to these meetings. In fact, no Regent has requested such reimbursement in recent years.

Mr. GROSS. I suspect there are a good many jobs in the Federal Government, including those of Members of Congress, on which, if one pays his taxes, one does not get very rich, but I doubt that that is very much of an argument in support of the Board of Regents. I am just trying to find out what they are paid, what they do for what they are paid. The reports are completely silent as to their duties or anything else.

Mr. BRADEMAS. Their duties are to determine the overall policy of the Smithsonian Institution, and to oversee the implementation of that policy by the Secretary of the Institution.

Mr. GROSS. Does the gentleman mean they collect no per diem?

Mr. BRADEMAS. No. They are paid no salary. As I pointed out previously, they are entitled only to reimbursement of incurred related expenses.

Mr. GROSS. I thought we had decided they did not travel.

Mr. BRADEMAS. No. I said I did not believe members of the Board of Regents are required to travel often. Most of their meetings are here in Washington.

Mr. GROSS. It seems there is a good deal of—not necessarily secrecy—but very little understanding, as far as I am concerned, of what this Board of Regents actually does. I do not know whether this is an operation in which a number of people, including Members of Congress and public appointees do the work, or whether the Directors do the work.

Mr. BRADEMAS. If the gentleman from Iowa will yield further——

Mr. GROSS. Yes, of course.

Mr. BRADEMAS. The Smithsonian Institution has been in existence for a long time now. To reiterate, the members of this Board are customarily persons who have been distinguished in some significant area of national life. For example, the subjects of the two other resolutions that are to come before the House today are Dr. Murray Gell-Mann, a mighty distinguished theoretical physicist, and Dr. Caryl P. Haskins, who has served with great distinction as head of the Carnegie Institute. These are outstanding and eminent scholars and public citizens who, with the Vice President and the Chief Justice, and those appointed by the President of the Senate, and Speaker of the House, give of their own time, energies, and talents, without remuneration, to serve in making policy for the Smithsonian Institution.

Mr. GROSS. I thank the gentleman. I would hope, I will say to the gentleman from Indiana, when the gentleman comes before the House to offer further public appointments to the Board of Regents of the Smithsonian Institution, that there would be some information for the Members of the House, telling us what they collect by way of per diem, how much they travel, and so forth, what the bill of upkeep is and the necessity for these public members in view of the fact that there are Members of both the House of Representatives and the U.S. Senate on the Board of Regents.

Mr. Speaker, I withdraw my reservation.

The SPEAKER. Is there objection to the present consideration of the Senate joint resolution?

There being no objection, the Clerk read the Senate joint resolution, as follows:

S.J. RES. 220

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the vacancy in the Board of Regents of the Smithsonian Institution, of the class other than Members of Congress, which will occur by the expiration of the term of Doctor William A. M. Burden, of New York, New York, on July 2, 1974, be filled by the reappointment of the present incumbent for the statutory term of six years.

The Senate joint resolution was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

PROVIDING FOR REAPPOINTMENT OF DR. CARYL P. HASKINS AS CITIZEN REGENT OF BOARD OF REGENTS OF THE SMITHSONIAN INSTITUTION

The Clerk called the Senate joint resolution (S.J. Res. 221) to provide for the reappointment of Doctor Caryl P. Haskins as citizen regent of the Board of Regents of the Smithsonian Institution.

There being no objection, the Clerk read the Senate joint resolution, as follows:

S.J. RES. 221

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the vacancy in the Board of Regents of the Smithsonian Institution, of the class other than Members of Congress, which will occur by the expiration of the term of Doctor Caryl P. Haskins of Washington, District of Columbia, on May 30, 1974, be filled by the reappointment of the present incumbent for the statutory term of six years.

The Senate joint resolution was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

PROVIDING FOR APPOINTMENT OF DR. MURRAY GELL-MANN AS CITIZEN REGENT OF BOARD OF REGENTS OF THE SMITHSONIAN INSTITUTION

The Clerk called the Senate joint resolution (S.J. Res. 222) to provide for the appointment of Dr. Murray Gell-Mann as citizen regent of the Board of Regents of the Smithsonian Institution.

There being no objection, the Clerk read the Senate joint resolution as follows:

S.J. RES. 222

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the vacancy in the Board of Regents of the Smithsonian Institution, of the class other than Members of Congress, which will occur by the expiration of the term of Doctor Crawford H. Greenewalt of Washington, Delaware, on May 30, 1974, be filled by the appointment of Doctor Murray Gell-Mann of California for the statutory term of six years.

The Senate joint resolution was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

Mr. MINSHALL of Ohio. Mr. Speaker, as author of the House joint resolutions identical to Senate Joint Resolutions 220, 221, and 222, before us today, I wish to heartily endorse the appointment of three distinguished Americans to the Board of Regents of the Smithsonian Institution, on which I am privileged to serve.

Messrs. William Armistead Moale Burden and Caryl Parker Haskins are well known as longtime regents, whose reappointment to the Board is recognition of their superior and devoted service to the great Institution. Mr. Murray Gell-Mann, Nobel Prize winner and brilliant theoretical physicist, will be an important new addition.

In support of the appointment of these eminent gentlemen, I submit herewith their impressive biographies:

Burden, William Armistead Moale, financier; b. N. Y. C., Apr. 8, 1906; s. William A. M. and Florence Vanderbilt (Twombly) B.; A. B. cum laude, Harvard, 1927; D. Sc., Clarkson Coll. Tech., 1953; LL. D., Farleigh Dickinson U., 1965, Johns Hopkins U., 1970; m. Margaret Livingston Partridge, Feb. 16, 1931; children—William A. M. (dec.), Robert Livingston, Hamilton Twombly. Ordway Partridge, Analyst aviation securities Brown Bros., Harriman & Co., N. Y. C., 1928–32; charge of aviation research Scudder, Stevens & Clark, N. Y. C., 1932–39; v.p., dir. Nat. Aviation Corp., aviation investment trust, N. Y. C., 1939–41; v.p. Def. Supplies Corp. (subsidiary RFC), 1941–42; spl. aviation asst. Sec. of Commerce, 1942–43; mem. NACA, 1942–47, asst. Sec. Commerce for Air, 1943–47; U.S. del. Civil Aviation Conf. 1944; chmn. U. S. delegation interim assembly Provisional Internat. Civil Aviation Orgn., 1946; aviation cons. Smith Barney & Co., Inc., 1947–49; partner William A. M. Burden & Co., 1949—; spl. asst. for research and devel. to sec. of Air Force, 1950–52; mem. Nat. Aeros. and Space Council, 1958–59; U. S. ambassador to Belgium, 1959–61; mem. U. S. Citizens Commn. for NATO, 1961–62; dir. Am. Metal Climax, CBS, Inc., Mfrs. Hanover Trust Co. (hon.). Chmn. bd. Inst. for Def. Analyses, 1961—; trustee, past pres., chmn. Mus. Modern Art; gov. Soc. of N. Y. Hosp., 1950—; trustee Columbia, 1956—, Fgn. Service Edn. Found., French Inst. in U. S. Regent Smithsonian Instn., 1962—; bd. dirs. Atlantic council U. S., 1961—; bd. govs. Atlantic Inst., 1964—.

Decorated comdr. Cruzeiro do Sul (Brazil), comdr.'s cross Order of Merit (Fed. Republic Germany), grand official El Sol del Peru (Peru), grand officer French Legion of Honor, comdr.'s cross Order of Merit (Italy), grand cordon Order of Leopold (Belgium), asso. comdr. (Bro.) Order of St. John Mem. Council Fgn. Relations (dir.), Am. Inst. Aeros, and Astronautics, France-Am. Soc. (press.), Confrerie des Chevaliers du Tastevin. Clubs: Somerset (Boston, Mass.); The Brook, Racquet and Tennis, River, Links, Century, Downtown Assn. (N. Y. C.); Metropolitan, Chevy Chase, Cosmos (Washington); Bucks's and White's (London); Travelers (Paris). Author: The Struggle for Airways in Latin America, 1943. Address: 630 Fifth Av. New York City N. Y. 10020.

Gell-Mann, Murray, theoretical physicist; b. N.Y.C., September 15, 1929; s. Arthur and Pauline (Reichstein) Gell-M.; B.S., Yale, 1948; Ph. D., Mass. Inst. Tech., 1951; m. J. Margaret Dow, April 19, 1955; children-Elizabeth, Nicholas. Mem. Inst. for Advanced Study, 1951; instr. U. Chicago, 1952–53, asst. prof., 1953–54, asso. prof., 1954, research dispersion relations, developed strangeness theory; asso. prof. Cal. Inst. Tech., Pasadena, 1955–56, prof., 1956– , now R. A. Millikan prof. physics, research theory of weak interactions, developed eightfold way theory and Quark scheme. NSF post doctoral fellow, vis. prof. Coll. de France and U. Paris, 1959–60. Recipient Dannie Heinemann prize Am. Phys. Soc., 1959; E. O. Lawrence Meml. award AEC, 1966; Franklin medal, 1967; Carty medal Nat. Acad. Scis., 1968; Research Corp. award, 1969; Nobel prize in physics, 1969. Fellow Am. Phys. Soc.; mem. Nat. Acad. Scis., Am. Acad. Arts and Scis. Club: Cosmos. Author (with Y. Ne'eman) Eightfold Way. Home: 1024 Armada Dr., Pasadena, California 91103.

Haskins, Caryl Parker, educator, research scientist; b. Schenectady, Aug. 12, 1908; s. Caryl Davis and Frances Julia (Parker) H.; Ph.B., Yale, 1930; Ph. D., Harvard, 1935; D. Sc., Tufts Coll., 1951, Union Coll., 1955, Northeastern U., 1955, Yale, 1958, Hamilton Coll., 1959, George Washington U., 1963 LLD., Carnegie Inst. Tech., 1960. U. Cin., 1960, Boston Coll., 1960, Washington and Jefferson Coll., 1961, U. Del., 1965; m. Edna Ferrell, July 12, 1940. Staff mem. research lab. Gen. Electric Co., Schenectady, 1931–35; research asso. Mass. Inst. Tech. 1939–45; pres., research dir. Haskins Labs., Inc. 1935–55, dr., 1935– , Chmn. bd., 1970– ; pres. Carnegie Instn. of Washington, 1956–71, also trustee.

Dir. E.I. duPont de Nemours & Co. Asst. liaison officer OSRD. 1941–42, sr. liaison officer 1942–43; exec. asst. to chmn. NDRC, 1943–44, dep. exec. officer, 1944–45; sci. adv. bd. Policy Council. Research and Devel. Bd. of Army and Navy, 1947–48; cons. Research and Develop. Bd., 1947–51, to sec. of def., 1950–60, to sec. of state 1950–60; mem. President's Sci. Adv. Com., 1955–58, cons., 1959—; mem. President's Nat. Adv. Commn. on Libraries, 1966–67; mem. JointU.S.-Japan Com. on Sci. Coop., 1961–67, cons., 1967—, Internat. Conf. Insect Physiology and Entomology; panel advisers Bur. East Asian and Pacific Affairs, Dept. of State, 1966–68.

Trustee Carnegie Corp. N.Y., 1955—, Rand Corp., 1955–65, 66—; fellow Yale Corp., 1962—; regent Smithsonian Instn., 1956—; bd. dirs. Council Fgn. Relations, 1961—. Population Council, Edni. Testing Service, Center for Advanced Study in Behavioral Scis., Inst. Current World Affairs, Arctic Inst. N.Am., Schenectady Trust Co., Woods Hole Oceanographic Instn., Nat. Geog. Soc., Franklin Book Programs, 1953–58, Council on Library Resources, Pacific Sci. Center Found., Asia Found., Marlboro Coll. Mem. vis. coms. Harvard Overseers Com., Johns Hopkins U.; bd. visitors, Tulane U. Recipient Certificate of Merit (U.S.), 1948, Kings Medal for Service in Cause of Freedom (Gt. Britain), 1948. Fellow Am. Phys. Soc., A.A.A.S. (dir.), Am. Acad. Arts and Scis., N.Y. Zool. Soc., Pierpont Morgan Library, Royal Entomol. Soc. (Gt. Britain), Entomol. Soc. Am.; mem. Washington Acad. Scis., Royal Soc. Arts (Benjamin Franklin fellow), Faraday Soc., Mets. Mus. Art, Am. Mus. Natural History, Am. Philos. Soc., Brit. Assn. Advancement Sci., Audubon Soc., Save-the-Redwoods League, West Australian Naturalist Soc., Biophys. Soc. Nat. Acadm. Sci. N.Y. Acad. Scis., N.Y. Bot. Garden, P.E.N., Pilgrims, Sigma Xi (nat. pres. 1967-69), Delta Sigma Rho, Omicron Delta Kappa, Phi Beta Kappa, Episcopalian. Clubs: Century, Coffee House (N.Y.C.); Mohawk (Schenectady); Metropolitan, Cosmos, Chevy Chase, Federal City, University (Washington). Author: Of Ants and Men, 1939; The Amazon, 1943; Of Societies and Men, 1950; The Scientific Revolution and World Politics, 1964; contbr. to anthologies and tech. papers. Editor: The Search for Understanding, 1967; (with others): Am. Scientist, 1971—. Home: 1545 18th St., N.W., Washington, D.C. 20036. Office: 2100 M St., N.W., Washington, D.C. 20037 also: 22 Green Acre Lane Westport Ct. 06880.

GENERAL LEAVE

Mr. JOHNSON of Pennsylvania. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks following the Senate joint resolutions with respect to appointment of the three members of the Board of Regents of the Smithsonian Institution.

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

There was no objection.

SUBORDINATION AGREEMENT FOR CERTAIN SOUTH CAROLINA LANDS

The Clerk called the bill (H.R. 9054) to amend the act entitled "An Act to authorize the Secretary of Agriculture to execute a subordination agreement

with respect to certain lands in Lee County, South Carolina".

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

H.R. 9054

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act entitled "An Act to authorize and direct the Secretary of Agriculture to execute a subordination agreement with respect to certain lands in Lee County, South Carolina", approved November 6, 1969 (83 Stat. 183), is amended—

(1) by striking out "an agreement subordinating" and inserting in lieu thereof "a quitclaim deed conveying and releasing";

(2) by striking out "is" and inserting in lieu thereof "and the Secretary of the Interior are"; and

(3) by striking out "288" and inserting in lieu thereof "228."

With the following committee amendments:

Page 2, line 2, strike out the word "and" following the word "are".

Page 2, line 4, change the period (.) following "228" to a semicolon (;) and add the word "and".

Page 2, insert the following after subsection (3):

(4) by adding a new sentence at the end thereof as follows:

The Secretary of Agriculture and the Secretary of the Interior are further authorized, in their discretion, to execute and deliver to the Board of Education of Lee County, South Carolina, its successors and assigns, a quitclaim deed or deeds conveying and releasing all right, title, and interest of the United States of America in and to one or more of parcels numbered 1, more particularly described in the above-mentioned deed dated December 14, 1945, and numbered 7, 9, and 11, more particularly described in the above-mentioned deed dated July 15, 1946, upon documentation satisfactory to said Secretaries that buildings, facilities, or improvements for educational or other related community purposes are planned for the parcels involved.

The committee amendments were agreed to.

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.

The SPEAKER. This concludes the call of the Consent Calendar.

DUTY-FREE ENTRY OF TELESCOPE AND ASSOCIATED ARTICLES FOR CANADA-FRANCE-HAWAII TELESCOPE PROJECT

Mr. MILLS. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (H.R. 11796) to provide for the free entry of a 3.60 meter telescope for the use of the Canada-France-Hawaii telescope project to Mauna Kea, Hawaii, which was unanimously reported favorably to the House by the Committee on Ways and Means.

The Clerk read the title of the bill.

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

Mr. SCHNEEBELI. Mr. Speaker, reserving the right to object, and I shall not object, I take this time to ask our chairman if he will explain to our colleagues the meaning of this legislation, and I yield to the chairman for that purpose.

Mr. MILLS. Mr. Speaker, the purpose of H.R. 11796, as reported by the Committee on Ways and Means, is to permit the duty-free entry of a 3.60 meter telescope, and the laboratories, equipment, and installations necessary for its operation, in the Canada-France-Hawaii telescope project at Mauna Kea, Hawaii.

The Canada-France-Hawaii telescope project is a non-profit international cooperative scientific undertaking by the Centre National de la Recherche Scientifique of France—National Center of Scientific Research—the National Research Council of Canada, and the University of Hawaii. The installation and development of a major astronomical observatory and facility at Mauna Kea, Hawaii, is provided for in a memorandum of understanding signed by the three agencies in Ottawa on October 25, 1973.

As provided by the memorandum of understanding among the three agencies, the project's total cost of approximately $20 million, which includes the telescope, its basic instrumentation, its dome, and associated buildings, is to be borne equally by the scientific agencies of Canada and France. The initial contribution of the University of Hawaii will consist of a long-term lease of the site and provision of certain support services and facilities. Your committee is informed that Mauna Kea may be one of the best observatory sites in the world.

Upon completion of the project's construction, the operating costs and observing time will be shared on the proportional basis of 42.5 percent each for the French and Canadian scientific agencies and 15 percent for the University of Hawaii.

Mr. Speaker, H.R. 11796 would enable the University of Hawaii to carry out its commitment to seek "relief from taxes, sales taxes on all goods imported specifically for use in the realization of the project and its continuing operation." Thus, as reported by your committee, the bill would provide for the duty-free entry of imported articles—limited to the optical telescope, and the laboratories, equipment and installation necessary for its operation—required by the Canada-France-Hawaii telescope project.

Your committee has amended H.R. 11796 to provide that only articles certified by the executive director of the project—or the associate executive director—as being necessary for the project's completion may be accorded duty-free treatment when entered on or before June 30, 1980. Upon that date, the duty-free treatment for such articles will terminate.

Mr. Speaker, the committee has determined that the favorable consideration of H.R. 11796, as reported, is not a departure from, but rather is consistent with, public policy established under Public Law 89-651, which implements the so-called Florence Agreement providing for the duty-free exchange of cultural, scientific and educational material. Under that law, Congress provided that scientific instruments imported for use by nonprofit institutions may be afforded duty-free entry if it is determined that no instrument of equivalent scientific value is available from domestic sources.

However, the Canada-France-Hawaii telescope project is a unique international undertaking initiated and funded primarily by scientific agencies in Canada and France in cooperation with the University of Hawaii which is providing the observatory site. In addition, the size of the project and its development over an extended period of time make it most difficult, if not impossible, to require the detailed petitioning and approval procedures for duty-free treatment of scientific instruments established by the Department of Commerce and the U.S. Customs Service under Public Law 89-651.

No objections to the enactment of H.R. 11796 have been received by the committee from any interested party. Favorable reports on the bill have been received from interested executive branch agencies, and the committee has amended the bill at the suggestions of the Departments of Treasury and Commerce to more closely conform the provisions of the bill to the intent of Public Law 89-651.

Mr. Speaker, your committee is informed that completion of the Canada-France-Hawaii telescope project would be of real benefit to the American scientific community. In consideration of the likelihood that import duties existing under present law would add unnecessary costs and complications to the project, and in the interest of the international practice of facilitating international scientific endeavors, your committee is unanimous in reporting H.R. 11796, as amended, and urges its favorable consideration by the House.

Mr. SCHNEEBELI. Mr. Speaker, I support H.R. 11796, which would permit the duty free entry of a telescope and related equipment for a multinational observatory in Hawaii.

In October of 1973, a memorandum of understanding was signed by the French National Center for Scientific Research, the National Research Council of Canada, and the University of Hawaii. The memorandum provided for the installation and development of major astronomical facilities on Mauna Kea, an extinct volcano almost 14,000 feet above sea level. This is the highest point in the Hawaiian Islands, remote from population centers and widely considered to be one of the finest observatory sites in the world.

The cost of the project, estimated at $20 million, is to be borne equally by the Canadian and French agencies involved. The University of Hawaii initially is contributing a long-term lease of the site plus certain support services and facilities. Operating costs and observing time will be shared 42.5 percent each by the French and Canadian agencies and 15 percent by the University of Hawaii.

H.R. 11796 would assist the University

in meeting its commitment to seek "relief from taxes, sales taxes on all goods imported specifically for use in the realization of the project and its continuing operation." Only those items certified as needed by the project director would be exempt from duty under terms of this bill.

Based on information provided, the committee determined that H.R. 11796 is consistent with our policy relating to the duty-free exchange of cultural, scientific and educational material. No objections to the enactment of the measure were heard by the committee, favorable reports were received by executive agencies involved, and the vote was unanimous in ordering the bill reported. I urge its adoption now by the House.

Mr. Speaker, I withdraw my reservation of objection.

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

Mr. GROSS. Mr. Speaker, further reserving the right to object, may I ask the gentleman, is this equipment available in this country?

Mr. MILLS. This equipment is to be furnished entirely by Canada and France. It could be available here, but Canada and France paid for it. First of all, they are operating the position of the site for the location of this observatory.

Mr. GROSS. Why this sudden generosity on the part of the Canadians and the French?

Mr. MILLS. This is an agreement they have entered into, because they say this site is perhaps the best site for an observatory of any place in the world. The University of Hawaii will use it 15 percent and the Canadians and French 2½ percent.

Mr. GROSS. Is it not strange for Congress to relieve the Canadians of this duty when last yast year they wasted not a single moment in increasing their export tax on the petroleum products they shipped to the United States?

Mr. MILLS. This legislation, if the gentleman will yield, this will be of great value to the scientists, not only the Canadian scientists and French scientists, but to the University of Hawaii.

Mr. GROSS. I say to my friend, the gentleman from Arkansas, that is not the question. The question is, Why should we become so benevolent and philanthropic with respect to the Canadians when they jumped the tax on their petroleum product exports to the United States by some 300 percent last fall?

Mr. MILLS. I know they did. I have the same feeling about the actions of some of our so-called friends abroad; but I do think this is in the interest of the United States to do it.

Mr. GROSS. I do not know exactly on what basis, in fact, our interest lies.

Mr. MILLS. It is scientific, it is the development of scientific information that we will have as much use in as will they. All the scientists, I know, are all much in favor of it because of its location. This is an ideal place. I do not know anything about the State of Hawaii, but my friend, the gentleman from Hawaii, introduced the bill. He sought its passage. I think the contribution of the University of Hawaii is in a long-range term lease for the site.

Mr. GROSS. I will say to the gentleman from Arkansas that it is not really a question of what is good for Hawaii or any other State in the United States. There is such a thing as what is good for our taxpayers.

Mr. MILLS. I understand, but this is a nonprofit operation. It goes along with the agreement enacted in the 89th Congress. The only reason we want to do it this way, rather than go through the Committee on Interstate and Foreign Commerce is that it takes so much of our time to do it that way. Each item has to be invidually described. It has to be individually entered.

Mr. GROSS. I am sure it would be an exercise in futility to force a vote on this bill. I doubt very much if there would be 15 votes against it, first of all because of the absence of so many Members from the floor who ought to know something about this sort of legislation, and because we are always philanthropic; we are always willing to take a kick in the teeth from a foreign country, and turn around and give them the U.S. Treasury. We have long been a bunch of boobs in that respect. I withdraw my reservation of objection.

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

There was no objection.

The Clerk read the bill as follows:

H.R. 11796

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to admit free of duty and other taxes a 3.60 meter telescope (including all articles required in connection with the manufacture, construction, operation, use, or maintenance of the telescope and its ancillary equipment) for the use of the Canada-France-Hawaii Telescope project at Mauna Kea, Hawaii.

SEC. 2. If the liquidation of the entry of any article described in the first section of this Act has become final, such entry shall be reliquidated and the appropriate refund of duty shall be made.

The SPEAKER. The Clerk will report the committee amendment.

The Clerk read as follows:

Committee amendment: Strike out all after the enacting clause and insert the following:

That (a) the Secretary of the Treasury is authorized and directed to admit free of duty imported articles required by the Canada-France-Hawaii Telescope Project to complete the installation on Mauna Kea, Hawaii, of an optical telescope of 3.60 meters diameter, and the laboratories, equipment, and installations necessary for its operation, as provided for in a Memorandum of Understanding, signed at Ottawa on October 25, 1973, among the Centre National de la Recherche Scientifique of France, the National Research Council of Canada, and the University of Hawaii.

(b) The admission free of duty provided for in subsection (a) shall be accorded to any article imported by or for the account of the Canada-France-Hawaii Telescope Project if such article is certified by the Executive Director or the Associate Executive Director of the Canada-France-Hawaii Telescope Corporation as being required for the completion of the Project in accordance with the Memorandum of Understanding referred to in subsection (a).

SEC. 2. (a) The provisions of the first section of this Act shall apply with respect to articles entered, or withdrawn from warehouse, for consumption, on or before June 30, 1980.

(b) Upon appropriate request therefore filed by the Executive Director or the Associate Executive Director of the Canada-France-Hawaii Telescope Corporation with the customs officer concerned on or before the one hundred and twentieth day after the date of the enactment of this Act, the entry or withdrawal of any article described in the first section of this Act which was made before the date of the enactment of this Act shall, notwithstanding the provisions of section 514 of the Tariff Act of 1930 or any other provision of law, be liquidated or reliquidated in accordance with the provisions of such first section.

Mr. MILLS (during the reading). Mr. Speaker, I ask unanimous consent that the committee amendment be considered as read and printed in the RECORD.

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

There was no objection.

The committee amendment was agreed to.

Mr. MATSUNAGA. Mr. Speaker, I am pleased to voice my support for H.R. 11796, a bill which I introduced to permit the entry, duty free, of a telescope and related articles to be used in the construction of a major telescope on the slopes of Mauna Kea, in my State of Hawaii.

Because of the unique atmospheric conditions and relative lack of artificial lighting, Mauna Kea provides an ideal site for such a telescope project. Already a smaller instrument is in use there, and the National Aeronautics and Space Administration is about to construct a very large infrared telescope on the site.

This project will contribute significantly to the advancement of astronomical knowledge. Moreover, because of the nature of the consortium undertaking the project, there will be an even more significant contribution to an atmosphere of cooperation among nations. The principal scientific research organizations of two nations, Canada and France, are participating in this venture with the University of Hawaii. The university is supplying the rights to the land on which the telescope is to be constructed and certain associated buildings. The balance of the construction expense, which will bring the total to about $20 million, is to be borne exclusively and equally by the Canadian and French partners in the venture.

Because local labor will be used for the construction of all support facilities, as well as in the assembly of the telescope and its ancillary equipment, the project will provide some relief to the high unemployment situation which now prevails in Hawaii, the rate of unemployment now being 8.4 percent.

Mr. Speaker, the limits of H.R. 11796 are carefully hedged to avoid abuse. A

specific time limit, within which all articles must enter their country to be eligible for duty free entry, has been set; and only articles which have been certified as necessary for the project by the project director or associate director will be eligible for the exemption.

Mr. Speaker, it is significant to note that the bill enjoys broad support. The Committee on Ways and Means reported it by unanimous vote. The Departments of Treasury, Commerce, and State strongly support the bill, as do NASA and the National Science Foundation. It has been endorsed by the Hawaii State Federation of Labor, an AFL–CIO affiliate. In a letter addressed to me, Mr. Walter Kupau, president of that influential council, has written wholehearted support for this project as a benefit not only to the local economy, but also to the national and international scientific community.

Although this bill may be relatively minor in comparison to other momentous measures to be considered by the House in the days and weeks ahead, I believe the positive effects of H.R. 11796 would be substantial. There will be long strides taken in the advancement of our knowledge about the universe. There will be residual economic benefits to the State of Hawaii and the country as a whole. But most importantly, Mr. Speaker, by passing this bill we will demonstrate to the world that the United States is willing, even eager, to work with other nations, in the attainment of undeniably desirable goals. The example which Congress will set by enacting this modest bill will form the basis for further, broader areas of cooperation between the United States and other nations.

I urge the unanimous approval of H.R. 11796 by the House.

Mrs. MINK. Mr. Speaker, I rise in support of H.R. 11796, legislation to provide for the duty-free entry into the United States of a large telescope to be constructed on Mauna Kea, Hawaii.

The bill, of which I am a cosponsor, will facilitate the construction of the Canada-France-Hawaii telescope project. The 3.60-meter telescope will cost an estimated $20 million, of which some $7.6 million consists of articles made outside of the United States.

Under existing law, materials for cultural, scientific, and educational purposes may be imported duty free, but utilization of this would be difficult in view of the unique international nature of this undertaking and its development over a considerable period of time. The detailed petitioning and approval procedures required are viewed as too complex and burdensome for this project.

H.R. 11796 would permit items for this telescope project to be brought in, in much the same manner as envisioned under the general statute exempting scientific articles from duty but without the need for specific approval of each of the numerous articles involved. The legislation as amended in committee provides that the executive director of the project, or the assistant director, must certify that each item exempted from duty is for use in the project as claimed. The authority for such duty-free entry expires June 30, 1980.

This nonprofit, cooperative project is sponsored by the Centre National de la Recherche Scientifique of France, the National Research Council of Canada, and the University of Hawaii. The site of the telescope will be Mauna Kea, an extinct volcano generally considered one of the world's outstanding locations for an astronomical observatory.

The scientific research purposes of H.R. 11796 have wide support, including that of the administration. I ask for the approval of this bill.

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

The title was amended so as to read: "A bill to provide for the duty-free entry of a 3.60 meter telescope and associated articles for the use of the Canada-France-Hawaii Telescope Project at Mauna Kea, Hawaii."

A motion to reconsider was laid on the table.

ESTABLISHING THE GREAT DISMAL SWAMP NATIONAL WILDLIFE REFUGE

Mr. DINGELL. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H.R. 3620) to establish the Great Dismal Swamp National Wildlife Refuge, with a Senate amendment thereto, and concur in the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment, as follows:

Page 4, strike out lines 1, 2, and 3, and insert:

SEC. 4. (a) Except as provided in subsection (b) of this section, there is authorized to be appropriated for the fiscal year ending June 30, 1975, not to exceed $1,000,000; for the fiscal year ending June 30, 1976, not to exceed $3,000,000; and for the fiscal year ending June 30, 1977, not to exceed $3,000,000.

(b) In no event shall the amount authorized to be appropriated exceed the cost estimates of the report to be submitted to the Congress by the Secretary pursuant to Public Law 92-478.

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

There was no objection.

The Senate amendment was concurred in.

A motion to reconsider was laid on the table.

TWENTY-FIVE-PERCENT INTEREST EPITAPH

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

Mr. PATMAN. Mr. Speaker, high interest causes higher prices—higher prices cause inflation. The way to stop inflation is to stop high interest and high prices and achieve low interest.

The Federal Reserve has spent 5 years trying to stop inflation with high interest—all the time interest rates were going higher and higher. This unwise effort did not make good sense, either common, book, or horse.

It is just as unwise to try to stop inflation by using high interest rates as it would be to try to put out the fire in your home with gasoline instead of with water.

High interest rates, while causing more inflation, creates more poverty and encourages the four greatest evils—poverty, ignorance, disease and crime. High interest rates must be stopped to encourage our three greatest institutions: the home, the church, and the school.

The Golden Rule has been changed more by high interest than by any other cause. The new modern Golden Rule among some of our selfish and greedy is "those who have the gold make the rule."

In pioneer days one community experienced hard times, high interest and poverty, caused by what the people in the community believed were the policies of one particular moneylender, so when this moneylender passed away, the citizens of the community got together and decided that they would not permit his type of philosophy to go unnoticed by letting the people know by the epitaph on his monument with fitting and appropriate language to depict the type of life he lived in furthering excessive, exorbitant and usurious interest rates.

PARLIAMENTARY INQUIRY

Mr. GROSS. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it

Mr. GROSS. Mr. Speaker, are we embarked upon special orders?

The SPEAKER. The gentleman from Texas may finish his sentence. That is the practice.

Mr. PATMAN. Mr. Speaker, the following is what was agreed upon and used as the epitaph:

Here lies old 25 percent
The more he made, the less he lent
The more he got, the less he spent
He's gone—we do not know which way he went
But if to Heaven his soul has went
He'll own the place and charge them rent.

CONGRESSIONAL OFFICE DISCRIMINATION

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

Mr. ECKHARDT. Mr. Speaker, the Sunday paper informs us that "the most unusual forms of discrimination occur in four job orders" sent by a Congressman's office to the Congressional Office of Placement and Office Management. The description in one application to supply an employee lists in the form, under "Special Skills and Requirements," the following description: "Attractive, smart, young and no Catholics or water signs."

It is good to know that there are some enterprising souls here on the Hill think-

ing about what we can use for objects of discrimination when black genes become too diffused, immigrant tongues too fluent, and sects too flexible to longer afford us an object of hate.

It took a budding young Goebbels on somebody's staff to envisage chauvinism based on the zodiac, or, if it were a Congressman, an uncharacteristically innovative one. For those who have been worried about bigotry gradually fading away for failure of identifiable victims, this fresh approach gives new hope.

One may escape the ghetto or even the bondage of the genes of his ancestors, but he cannot escape his stars nor alter his birth date. It is set down with indelible certainty on his birth certificate and his social security card: once a Cancer, always a Cancer.

The sentiment is already being muttered in the cloakrooms and corridors: "I like a Scorpio who stays in his place." And then who would like his daughter to marry a Pisces?

What a comforting thought it is that now in America we know we will never run out of people to hate.

THE TRAGIC DEATH OF AMBASSADOR RODGER P. DAVIES

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

Mr. RHODES. Mr. Speaker, the tragic death of U.S. Ambassador to Cyprus Rodger P. Davies represents the most recent illustration of the need to restore peace to that part of the world. We cannot help but be shocked and deeply saddened by this event. Those of us who adhere to the belief that acts of violence can have no place in the affairs of the world community can only hope that the tragedy of Ambassador Davies' death will serve as an impetus for negotiations that will produce a permanent mechanism for peace. My deepest personal sympathies are extended to the family of Ambassador Davies.

NO DISCRIMINATION IN MY OFFICE

(Mr. SIKES asked and was given permission to revise and extend his remarks and include extraneous matter.)

Mr. SIKES. Mr. Speaker, the allegations by a Texas newspaper that I refuse to employ blacks is an outright lie. I know nothing about the matter other than the fact I have not authorized any conditions of employment except ability and training. I had not heard about the incident in question until I read yesterday's paper. My inquiry shows that my administrative assistant has in the past telephoned requests for personnel to the Capitol Placement Office, usually for temporary personnel. She states she has no recollection of stating that blacks would not be considered, and she knew it is not the policy of this office to exclude blacks. There is no certainty that the actual call in question was made from my office. It is stated that an intern rifled the files of the Placement Office and gave certain information to the press. Possibly that individual changed the material to suit his or her purposes.

The fact is, I have given positions to blacks through my Capitol office. Two that come in mind were employed here for several years. One of them is still employed; the other left of his own volition.

I have also nominated a number of blacks to the Service Academies.

It would appear that newspapers which seek facts rather than sensationalism would consult the Congressmen whose practices they question before jumping into print without facts.

THE TRAGIC DEATH OF AMBASSADOR RODGER P. DAVIES

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

Mr. BRADEMAS. Mr. Speaker, I want to join in the remarks of the distinguished minority leader, the gentleman from Arizona (Mr. RHODES) in expressing my profound sympathy and that, I am sure, of Members of the House of Representatives on both sides of the aisle, at the tragic death a few hours ago of our distinguished Ambassador to Cyprus, the Honorable Rodger P. Davies.

I knew Ambassador Davies. He was a friend. He served his country well, and I extend my deep sympathies to his family.

Mr. Speaker, the death of Rodger Davies is a symbol of the tragedy that the crisis in Cyprus has come to represent throughout the civilized world.

CONFERENCE REPORT ON S. 821, JUVENILE JUSTICE AND DELINQUENCY PREVENTION ACT OF 1974

Mr. HAWKINS submitted the following conference report and statement on the Senate bill (S. 821) to improve the quality of juvenile justice in the United States and to provide a comprehensive, coordinated approach to the problems of juvenile delinquency, and for other purposes:

CONFERENCE REPORT (H. REPT. No. 93-1298)

The committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 821) to improve the quality of juvenile justice in the United States and to provide a comprehensive, coordinated approach to the problems of juvenile delinquency, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its disagreement to the amendment of the House to the bill, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the House amendment, insert the following:

That this Act may be cited as the "Juvenile Justice and Delinquency Prevention Act of 1974".

TITLE I—FINDINGS AND DECLARATION OF PURPOSE

FINDINGS

SEC. 101. (a) 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, abandoned, and dependent children, who, because of this failure to provide effective services, may become delinquents;

(4) existing programs have not adequately responded to the particular problems of the increasing numbers of young people who are addicted to or who abuse drugs, particularly nonopiate of 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; and

(7) existing Federal programs have not provided the direction, coordination, resources, and leadership required to meet the crisis of delinquency.

(b) Congress finds further that the high incidence of delinquency in the United States today results in enormous annual cost and immeasurable loss of human life, personal security, and wasted human resources and that juvenile delinquency constitutes a growing threat to the national welfare requiring immediate and comprehensive action by the Federal Government to reduce and prevent delinquency.

PURPOSE

SEC. 102. (a) It is the purpose of this Act—

(1) to provide for the thorough and prompt evaluation of all federally assisted juvenile delinquency programs;

(2) to provide technical assistance to public and private agencies, institutions, and individuals in developing and implementing juvenile delinquency programs;

(3) 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;

(4) 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;

(5) 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;

(6) 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; and

(7) to establish a Federal assistance program to deal with the problems of runaway youth.

(b) It is therefore the further declared policy of Congress to provide the necessary resources, leadership, and coordination (1) to develop and implement effective methods of preventing and reducing juvenile delinquency; (2) to develop and conduct effective programs to prevent delinquency, to divert juveniles from the traditional juvenile justice system and to provide critically needed alternatives to institutionalization; (3) to

improve the quality of juvenile justice in the United States; and (4) to increase the capacity of State and local governments and public and private agencies to conduct effective juvenile justice and delinquency prevention and rehabilitation programs and to provide research, evaluation, and training services in the field of juvenile delinquency prevention.

DEFINITIONS

SEC. 103. For purposes of this Act—

(1) the term "community based" facility, program, or service 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, but are not limited to, medical, educational, vocational, social, and psychological guidance, training, counseling, alcoholism treatment, drug treatment, and other rehabilitative services;

(2) the term "Federal juvenile delinquency program" means any juvenile delinquency program which is conducted, directly, or indirectly, or is assisted by any Federal department or agency, including any program funded under this Act;

(3) 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 and alcohol 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;

(4) the term "Law Enforcement Assistance Administration" means the agency established by section 101(a) of the Omnibus Crime Control and Safe Streets Act of 1968, as amended;

(5) the term "Administrator" means the agency head designated by section 101(b) of the Omnibus Crime Control and Safe Streets Act of 1968, as amended;

(6) the term "law enforcement and criminal justice" means any activity pertaining to crime prevention, control, or reduction or the enforcement of the criminal law, including, but not limited to police efforts to prevent, control, or reduce crime or to apprehend criminals, activities of courts having criminal jurisdiction and related agencies (including prosecutorial and defender services), activities of corrections, probation, or parole authorities, and programs relating to the prevention, control, or reduction of juvenile delinquency or narcotic addiction;

(7) the term "State" means any State of the United States, the District of Columbia, the Commonwealth of Puerto Rico, the Trust Territory of the Pacific Islands, and any territory or possession of the United States;

(8) the term "unit of general local government" means any city, county, township, town, borough, parish, village, or other general purpose political subdivision of a State, an Indian tribe which performs law enforcement functions as determined by the Secretary of the Interior, or, for the purpose of assistance eligibility, any agency of the District of Columbia government performing law enforcement functions in and for the District of Columbia and funds appropriated by the Congress for the activities of such agency may be used to provide the non-Federal share of the cost of programs or projects funded under this title;

(9) the term "combination" as applied to States or units of general local government means any grouping or joining together of such States or units for the purpose of preparing, developing, or implementing a law enforcement plan;

(10) 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);

(11) 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;

(12) the term "correctional institution or facility" means any place for the confinement or rehabilitation of juvenile offenders or individuals charged with or convicted of criminal offenses; and

(13) the term "treatment" includes but is not limited to medical, educational, social, psychological, and vocational services, corrective and preventive guidance and training, and other rehabilitative services designed to protect the public and benefit the addict or other user by eliminating his dependence on addicting or other drugs or by controlling his dependence, and his susceptibility to addiction or use.

TITLE II—JUVENILE JUSTICE AND DELINQUENCY PREVENTION

Part A—Juvenile Justice and Delinquency Prevention Office

ESTABLISHMENT OF OFFICE

SEC. 201. (a) There is hereby created within the Department of Justice, Law Enforcement Assistance Administration, the Office of Juvenile Justice and Delinquency Prevention (referred to in this Act as the "Office").

(b) The programs authorized pursuant to this Act unless otherwise specified in this Act shall be administered by the Office established under this section.

(c) There shall be at the head of the Office an Assistant Administrator who shall be nominated by the President by and with the advice and consent of the Senate.

(d) The Assistant Administrator shall exercise all necessary powers, subject to the direction of the Administrator of the Law Enforcement Assistance Administration.

(e) There shall be in the Office a Deputy Assistant Administrator who shall be appointed by the Administrator of the Law Enforcement Assistance Administration. The Deputy Assistant Administrator shall perform such functions as the Assistant Administrator from time to time assigns or delegates, and shall act as Assistant Administrator during the absence of disability of the Assistant Administrator in the event of a vacancy in the Office of the Assistant Administrator.

(f) There shall be established in the Office a Deputy Assistant Administrator who shall be appointed by the Administrator whose function shall be to supervise and direct the National Institute for Juvenile Justice and Delinquency Prevention established under section 241 of this Act.

(g) Section 5108(c)(10) of title 5, United States Code first occurrence, is amended by deleting the word "twenty-two" and inserting in lieu thereof the word "twenty-five".

PERSONNEL, SPECIAL PERSONNEL, EXPERTS, AND CONSULTANTS

SEC. 202. (a) The Administrator is authorized to 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.

(b) The Administrator is authorized to select, appoint, and employ not to exceed three officers and to fix their compensation at rates not to exceed the rate now or hereafter prescribed for GS-18 of the General Schedule by section 5332 of title 5 of the United States Code.

(c) Upon the request of the Administrator, the head of any Federal agency is authorized to detail, on a reimbursable basis, any of its personnel to the Assistant Administrator to assist him in carrying out his functions under this Act.

(d) The Administrator may obtain services as authorized by section 3109 of title 5 of the United States Code, at rates not to exceed the rate now or hereafter prescribed for GS-18 of the General Schedule by section 5332 of title I of the United States Code.

VOLUNTARY SERVICE

SEC. 203. The Administrator is authorized to accept and employe, in carrying out the provisions of this Act, voluntary and uncompensated services notwithstanding the provisions of section 3679(b) of the Revised Statutes (31 U.S.C. 665(b)).

CONCENTRATION OF FEDERAL EFFORTS

SEC. 204. (a) The Administrator shall implement overall policy and develop objectives and priorities for all Federal juvenile delinquency programs and activities relating to prevention, diversion, training, treatment, rehabilitation, evaluation, research, and improvement of the juvenile justice system in the United States. In carrying out his functions, the Administrator shall consult with the Council and the National Advisory Committee for Juvenile Justice and Delinquency Prevention.

(b) In carrying out the purposes of this Act, the Administrator shall—

(1) advise the President through the Attorney General 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 regulations guidelines, requirements, criteria, standards, procedures, and budget requests in accordance with the policies, priorities, and objectives he establishes;

(3) conduct and support 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) implement Federal juvenile delinquency programs and activities among Federal departments and 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) development annually with the assistance of the Advisory Committee and submit to the President and the Congress, after the first year the legislation is enacted, prior to September 30, an analysis and evaluation of Federal juvenile delinquency programs conducted and assisted by Federal departments and agencies, the expenditures made, the results achieved, the plans developed, and problems in the operations and coordination of such programs. The report shall include recommendations for modifications in organization, management, personnel, standards, budget requests, and implementation plans necessary to increase the effectiveness of these programs;

(6) develop annually with the assistance of the Advisory Committee and submit to the President and the Congress, after the first year the legislation is enacted, prior to March 1, a comprehensive plan for Federal juvenile delinquency programs, 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 ninety 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 annual report submitted to the President and the Congress by the Administrator under subsection b(5) shall contain in addition to information required by subsection (b)(5), a detailed statement of criteria developed by the Administrator for identifying 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 annual 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 Administrator through the use of criteria developed under paragraph (1).

(e) The third such annual report submitted to the President and the Congress by the Administrator 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 Administrator by Federal agencies under subsection ("1"). Such statement submitted by the Administrator shall include a description of information, data, and analyses which shall be contained in each such development statement.

(f) The Administrator may require, through appropriate authority, departments and 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 part.

(g) The Administrator may delegate any of his functions under this part, except the making of regulations, to any officer or employee of the Administration.

(h) The Administrator is authorized to utilize the services and facilities of any agency of the Federal Government 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 rehabilitation programs which the Assistant Administrator finds to be

(i) The Administrator is authorized to transfer funds appropriated under this title to any agency of the Federal Government to develop or demonstrate new methods in juvenile delinquency prevention and rehabilitation and to supplement existing delinquency prevention and rehabilitation programs which the Assistant Administrator finds to be exceptionally effective or for which he finds there exists exceptional need.

(j) The Administrator is authorized to make grants to, or enter into contracts with, any public or private agency, institution, or individual to carry out the purposes of this part.

(k) All functions of the Administrator under this part shall be coordinated as appropriate with the functions of the Secretary of the Department of Health, Education, and Welfare under the Juvenile Delinquency Prevention Act (42 U.S.C. 3801 et seq.).

(l)(1) The Administrator shall require through appropriate authority each Federal agency which administers a Federal juvenile delinquency program which meets any criterion developed by the Administrator under section 204(d)(1) to submit annually to the Council a juvenile delinquency development statement. Such statement shall be in addition to any information, report, study, or survey which the Administrator may require under section 204(f).

(2) Each juvenile delinquency development statement submitted to the Administrator under subsection ("1") shall be submitted in accordance with procedures established by the Administrator under section 204(e) and shall contain such information, data, and analyses as the Administrator may require under section 204(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.

(3) The Administrator shall review and comment upon each juvenile delinquency development statement transmitted to him under subsection ("1"). Such development statement, together with the comments of the Administrator, 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. 205. 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 requested by the Administrator 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 Administrator may order any such agency to waive any technical grant or contract requirement (as defined in such regulations) which is inconsistent with the similar requirement of the administering agency or which the administering agency does not impose.

COORDINATING COUNCIL ON JUVENILE JUSTICE AND DELINQUENCY PREVENTION

SEC. 206. (a)(1) There is hereby established, as an independent organization in the executive branch of the Federal Government a Coordinating Council on Juvenile Justice and Delinquency Prevention (hereinafter referred to as the "Council") composed of the Attorney General, the Secretary of Health, Education, and Welfare, the Secretary of Labor, the Director of the Special Action Office for Drug Abuse Prevention, the Secretary of Housing and Urban Development, or their respective designees, the Assistant Administrator of the Office of Juvenile Justice and Delinquency Prevention, the Deputy Assistant Administrator of the Institute for Juvenile Justice and Delinquency Prevention, and representatives of such other agencies as the President shall designate.

(2) Any individual designated under this section shall be selected from individuals who exercise significant decisionmaking authority in the Federal agency involved.

(b) The Attorney General shall serve as Chairman of the Council. The Assistant Administrator of the Office of Juvenile Justice and Delinquency Prevention shall serve as Vice Chairman of the Council. The Vice Chairman shall act as Chairman in the absence of the Chairman.

(c) The function of the Council shall be to coordinate all Federal juvenile delinquency programs. The Council shall make recommendations to the Attorney General and the President at least annually with respect to the coordination of overall policy and development of objectives and priorities for all Federal juvenile delinquency programs and activities.

(d) The Council shall meet a minimum of six times per year and a description of the activities of the Council shall be included in the annual report required by section 204(b)(5) of this title.

(e)(1) The Chairman shall, with the approval of the Council, appoint an Executive Secretary of the Council.

(2) The Executive Secretary shall be responsible for the day-to-day administration of the Council.

(3) The Executive Secretary may, with the approval of the Council, appoint such personnel as he considers necessary to carry out the purposes of this title.

(f) Members of the Council who are employed by the Federal Government full time shall be reimbursed for travel, subsistence, and other necessary expenses incurred by them in carrying out the duties of the Council.

(g) To carry out the purposes of this section there is authorized to be appropriated such sums as may be necessary.

ADVISORY COMMITTEE

SEC. 207. (a) There is hereby established a National Advisory Committee for Juvenile Justice and Delinquency Prevention (hereinafter referred to as the "Advisory Committee") which shall consist of twenty-one members.

(b) The members of the Coordinating Council or their respective designees shall be ex officio members of the Committee.

(c) The regular members of the Advisory Committee 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, such as juvenile or family court judges; probation, correctional, or law enforcement personnel; and representatives of private voluntary organizations and community-based programs. The President shall designate the Chairman. A majority of the members of the Advisory Committee, including the Chairman, shall not be full-time employees of Federal, State, or local governments. At least seven members shall not have attained twenty-six years of age on the date of their appointment.

(d) Members appointed by the President to the Committee shall serve for terms of four years and shall be eligible for reappointment except that for the first composition of the Advisory Committee, one-third of these members shall be appointed to one-year terms, one-third to two-years, and one-third to three-year terms; thereafter each term shall be four years. Such members shall be appointed within ninety days after the date of the enactment of this title. Any member appointed to fill a vacancy occurring prior to the expiration of the term for which his predecessor was appointed, shall be appointed for the remainder of such term.

DUTIES OF THE ADVISORY COMMITTEE

SEC. 208. (a) The Advisory Committee shall meet at the call of the Chairman, but not less than four times a year.

(b) The Advisory Committee shall make recommendations to the Administrator at least annually with respect to planning, policy, priorities, operations, and management of all Federal juvenile delinquency programs.

(c) The Chairman may designate a subcommittee of the members of the Advisory Committee to advise the Administrator on particular functions or aspects of the work of the Administration.

(d) The Chairman shall designate a subcommittee of five members of the Committee to serve, together with the Director of the National Institute of Corrections, as members of an Advisory Committee for the Na-

tional Institute for Juvenile Justice and Delinquency Prevention to perform the functions set forth in section 245 of this title.

(e) The Chairman shall designate a subcommittee of five members of the Committee to serve as an Advisory Committee to the Administrator on Standards for the Administration of Juvenile Justice to perform the functions set forth in section 247 of this title.

(f) The Chairman, with the approval of the Committee, shall appoint such personnel as are necessary to carry out the duties of the Advisory Committee.

COMPENSATION AND EXPENSES

SEC. 209. (a) Members of the Advisory Committee who are employed by the Federal Government full time shall serve without compensation but shall be reimbursed for travel, subsistence, and other necessary expenses incurred by them in carrying out the duties of the Advisory Committee.

(b) Members of the Advisory Committee not employed full time by the Federal Government shall receive compensation at a rate not to exceed the rate now or hereafter prescribed for GS-18 of the General Schedule by section 5332 of title 5 of the United States Code, including traveltime for each day they are engaged in the performance of their duties as members of the Advisory Committee. Members shall be entitled to reimbursement for travel, subsistence, and other necessary expenses incurred by them in carrying out the duties of the Advisory Committee.

PART B—FEDERAL ASSISTANCE FOR STATE AND LOCAL PROGRAMS

Subpart I—Formula Grants

SEC. 221. The Administrator is authorized to 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. 222. (a) In accordance with regulations promulgated under this part, funds shall be allocated annually among the States on the basis of relative population of people under age eighteen. No such allotment to any State shall be less than $200,000, 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 purpose of this part. 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 State, the Virgin Islands, American Samoa, Guam, and the Trust Territory of the Pacific Islands for the same period.

(c) In accordance with regulations promulgated under this part, 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 per centum 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 per centum of the approved costs of any assisted programs or activities. The non-Federal share shall be made in cash or kind consistent with the maintenance of programs required by section 261.

STATE PLANS

SEC. 223. (a) In order to receive formula grants under this part, a State shall submit a plan for carrying out its purposes consistent with the provisions of section 303(a), (1), (3), (5), (6), (8), (10), (11), (12), and (15) of title I of the Omnibus Crime Control and Safe Streets Act of 1968. In accordance with regulations established under this title, such plan must—

(1) designate the State planning agency established by the State under section 203 of such title I as the sole agency for supervising the preparation and administration of the plan;

(2) contain satisfactory evidence that the State agency designated in accordance with paragraph (1) (hereafter referred to in this part as the "State planning agency") has or will have authority, by legislation if necessary, to implement such plan in conformity with this part;

(3) provide for an advisory group appointed by the chief executive of the State to advise the State planning agency and its supervisory board (A) which shall consist of not less than twenty-one and not more than thirty-three persons who have training, experience, or a special knowledge concerning the prevention and treatment of a 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, or youth services departments, (C) which shall include representatives of private organizations concerned with delinquency prevention or treatment; 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, State, or local government, and (E) at least one-third of whose members shall be under the age of twenty-six at the time of appointment;

(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 66⅔ per centum of the funds received by the State under section 222 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 Administrator 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 a 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 (hereinafter in this part referred to as the "local agency") which can most effectively carry out the purposes of this part and shall provide for supervision of the programs funded under this part by that local agency;

(7) provide for an equitable distribution of the assistance received under section 222 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. This plan shall include itemized estimated costs for the development and implementation of such programs;

(9) provide for the active consultation with and participation of private agencies in the development and execution of the State plan; and provide for coordination and maximum utilization of existing juvenile delinquency programs and other related programs, such as education, health, and welfare within the State;

(10) provide that not less than 75 per centum of the funds available to such State under section 22, 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 developing, maintaining, and expanding 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. That advanced techniques include—

(A) community-based programs and services for the prevention and treatment of juvenile delinquency through the development of foster-care and shelter-care homes, group homes, halfway houses, homemaker and home health services, and any other designated community-based diagnostic, treatment, or rehabilitative service;

(B) community-based programs and services to work with parents and other family members to maintain and strengthen the family unit so that the juvenile may be retained in his home;

(C) youth service bureaus and other community-based programs to divert youth from the juvenile court or to support, counsel, or provide work and recreational opportunities for delinquents and youth in danger of becoming delinquent;

(D) comprehensive programs of drug and alcohol abuse education and prevention and programs for the treatment and rehabilitation of drug addicted youth, and "drug dependent" youth (as defined in section 2(q) of the Public Health Service Act (42 U.S.C. 201 (q))):

(E) educational programs or supportive services designed to keep delinquents and to encourage other youth to remain in elementary and secondary schools or in alternative learning situations;

(F) expanded use of probation and recruitment and training of probation officers, other professional and paraprofessional personnel and volunteers to work effectively with youth;

(G) youth initial programs and outreach programs designed to assist youth who otherwise would not be reached by assistance programs;

(H) provides for a statewide program through the use of probation subsidies, other subsidies, other financial incentives or disincentives to units of local government, or other effective means, that may include but are not limited to programs designed to—

(i) reduce the number of commitments of juveniles to any form of juvenile facility as a percentage of the State juvenile population;

(ii) increase the use of nonsecure community-based facilities as a percentage of total commitments to juvenile facilities; and

(iii) discourage the use of secure incarceration and detention;

(11) provides for the development of an adequate research, training, and evaluation capacity within the State;

(12) provide within two years after submission of the plan that juveniles who are charged with or who have committed offenses that would not be criminal if committed by an adult, shall not be placed in juvenile detention or correctional facilities, but must be placed in shelter facilities;

(13) provide that juveniles alleged to be or found to be delinquent shall not be detained or confined in any institution in which they have regular contact with adult persons incarcerated because they have been convicted of a crime or are awaiting trial on criminal charges;

(14) provide for an adequate system of monitoring jails, detention facilities, and correctional facilities to insure that the requirements of section 223 (12) and (13) are met, and for annual reporting of the results of such monitoring to the Administrator;

(15) provide assurance that assistance will be available on an equitable basis to deal with all disadvantaged youth including, but not limited to, females, minority youth, and mentally retarded and emotionally or physically handicapped youth;

(16) provide for procedures to be established for protecting the rights of recipients of services and for assuring appropriate privacy with regard to records relating to such services provided to any individual under the State plan;

(17) provide that fair and equitable arrangements are made to protect the interests of employees affected by assistance under this Act. Such protective arrangements shall, to the maximum extent feasible, include, without being limited to, such provisions as may be necessary for—

(A) the preservation or rights, privileges, and benefits (including continuation of pension rights and benefits) under existing collective-bargaining agreements or otherwise;

(B) the continuation of collective-bargaining rights;

(C) the protection of individual employees against a worsening of their positions with respect to their employment;

(D) assurances of employment to employees of any State or political subdivision thereof who will be affected by any program funded in whole or in part under provisions of this Act;

(E) training or retraining programs.

The State plan shall provide for the terms and conditions of the protection arrangements established pursuant to this section;

(18) 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;

(19) 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 the 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;

(20) provide that the State planning agency will from time to time, but not less often than annually, review its plan and submit to the Administrator 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

(21) contain such other terms and conditions as the Administrator may reasonably prescribe to assure the effectiveness of the programs assisted under this title.

Such plan may at the discretion of the Administrator be incorporated into the plan specified in 303(a) of the Omnibus Crime Control and Safe Streets Act.

(b) The State planning agency designated pursuant to section 223(a), after consultation with the advisory group referred to in section 223(a), shall approve the State plan and any modification thereof prior to submission to the Administrator.

(c) The Administrator shall approve any State plan and any modification thereof that meets the requirements of this section.

(d) In the event that any State fails to submit a plan, or submits a plan or any modification thereof, which the Administrator, after reasonable notice and opportunity for hearing, in accordance with sections 509, 510, and 511 of title I of the Omnibus Crime Control and Safe Streets Act of 1968, determines does not meet the requirements of this section, the Administrator shall make that State's allotment under the provisions of section 222(a) available to public and private agencies for special emphasis prevention and treatment programs as defined in section 224.

(e) In the event the plan does not meet the requirements of this section due to oversight or neglect, rather than explicit and conscious decision, the Administrator shall endeavor to make that State's allotment under the provisions of section 222(a) available to public and private agencies in that State for special emphasis prevention and treatment programs as defined in section 224.

Subpart II—Special Emphasis Prevention and Treatment Programs

SEC. 224. (a) The Administrator is authorized to 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 effective means of diverting juveniles from the traditional juvenile justice and correctional system;

(4) improve the capability of public and private agencies and organizations to provide services for delinquents and youths in danger of becoming delinquent;

(5) facilitate the adoption of the recommendations of the Advisory Committee on Standards for Juvenile Justice and the Institute as set forth pursuant to section 247; and

(6) develop and implement model programs and methods to keep students in elementary and secondary schools and to prevent unwarranted and arbitrary suspensions and expulsions.

(b) Not less than 25 per centum or more than 50 per centum of the funds appropriated for each fiscal year pursuant to this part shall be available only for special emphasis prevention and treatment grants and contracts made pursuant to this section.

(c) At least 20 per centum of the funds available for grants and contracts made pursuant to this section shall be available for grants and contracts to private nonprofit agencies, organizations, or institutions who have had experience in dealing with youth.

CONSIDERATIONS FOR APPROVAL OF APPLICATIONS

SEC. 225. (a) Any agency, institution, or individual desiring to receive a grant, or enter into any contract under section 224, shall submit an application at such time, in such manner, and containing or accompanied by such information as the Administrator may prescribe.

(b) In accordance with guidelines established by the Administrator, each such application shall—

(1) provide that the program for which assistance 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 223;

(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 planning agency and local agency designated in section 223, when appropriate, and indicate the response of such agency to the request for review and comment on the application;

(6) provide that regular reports on the program shall be sent to the Administrator and to the State planning agency and local agency, when appropriate;

(7) 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; and

(8) indicate the response of the State agency or the local agency to the request for review and comment on the application.

(c) In determining whether or not to approve applications for grants under section 224, the Administrator shall consider—

(1) the relative cost and effectiveness of the proposed program in effectuating the purposes of this part;

(2) the extent to which the proposed program will incorporate new or innovative techniques;

(3) the extent to which the proposed program meets the objectives and priorities of the State plan, when a State plan has been approved by the Administrator under section 223(c) and when the location and scope of the program makes 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 delinquents;

(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 program facilitates the implementation of the recommendations of the Advisory Committee on Standards for Juvenile Justice as set forth pursuant to section 247.

GENERAL PROVISIONS

Withholding

SEC. 226. Whenever the Administrator, after giving reasonable notice and opportunity for hearing to a recipient of financial assistance under this title, finds—

(1) that the program or activity for which such grants 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 Administrator shall initiate such proceedings as are appropriate.

USE OF FUNDS

SEC. 227. (a) Funds paid pursuant to this title to any State public or private agency, institution, or individual (whether directly or through a State or local agency) may be used for—

(1) planning, developing, or operating the program designed to carry out the purpose of this part; and

(2) not more than 50 per centum of the cost of the construction of innovative community-based facilities for less than twenty persons which, in the judgment of the Administrator, are necessary for carrying out the purposes of this part.

(b) Except as provided by subsection (a), no funds paid to any public or private agency, institution, or individual under this part (whether directly or through a State agency or local agency) may be used for construction.

PAYMENTS

SEC. 228. (a) In accordance with criteria established by the Administrator, it is the

policy of Congress that programs funded under this title shall continue to receive financial assistance providing that the yearly evaluation of such programs is satisfactory.

(b) At the discretion of the Administrator, when there is no other way to fund an essential juvenile delinquency program not funded under this part, the State may utilize 25 per centum of the formula grant funds available to it under this part to meet the non-Federal matching share requirement for any other Federal juvenile delinquency program grant.

(c) Whenever the Administrator determines that it will contribute to the purposes of this part, he may require the recipient of any grant or contract to contribute money, facilities, or services.

(d) Payments under this part, 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 Administrator may determine.

PART C—NATIONAL INSTITUTE FOR JUVENILE JUSTICE AND DELINQUENCY PREVENTION

SEC. 241. (a) There is hereby established within the Juvenile Justice and Delinquency Prevention Office a National Institute for Juvenile Justice and Delinquency Prevention.

(b) The National Institute for Juvenile Justice and Delinquency Prevention shall be under the supervision and direction of the Assistant Administrator, and shall be headed by a Deputy Assistant Administrator of the Office appointed under section 201(f).

(c) The activities of the National Institute for Juvenile Justice and Delinquency Prevention shall be coordinated with the activities of the National Institute of Law Enforcement and Criminal Justice in accordance with the requirements of section 201(b).

(d) The Administrator shall have responsibility for the administration of the organization, employees, enrollees, financial affairs, and other operations of the Institute.

(e) The Administrator may delegate his power under the Act to such employees of the Institute as he deems appropriate.

(f) 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.

(g) 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 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 now or hereafter prescribed for GS-18 of the General Schedule by section 5332 of title 5 of the United States Code and while away from home, or regular place of business, they may be allowed travel expenses, including per diem in lieu of subsistance, as authorized by section 5703 of title 5, United States Code for persons in the Government service employment intermittently.

(h) Any Federal agency which receives a request from the Institute under subsection (g)(1) may cooperate with the Institute and shall, to the maximum extent practicable, consult with and furnish information and advice to the Institute.

INFORMATION FUNCTION

SEC. 242. The National Institute for Juvenile Justice and Delinquency Prevention is authorized to—

(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.

RESEARCH, DEMONSTRATION, AND EVALUATION FUNCTIONS

SEC. 243. The National Institute for Juvenile Justice and Delinquency Prevention is authorized to—

(1) conduct, encourage, and coordinate research and evaluation into any aspect of juvenile delinquency, particularly with regard to new programs and methods which show promise of making a contribution toward the prevention and treatment of juvenile delinquency;

(2) encourage the development of demonstration projects in new, innovative techniques and methods to prevent and treat juvenile delinquency;

(3) provide for the evaluation of all juvenile delinquency programs assisted under this title in order to determine the results and the effectiveness of such programs;

(4) provide for the evaluation of any other Federal, State, or local juvenile delinquency program, upon the request of the Administrator;

(5) 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;

(6) disseminate the results of such evaluations and research and demonstration activities particularly to persons actively working in the field of juvenile delinquency; and

(7) disseminate pertinent data and studies (including a periodic journal) to individuals, agencies, and organizations concerned with the prevention and treatment of juvenile delinquency.

TRAINING FUNCTIONS

SEC. 244. The National Institute for Juvenile Justice and Delinquency Prevention is authorized to—

(1) develop, conduct, and provide for training programs for the training of professional, paraprofessional, and volunteer personnel, and other persons who are or who are preparing to work with juveniles and juvenile offenders;

(2) develop, conduct, and provide for seminars, workshops, and training programs in the latest proven effective techniques and methods of preventing and treating juvenile delinquency for law enforcement officers, juvenile judges, and other court personnel, probation officers, correctional personnel, and other Federal, State, and local government personnel who are engaged in work relating to juvenile delinquency.

(3) devise and conduct a training program, in accordance with the provisions of sections 249, 250, and 251, 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; and

(4) 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.

INSTITUTE ADVISORY COMMITTEE

SEC. 245. The Advisory Committee for the National Institute for Juvenile Justice and Delinquency Prevention established in section 208(d) shall advise, consult with, and make recommendations to the Deputy Assistant Administrator for the National Institute for Juvenile Justice and Delinquency Prevention concerning the overall policy and operations of the Institute.

ANNUAL REPORT

SEC. 246. The Deputy Assistant Administrator for the National Institute for Juvenile Justice and Delinquency Prevention shall develop annually and submit to the Administrator after the first year the legislation is enacted, prior to June 30, a report 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 to new juvenile delinquency programs, and detailed recommendations for future research, demonstration, training, and evaluation programs. The Administrator shall include a summary of these results and recommendations in his report to the President and Congress required by section 204(b)(5).

DEVELOPMENT OF STANDARDS FOR JUVENILE JUSTICE

SEC. 247. (a) The National Institute for Juvenile Justice and Delinquency Prevention, under the supervision of the Advisory Committee on Standards for Juvenile Justice established in section 208(e), shall review existing reports, data, and standards, relating to the juvenile system in the United States.

(b) Not later than one year after the passage of this section, the Advisory Committee shall submit to the President and the Congress a report which, based on recommended standards for the administration of juvenile justice at the Federal, State, and local level—

(1) recommends Federal action, including but not limited to administrative and legislative action, required to facilitate the adoption of these standards throughout the United States; and

(2) recommends State and local action to facilitate the adoption of these standards for juvenile justice at the State and local level.

(c) Each department, agency, and instrumentality of the executive branch of the Government, including independent agencies, is authorized and directed to furnish to the Advisory Committee such information as the Committee deems necessary to carry out its functions under this section.

SEC. 248. Records containing the identity of individual juveniles gathered for purposes pursuant to this title may under no circumstances be disclosed or transferred to any individual or other agency, public, or private.

ESTABLISHMENT OF TRAINING PROGRAM

SEC. 249. (a) The Administrator 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. In carrying out this program the Administrator is authorized to make use of available State and local services, equipment, personnel, facilities, and the like.

(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. 250. The Administrator shall design and supervise a curriculum for the training program established by section 249 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. 251. (a) Any person seeking to enroll in the training program established under section 249 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 249(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.

PART D—AUTHORIZATION OF APPROPRIATIONS

SEC. 261. (a) To carry out the purposes of this title there is authorized to be appropriated $75,000,000 for the fiscal year ending June 30, 1975, $125,000,000 for the fiscal year ending June 30, 1976, and $150,000,000 for the fiscal year ending June 30, 1977.

(b) In addition to the funds appropriated under this section, the Administration shall maintain from other Law Enforcement Assistance Administration appropriations other than the appropriations for administration, at least the same level of financial assistance for juvenile delinquency programs assisted by the Law Enforcement Assistance Administration during fiscal year 1972.

NONDISCRIMINATORY PROVISIONS

SEC. 262. (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 recipient of funds will discriminate as provided in subsection (b) with respect to any such program.

(b) No person in the United States shall on the ground of race, creed, color, sex, or national origin 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 sentences 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 CLAUSE

SEC. 263. (a) Except as provided by subsection (b), the foregoing provision of this Act shall take effect on the date of enactment of this Act.

(b) Section 204(b)(5) and 204(b)(6) shall become effective at the close of the thirty-first day of the twelfth calendar month of 1974. Section 204(1) shall become effective at the close of the thirty-first day of the eighth calendar month of 1976.

TITLE III—RUNAWAY YOUTH

SHORT TITLE

SEC. 301. This title may be cited as the "Runaway Youth Act".

FINDING

SEC. 302. 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. 303. The Secretary of Health, Education, and Welfare (hereinafter referred to as the "Secretary") may prescribe such rules as he considers necessary or appropriate to carry out the purposes of this title.

PART A—GRANTS PROGRAM

PURPOSES OF GRANT PROGRAM

SEC. 311. 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 facilities to deal primarily with the immediate needs of runaway youths 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. 312 (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 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 twenty children, with a ratio of staff to children of sufficient portion 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. 313. 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 312. 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. 314. 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. 315. 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. 316. (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 per centum. 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. 321. The Secretary shall gather information and carry out a comprehensive statistical survey defining the major characteristic 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. 322. Records containing the identity of individual runaway youths gathered for statistical purposes pursuant to section 321 may under no circumstances be disclosed or transferred to any individual or to any public or private agency.

PART C—AUTHORIZATION OF APPROPRIATIONS

SEC. 331. (a) To carry out the purposes of part A of this title 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.

(b) To carry out the purposes of part B of this title there is authorized to be appropriated the sum of $500,000.

TITLE IV—EXTENSION AND AMENDMENT OF THE JUVENILE DELINQUENCY PREVENTION ACT

YOUTH DEVELOPMENT DEMONSTRATIONS

SEC. 401. Title I of the Juvenile Delinquency Prevention Act is amended (1) in the caption thereof, by inserting "AND DEMONSTRATION PROGRAMS" after "SERVICES"; (2) following the caption thereof, by inserting "Part A—Community-Based Coordinated Youth Services"; (3) in sections 101, 102(a), 102(b)(1), 102(b)(2), 103(a) (including paragraph (1) thereof), 104(a) (including paragraphs (1), (4), (5), (7), and (10) thereof), and 104(b) by striking out "title" and inserting "part" in lieu thereof; and (4) by inserting at the end of the title the following new part:

"PART B—DEMONSTRATIONS IN YOUTH DEVELOPMENT

"SEC. 105. (a) For the purpose of assisting the demonstration of innovative approaches to youth development and the prevention and treatment of delinquent behavior (including payment of all or part of the costs of minor remodeling or alteration), the Secretary may make grants to any State (or political subdivision, thereof), any agency thereof, and any nonprofit private agency, institution, or organization that submits to the Secretary, at such time and in such form and manner as the Secretary's regulations shall prescribe, an application containing a description of the purposes for which the grant is sought, and assurances satisfactory to the Secretary that the applicant will use the grant for the purposes for which it is provided, and will comply with such requirements relating to the submission of reports, methods of fiscal accounting, the inspection and audit of records and other materials, and such other rules, regulations, standards, and procedures, as the Secretary may impose to assure the fulfillment of the purposes of this Act.

"(b) No demonstration may be assisted by a grant under this section for more than one year."

CONSULTATION

SEC. 402. (a) Section 403 of such Act is amended by adding at the end of subsection (a) thereof the following new subsection:

"(b) The Secretary shall consult with the Attorney General for the purpose of coordinating the development and implementation of programs and activities funded under this Act with those related programs and activities funded under the Omnibus Crime Control and Safe Street Act of 1968";

and by deleting subsection (b) thereof.

(b) Section 409 is repealed.

REPEAL OF MINIMUM STATE ALLOTMENTS

SEC. 403. Section 403(b) of such Act is repealed, and section 403(a) of such Act is redesignated section 403.

EXTENSION OF PROGRAM

SEC. 404. Section 402 of such Act, as amended by this Act, is further amended in the first sentence by inserting after "fiscal year" following: "and such sums as may be necessary for fiscal year 1975".

TITLE V—MISCELLANEOUS AND CONFORMING AMENDMENTS

PARTS A—AMENDMENTS TO THE FEDERAL JUVENILE DELINQUENCY ACT

SEC. 501. Section 5031 of title 18, United States Code, is amended to read as follows:

"§ 5031. Definitions

"For the purposes of this chapter, a 'juvenile' is a person who has not attained his eighteenth birthday, or for the purpose of proceedings and disposition under this chapter for an alleged act of juvenile delinquency, a person who has not attained his twenty-fifth birthday, and 'juvenile delinquency' is the violation of a law of the United States committed by a person prior to his eigteenth birthday which would have been a crime if committed by an adult."

DELINQUENCY PROCEEDINGS IN DISTRICT COURTS

SEC. 502. Section 5032 of title 18, United States Code, is amended to read as follows:

"§ 5032. Delinquency proceedings in district courts, transfer for criminal prosecution.

"A juvenile alleged to have committed an act of juvenile delinquency shall not be proceeded against in any court of the United States unless the Attorney General, after investigation, certifies to an appropriate district court of the United States that the juvenile court or other appropriate court of a State (1) does not have jurisdiction or refuses to assume jurisdiction over said juvenile with respect to such alleged act of juvenile delinquency, or (2) does not have available programs and services adequate for the needs of juveniles.

"If the Attorney General does not so certify, such juvenile shall be surrendered to the appropriate legal authorities of such State.

"If an alleged juvenile delinquent is not surrendered to the authorities of a State or the District of Columbia pursuant to this section, any proceedings against him shall be in an appropriate district court of the United States. For such purposes, the court may be convened at any time and place within the district, in chambers or otherwise. The Attorney General shall proceed by information, and no criminal prosecutions shall be instituted for the alleged act of juvenile delinquicy except as provided below.

"A juvenile who alleged to have committed an act of juvenile delinquency and who is not surrendered to State authorities shall be proceeded against under this chapter unless he has requested in writing upon advice of counsel to be proceeded against as an adult, except that, with respect to a juvenile sixteen years and older alleged to have committed an act after his sixteenth birthday which if committed by an adult would be a felony punishable by a maximum penalty of ten years imprisonment or more, life imprisonment, or death, criminal prosecution on the basis of the alleged act may be begun by motion to transfer of the Attorney General in the appropriate district court of the United States, if such court finds, after hearing, such transfer would be in the interest of justice.

"Evidence of the following factors shall be considered and findings with regard to each factor shall be made in the record, in assessing whether a transfer would be in the interest of justice: the age and social background of the juvenile; the nature of alleged offense; the extent and nature of the juvenile's prior delinquency record; the juvenile's present intellectual development and psychological maturity; the nature of past treatment efforts and the juvenile's response to such efforts; the availability of programs designed to treat the juvenile's behavioral problems.

"Reasonable notice of the transfer hearing shall be given to the juvenile, his parents, guardian, or custodian and to his counsel. The juvenile shall be assisted by counsel during the transfer hearing, and at every other critical stage of the proceedings.

"Once a juvenile has entered a plea of guilty or the proceeding has reached the stage that evidence has begun to be taken with respect to a crime or an alleged act of juvenile delinquency subsequent criminal prosecution or juvenile proceedings based upon such alleged act of delinquency shall be barred.

"Statements made by a juvenile prior to or during a transfer hearing under this section shall not be admissible at subsequent criminal prosecutions."

CUSTODY

SEC. 503. Section 5033 of title 18, United States Code is amended to read as follows:

"§ 5033. Custody prior to appearance before magistrate

"Whenever a juvenile is taken into custody for an alleged act of juvenile delinquency, the arresting officer shall immediately advise such juvenile of his legal rights, in language comprehensive to a juvenile, and shall immediately notify the Attorney General and the juvenile's parents, guardian, or custodian of such custody. The arresting officer shall also notify the parents, guardian, or custodian of the rights of the juvenile and of the nature of the alleged offense.

"The juvenile shall be taken before a magistrate forthwith. In no event shall the juvenile be detained for longer than a reasonable period of time before being brought before a magistrate."

DUTIES OF MAGISTRATE

SEC. 504. Section 5034 of title 18, United States Code, is amended to read as follows:

"§ 5034. Duties of magistrate

"The magistrate shall insure that the juvenile is represented by counsel before proceeding with critical stages of the proceedings. Counsel shall be assigned to represent a

juvenile when the juvenile and his parents, guardian, or custodian are financially unable to obtain adequate representation. In cases where the juvenile and his parents, guardian, or custodian are financially able to obtain adequate representation but have not retained counsel, the magistrate may assign counsel and order the payment of reasonable attorney's fees or may direct the juvenile, his parents, guardian, or custodian to retain private counsel within a specified period of time.

"The magistrate may appoint a guardian ad litem if a parent or guardian of the juvenile is not present, or if the magistrate has reason to believe that the parents or guardian will not cooperate with the juvenile in preparing for trial, or that the interests of the parents or guardian and those of the juvenile are adverse.

"If the juvenile has not been discharged before his initial appearance before the magistrate, the magistrate shall release the juvenile to his parents, guardian, custodian, or other responsible party (including, but not limited to, the director of a shelter-care facility upon their promise to bring such juvenile before the appropriate court when requested by such court unless the magistrate determines, after hearing, at which the juvenile is represented by counsel, that the detention of such juvenile is required to secure his timely appearance before the appropriate court or to insure his safety or that of others."

DETENTION

SEC. 505. Section 5035 of this title is amended to read as follows:

"§ 5035. Detention prior to disposition

"A juvenile alleged to be delinquent may be detained only in a juvenile facility or such other suitable place as the Attorney General may designate. Whenever possible, detention shall be in a foster home or community based facility located in or near his home community. The Attorney General shall not cause any juvenile alleged to be delinquent to be detained or confined in any institution in which the juvenile has regular contact with adult persons convicted of a crime or awaiting trial on criminal charges. Insofar as possible, alleged delinquents shall be kept separate from adjudicated delinquents. Every juvenile in custody shall be provided with adequate food, heat, light, sanitary facilities, bedding, clothing, recreation, education, and medical care, including necessary psychiatric, psychological, or other care and treatment."

SPEEDY TRIAL

SEC. 506. Section 5036 of this title is amended to read as follows:

"§ 5036. Speedy trial

"If an alleged delinquent who is in detention pending trial is not brought to trial within thirty days from the date upon which such detention was begun, the information shall be dismissed on motion of the alleged delinquent or at the direction of the court, unless the Attorney General shows that additional delay was caused by the juvenile or his counsel, or consented to by the juvenile and his counsel, or would be in the interest of justice in the particular case. Delays attributable solely to court calendar congestion may not be considered in the interest of justice. Except in extraordinary circumstances, an information dismissed under this section may not be reinstituted.

DISPOSITION

SEC. 507. Section 5037 is amended to read as follows:

"§ 5037. Dispositional hearing

"(a) If a juvenile is adjudicated delinquent, a separate dispositional hearing shall be held no later than twenty court days after trial unless the court has ordered further study in accordance with subsection (c). Copies of the presentence report shall be provided to the attorneys for both the juvenile and the Government a reasonable time in advance of the hearing.

"(b) The court may suspend the adjudication of delinquency or the disposition of the delinquent on such conditions as it deems proper, place his on probation, or commit him to the custody of the Attorney General. Probation, commitment, or commitment in accordance with subsection (c) shall not extend beyond the juvenile's twenty-first birthday or the maximum term which could have been imposed on an adult convicted of the same offense, whichever is sooner, unless the juvenile has attained his nineteenth birthday at the time of disposition, in which case probation, commitment, or commitment in accordance with subsection (c) shall not exceed the lesser of two years or the maximum term which could have been imposed on an adult convicted of the same offense.

"(c) If the court desires more detailed information concerning an alleged or adjudicated delinquent, it may commit him, after notice and hearing at which the juvenile is represented by counsel, to the custody of the Attorney General for observation and study by an appropriate agency. Such observation and study shall be conducted on an outpatient basis, unless the court determines that inpatient observation and study are necessary to obtain the desired information. In the case of an alleged juvenile delinquent, inpatient study may be ordered only with the consent of the juvenile and his attorney. The agency shall make a complete study of the alleged or adjudicated delinquent to ascertain his personal traits, his capabilities, his background, any previous delinquency or criminal experience, any mental or physical defect, and any other relevant factors. The Attorney General shall submit to the court and the attorneys for the juvenile and the Government the results of the study within thirty days after the commitment of the juvenile, unless the court grants additional time."

JUVENILE RECORDS

SEC. 508. Section 5038 is added, to read as follows:

"§ 5038. Use of juvenile records

"(a) Throughout the juvenile delinquency proceeding the court shall safeguard the records from disclosure. Upon the completion of any juvenile delinquency proceeding whether or not there is an adjudication the district court shall order the entire file and record of such proceeding sealed. After such sealing, the court shall not release these records except to the extent necessary to meet the following circumstances:

"(1) inquiries received from another court of law;

"(2) inquiries from an agency preparing a presentence report for another court;

"(3) inquiries from law enforcement agencies where the request for information is related to the investigation of a crime or a position within that agency;

"(4) inquiries, in writing, from the director of a treatment agency or the director of a facility to which the juvenile has been committed by the court; and

"(5) inquiries from an agency considering the person for a position immediately and directly affecting the national security. Unless otherwise authorized by this section, information about the sealed record may not be released when the request for information is related to an application for employment, license, bonding, or any civil right or privilege. Responses to such inquiries shall not be different from responses made about persons who have never been involved in a delinquency proceeding.

"(b) District courts exercising jurisdiction over any juvenile shall inform the juvenile, and his parent or guardian, in writing in clear and nontechnical language, of rights relating to the sealing of his juvenile record.

"(c) During the course of any juvenile delinquency proceeding, all information and records relating to the proceeding, which are obtained in the discharge of an official duty by an employee of the court or an employee of any other governmental agency, shall be disclosed directly or indirectly to anyone other than the judge, counsel for the juvenile and the government, or others entitled under this section to receive sealed records.

"(d) Unless a juvenile who is taken into custody is prosecuted as an adult—

"(1) neither the fingerprints nor a photograph shall be taken without the written consent of the judge; and

"(2) neither the name nor picture of any juvenile shall be made public by any medium of public information in connection with a juvenile delinquency proceeding."

COMMITMENT

SEC. 509. Section 5039 is added, to read as follows:

"§ 5039. Commitment

"No juvenile committed to the custody of the Attorney General may be placed or retained in an adult jail or correctional institution in which he has regular contact with adults incarcerated because they have been convicted of a crime or are awaiting trial on criminal charges.

"Every juvenile who has been committed shall be provided with adequate food, heat, light, sanitary facilities, bedding, clothing, recreation, counseling, education, training, and medical care including necessary psychiatric, psychological, or other care and treatment.

"Whenever possible, the Attorney General shall commit a juvenile to a foster home or community-based facility located in or near his home community."

SUPPORT

SEC. 510. Section 5040 is added, to read as follows:

"§ 5040. Support

"The Attorney General may contract with any public or private agency or individual and such community-based facilities as halfway houses and foster homes for the observation and study and the custody and care of juveniles in his custody. For these purposes, the Attorney General may promulgate such regulations as are necessary and may use the appropriation for 'support of United States prisoners' or such other appropriations as he may designate."

PAROLE

SEC. 511. Section 5041 is added to read as follows:

"§ 5041. Parole

"The Board of Parole shall release from custody, on such conditions as it deems necessary, each juvenile delinquent who has been committed, as soon as the Board is satisfied that he is likely to remain at liberty without violating the law and when such release would be in the interest of justice."

REVOCATION

SEC. 512. Section 5042 is added to read as follows:

"§ 5042. Revocation of parole or probation

"Any juvenile parolee or probationer shall be accorded notice and a hearing with counsel before his parole or probation can be revoked."

SEC. 513. The table of sections of chapter 403 of this title is amended to read as follows:

"Sec.
"5031. Definitions.
"5032. Delinquency proceedings in district courts; transfer for criminal prosecution.
"5033. Custody prior to appearance before magistrate.
"5034. Duties of magistrate.
"5035. Detention prior to disposition.
"5036. Speedy trial.

"5037. Dispositional hearing.
"5038. Use of juvenile records.
"5039. Commitment.
"5040. Support.
"5041. Parole.
"5042. Revocation of parole or probation.".

PART B—NATIONAL INSTITUTE OF CORRECTIONS

SEC. 521. Title 18, United States Code, is amended by adding a new chapter 319 to read as follows:

"CHAPTER 319.—NATIONAL INSTITUTE OF CORRECTIONS

"SEC. 4351. (a) There is hereby established within the Bureau of Prisons a National Institute of Corrections.

"(b) The overall policy and operations of the National Institute of Corrections shall be under the supervision of an Advisory Board. The Board shall consist of sixteen members. The following six individuals shall serve as members of the Commission ex officio: the Director of the Federal Bureau of Prisons or his designee, the Administrator of the Law Enforcement Assistance Administration or his designee, Chairman of the United States Parole Board or his designee, the Director of the Federal Judicial Center or his designee, the Deputy Assistant Administrator for the National Institute for Juvenile Justice and Delinquency Prevention or his designee, and the Assistant Secretary for Human Development of the Department of Health, Education, and Welfare or his designee.

"(c) The ten remaining members of the Board shall be selected as follows:

"(1) Five shall be appointed initially by the Attorney General of the United States for staggered terms; one member shall serve for one year, one member for two years, and three members for three years. Upon the expiration of each member's term, the Attorney General shall appoint successors who will each serve for a term of three years. Each member selected shall be qualified as a practitioner (Federal, State, or local) in the field of corrections, probation, or parole.

"(2) Five shall be appointed initially by the Attorney General of the United States for staggered terms, one member shall serve for one year, three members for two years, and one member for three years. Upon the expiration of each member's term the Attorney General shall appoint successors who will each serve for a term of three years. Each member selected shall be from the private sector, such as business, labor, and education, having demonstrated an active interest in corrections, probation, or parole.

"(d) The members of the Board shall not, by reason of such membership, be deemed officers or employees of the United States. Members of the Commission who are full-time officers or employees of the United States shall serve without additional compensation, but shall be reimbursed for travel, subsistence, and other necessary expenses incurred in the performance of the duties vested in the Board. Other members of the Board shall, while attending meetings of the Board or while engaged in duties related to such meetings or in other activities of the Commission pursuant to this title, be entitled to receive compensation at the rate not to exceed the daily equivalent of the rate authorized for GS–18 by section 5332 of title 5, United States Code, including travel-time, and while away from their homes or regular places of business may be allowed travel expenses, including per diem in lieu of subsistence equal to that authorized by section 5703 of title 5, United States Code, for persons in the Government service employed intermittently.

"(e) The Board shall elect a chairman from among its members who shall serve for a term of one year. The members of the Board shall also elect one or more members as a vice-chairman.

"(f) The Board is authorized to appoint, without regard to the civil service laws, technical, or other advisory committees to advise the Institute with respect to the administration of this title as it deems appropriate. Members of these committees not otherwise employed by the United States, while engaged in advising the Institute or attending meetings of the committees, shall be entitled to receive compensation at the rate fixed by the Board but not to exceed the daily equivalent of the rate authorized for GS–18 by section 5332 of title 5, United States Code, and while away from their homes or regular places of business may be allowed travel expenses, including per diem in lieu of subsistence equal to that authorized by section 5703 of title 5, United States Code, for persons in the Government service employed intermittently.

"(g) The Board is authorized to delegate its powers under this title to such persons as it deems appropriate.

"(h) The Institute shall be under the supervision of an officer to be known as the Director, who shall be appointed by the Attorney General after consultation with the Board. The Director shall have authority to supervise the organization, employees, enrollees, financial affairs, and all other operations of the Institute and may employ such staff, faculty, and administrative personnel, subject to the civil service and classification laws, as are necessary to the functioning of the Institute. The Director shall have the power to acquire and hold real and personal property for the Institute and may receive gifts, donations, and trusts on behalf of the Institute. The Director shall also have the power to appoint such technical or other advisory councils comprised of consultants to guide and advise the Board. The Director is authorized to delegate his powers under this title to such persons as he deems appropriate.

"SEC. 4352. (a) In addition to other powers, express and implied, the National Institute of Corrections shall have authority—

"(1) to receive from or make grants to and enter into contracts with Federal, State, and general units of local government, public and private agencies, educational institutions, organizations, and individuals to carry out the purposes of this chapter;

"(2) to serve as a clearinghouse and information center for the collection, preparation and dissemination of information on corrections, including, but not limited to, programs for prevention of crime and recidivism, training of corrections personnel, and rehabilitation and treatment of criminal and juvenile offenders;

"(3) to assist and serve in a consulting capacity to Federal, State, and local courts, departments, and agencies in the development, maintenance, and coordination of programs, facilities, and services, training, treatment, and rehabilitation with respect to criminal and juvenile offenders;

"(4) to encourage and assist Federal, State, and local government programs and services, and programs and services of other public and private agencies, institutions, and organizations in their efforts to develop and implement improved corrections programs;

"(5) to devise and conduct, in various geographical locations, seminars, workshops, and training programs for law enforcement officers, judges, and judicial personnel, probation and parole personnel, correctional personnel, welfare workers, and other persons, including lay ex-offenders, and paraprofessional personnel, connected with the treatment and rehabilitation of criminal and juvenile offenders;

"(6) to develop technical training teams to aid in the development of seminars, workshops, and training programs within the several States and with the State and local agencies which work with prisoners, parolees, probationers, and other offenders.

"(7) to conduct, encourage, and coordinate research relating to corrections, including the causes, prevention, diagnosis, and treatment of criminal offenders;

"(8) to formulate and disseminate correctional policy, goals, standards, and recommendations for Federal, State, and local correctional agencies, organizations, institutions, and personnel;

"(9) to conduct evaluation programs which study the effectiveness of new approaches, techniques, systems, programs, and devices employed to improve the corrections system;

"(10) to receive from any Federal department or agency such statistics, data, program reports, and other material as the Institute deems necessary to carry out its functions. Each such department or agency is authorized to cooperate with the Institute and shall, to the maximum extent practicable, consult with and furnish information to the Institute;

"(11) to arrange with and reimburse the heads of Federal departments and agencies for the use of personnel, facilities, or equipment of such departments and agencies;

"(12) to confer with and avail itself of the assistance, services, records, and facilities of State and local governments or other public or private agencies, organizations, or individuals;

"(13) to enter into contracts with public or private agencies, organizations, or individuals, for the performance of any of the functions of the Institute; and

"(14) to procure the services of experts and consultants in accordance with section 3109 of title 5 of the United States Code, at rates of compensation not to exceed the daily equivalent of the rate authorized for GS–18 by section 5332 of title 5 of the United States Code.

"(b) The Institute shall on or before the 31st day of December of each year submit an annual report for the preceding fiscal year to the President and to the Congress. The report shall include a comprehensive and detailed report of the Institute's operations, activities, financial condition, and accomplishments under this title and may include such recommendations related to corrections as the Institute deems appropriate.

"(c) Each recipient of assistance under this shall keep such records as the Institute shall prescribe, including records which fully disclose the amount and disposition by such recipient of the proceeds of such assistance, the total cost of the project or undertaking in connection with which such assistance is given or used, and the amount of that portion of the cost of the project or undertaking supplied by other sources, and such other records as will facilitate an effective audit.

"(d) The Institute, and the Comptroller General of the United States, or any of their duly authorized representatives, shall have access for purposes of audit and examinations to any books, documents, papers, and records of the recipients that are pertinent to the grants received under this chapter.

"(e) The provision of this section shall apply to all recipients of assistance under this title, whether by direct grant or contract from the Institute or by subgrant or subcontract from primary grantees or contractors of the Institute.

"SEC. 4353. There is hereby authorized to be appropriated such funds as may be required to carry out the purposes of this chapter."

PART C—CONFORMING AMENDMENTS

SEC. 541. (a) The section titled "DECLARATION AND PURPOSE" in title I of the Omnibus Crime Control and Safe Streets Act of 1968, as amended (82 Stat. 197; 84 Stat. 1881; 87 Stat. 197), is amended by inserting immediately after the second paragraph thereof the following new paragraph:

"Congress finds further that the high incidence of delinquency in the United States today results in enormous annual cost and immeasurable loss in human life, personal security, and wasted human resources, and

that juvenile delinquency constitutes a growing threat to the national welfare requiring immediate and comprehensive action by the Federal Government to reduce and prevent delinquency.".

(b) Such section is further amended by adding at the end thereof the following new paragraph:

"It is therefore the further declared policy of Congress to provide the necessary resources, leadership, and coordination to (1) develop and implement effective methods of preventing and reducing juvenile delinquency; (2) to develop and conduct effective programs to prevent delinquency, to divert juveniles from the traditional juvenile justice system and to provide critically needed alternatives to institutionalization; (3) to improve the quality of juvenile justice in the United States; and (4) to increase the capacity of State and local governments and public and private agencies to conduct effective juvenile justice and delinquency prevention and rehabilitation programs and to provide research, evaluation, and training services in the field of juvenile justice and delinquency prevention.".

SEC. 542. The third sentence of section 203 (a) of title I of the Omnibus Crime Control and Safe Streets Act of 1968 as amended (82 Stat. 197; 84 Stat. 1881; 87 Stat. 197), is amended to read as follows: "The State planning agency and any regional planning units within the State shall, within their respective jurisdictions, be representative of the law enforcement and criminal justice agencies including agencies directly related to the prevention and control of juvenile delinquency, units of general local government, and public agencies maintaining programs to reduce and control crime, and shall include representatives of citizens, professional, and community organizations including organizations directly related to delinquency prevention.".

SEC. 543. Section 303(a) of title I of the Omnibus Crime Control and Safe Streets Act of 1968 is amended by adding after the first sentence the following: "In order to receive formula grants under the Juvenile Justice and Delinquency Prevention Act of 1974 a State shall submit a plan for carrying out the purposes of that Act in accordance with this section and section 223 of that Act.".

SEC. 544. Section 520 or title I of the Omnibus Crime Control and Safe Streets Act of 1968 is amended by (1) inserting "(a)" after "SEC. 520." and (2) by inserting at the end thereof the following:

"(b) In addition to the funds appropriated under section 261(a) of the Juvenile Justice and Delinquency Prevention Act of 1974, the Administration shall expend from other Law Enforcement Assistance Administration appropriations, other than the appropriations for administration, at least the same level of financial assistance for juvenile delinquency programs as was expended by the Administration during fiscal year 1972.".

SEC. 545. Part F of title I of the Omnibus Crime Control and Safe Streets Act of 1968 is amended by adding at the end thereof the following new sections:

"SEC. 526. The Administrator is authorized to accept and employ, in carrying out the provisions of this Act, voluntary and uncompensated services notwithstanding the provisions of section 3679(b) of the Revised Statutes (31 U.S.C. 665(b)).

"SEC. 527. All programs concerned with juvenile delinquency and administered by the Administration shall be administered or subject to the policy direction of the office established by section 201(a) of the Juvenile Justice and Delinquency Prevention Act of 1974.

"SEC. 528. (a) The Administrator is authorized to 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.

"(b) Notwithstanding the provisions of section 5108 of title 5, United States Code, and without prejudice with respect to the number of positions otherwise placed in the Administration under such section 5108, the Administrator may place three positions in GS–16, GS–17, and GS–18 under section 5332 of such title 5.".

And the House agree to the same.

CARL D. PERKINS,
AUGUSTUS F. HAWKINS,
SHIRLEY CHISHOLM,
ALBERT H. QUIE,
Managers on the Part of the House.

BIRCH BAYH,
JAMES O. EASTLAND,
JOHN L. MCCLELLAN,
PHILIP A. HART
QUENTIN N. BURDICK,
ROMAN HRUSKA,
HUGH SCOTT,
MARLOW W. COOK,
CHARLES MCC. MATHIAS, JR.,
Managers on the Part of the Senate.

JOINT EXPLANATORY STATEMENT OF THE COMMITTEE OF CONFERENCE

The managers on the part of the House and the Senate at the conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 821) to improve the quality of juvenile justice in the United States and to provide a comprehensive, coordinated approach to the problems of juvenile delinquency, and for other purposes, submit the following joint statement to the House and the Senate in explanation of the effect of the action agreed upon by the managers and recommended in the accompanying conference report:

The Senate bill amended Title I of the Omnibus Crime Control and Safe Streets Act as amended while the House amendment established an independent bill. The conference substitute is an independent Act. It is not part of the Omnibus Crime Control and Safe Streets Act. It changes such Act to bring it into conformity with the Juvenile Justice and Delinquency Prevention Act. These conforming amendments represent no substantive changes from the Senate bill.

The Senate bill provides for the creation of an Office of Juvenile Justice and Delinquency Prevention within the Department of Justice, Law Enforcement Assistance Administration, to be directed by an Assistant Administrator appointed by the President with the advice and consent of the Senate. The House amendment created a Juvenile Delinquency Prevention Administration with the Department of Health, Education, and Welfare, to be directed by a Director appointed by the Secretary. The conference substitute adopts the Senate provision.

The House amendment provided for a Federal assistance program for services to runaway youth and their families to be administered by the Department of Health, Education, and Welfare. There was no comparable Senate provision. The conference substitute adopts the House provision.

The Senate bill amended the Federal Juvenile Delinquency Act which provides certain rights to Juveniles within Federal jurisdictions. There was no comparable House provision. The conference substitute adopts the Senate provision.

The Senate bill contained an amendment which permitted Federal surplus property to be contributed to States for use in their criminal justice programs. There was no comparable House provision. The conference substitute does not contain the Senate language. In deleting the Senate provision, it is noted that the House Committee on Government Operations is taking up a general revision of the subject of excess and surplus property disposition. It is hoped that the needs of Law Enforcement Agencies will receive due consideration for suitable priority and entitlement to eligibility. In the meantime, it is hoped that the General Services Administration will liberally construct the new regulations to best meet the needs of Law Enforcement Agencies.

The House amendment defined "construction" to exclude the erection of new structures. There was no comparable Senate provision. The conference substitute adopts the House provision.

The House amendment included alcohol abuse programs in the definition of "community based" programs. There was no comparable Senate provision. The conference substitute adopts the House provision.

The House amendment included alcohol abuse in the definition of "juvenile delinquency" programs. There was no comparable Senate provision. The conference substitute adopts the House provision.

The Senate bill required that the Administrator coordinate all Federal juvenile delinquency programs and policies. The House amendment provided that the Secretary shall establish overall Federal juvenile delinquency policies and programs. The conference substitute adopts the Senate provision.

The Senate bill authorized the Assistant Administrator of LEAA to appoint three GS–18 officers on appointment and to obtain other GS–18 officers on detail from other Federal agencies. The House amendment authorized the Secretary to appoint such officers as he deemed necessary. The conference substitute adopts the Senate provision.

The Senate bill authorized the Administrator to "implement" Federal juvenile delinquency programs and policies. The House amendment authorized the Secretary to "coordinate" all Federal juvenile delinquency programs and activities. The conference substitute adopts the Senate provision.

The Senate bill required annual evaluation and analysis of all Federal juvenile delinquency programs one year after the enactment of this bill. The House amendment required that the first annual report be submitted by September 30th. The conference substitute adopts the Senate provision.

The House amendment provided that, upon receipt of each annual report, the President must report to the Congress on actions taken or anticipated with respect to the recommendations of the Secretary; that the first annual report identify the characteristics of Federal juvenile delinquency programs; the second report identify all Federal juvenile delinquency programs with budgetary information; and the third report detail the procedures to be followed by all Federal agencies in submitting juvenile delinquency development statements. There was no comparable Senate provision. The conference substitute adopts the House provision with reporting to be made through the Attorney General.

The Senate bill authorized the Administrator to "request" information from other Federal agencies. The House amendment authorized the Secretary to "require" information from other Federal agencies. The conference substitute authorizes the administrator to "require through appropriate authority" such information.

The Senate bill required the Administrator to coordinate all juvenile delinquency functions with the Department of Health, Education, and Welfare. There was no comparable House provision. The conference substitute adopts the Senate provision.

The House amendment required that each Federal agency conducting a juvenile delinquency program submit to the Secretary a development statement analyzing the extent to which the program conforms with and furthers Federal juvenile delinquency prevention and treatment goals and policies. This statement, accompanied by the Secretary's response, shall accompany the legisla-

tive request of each Department. There was no comparable Senate provision. The conference substitute adopts the House provision with reporting to be made through the Attorney General.

The Senate bill authorized the Administrator to "request" that one Federal agency act for several in a joint funding situation. The House amendment authorized the Secretary to "designate" a Federal agency to act for several in a joint funding situation. The conference substitute adopts the Senate provision.

The Senate bill provided for the creation of an Interdepartmental Council on Juvenile Delinquency. There was no comparable House provision. The conference substitute does not contain the Senate language.

The Senate bill provided for the creation of a National Advisory Committee for Juvenile Justice and Delinquency Prevention. There was no comparable House provision. The conference substitute adopts the Senate provision.

The House amendment provided for a Coordinating Council on Delinquency Prevention which was independent, had a separate budget and public members. There was no comparable Senate provision. The conference substitute adopts the House provision with an amendment eliminating public members from the Council.

The Senate bill provided a minimum allocation of $200,000 to each State. The House amendment provided a minimum allocation of $150,000 to each State. The confcrence substitute adopts the Senate provision.

The House amendment included the Trust Territory of the Pacific Islands among the territories, for which a minimum allocation of $50,000 shall be made available from formula grants. There was is comparable Senate provision. The conference substitute adopts the House provision.

The House amendment provided for a 10% matching share requirement in cash for State and local programs. There was no comparable Senate provision. The conference substitute adopts the House provision with an amendment that financial assistance shall provide a 10% matching requirement which may be in cash or in kind.

The Senate bill provided for a State advisory body to advise the State Planning Agency. The House amendment provided for a State Supervisory Board to monitor implementation of the State plan. The conference substitute adopts the Senate provision.

The House amendment required that at least two members of the State Supervisory Board have been in the juvenile justice system. There was no comparable Senate provision. The conference substitute does not contain the House language. In deleting this provision the conferees note that the appointment of such persons to the State advisory board is to be encouraged, by virtue of their invaluable and unique experiences which could broaden the perspective of State Planning Agencies.

The Senate bill provided that 50% of the funds to State and local governments be spent through local governments. The House amendment provided that 75% of the funds be spent through local governments. The conference substitute provides that 66⅔% of the funds to State and local governments be spent through local governments.

The House amendment required that the local chief executive provide for the supervision of local programs by designating a local supervisory board. The Senate bill required that the local chief executive must provide for the supervision of local programs. The conference substitute adopts the Senate provision.

The House amendment provided that applications for special emphasis grants and applications shall indicate the response of the State and local agency to the request for review and comment. There was no comparable Senate provision. The conference substitute adopts the House provision. The Conferees emphasize that the provision listed under *State Plans*, Section 223(a)(19) which provides that any funds available under that part will be used to supplement and increase (but not supplant) the level of state, local and other non-federal funds that would be used in the absence of federal funds shall apply not only to the State Plan provisions but for *all of the programs authorized under this Act*. The maintenance of effort requirements will cover all activities presently conducted by any public or private agency or organization which might receive funding under any of the programs authorized under this legislation.

The Senate bill defined advanced techniques in the treatment and prevention of Juvenile Delinquency. The House amendment contained similar, but more general definitions of advanced techniques. The conference substitute adopts the Senate provision.

The House amendment, in its definitions of advanced techniques, included the prevention of alcohol abuse and the retention of youth in elementary and secondary schools. There was no comparable Senate provision. The conference substitute contains the House provision.

The Senate bill "requires" that within two years of enactment, juvenile status offenders be placed in shelter facilities; that delinquents not be detained or incarcerated with adults; and that a monitoring system be developed to ensure compliance with these provisions. The House amendment "encourages" such activities. The conference substitute adopts the Senate provision.

The Senate bill "provides" for the development of State research capacity. The House amendment "encourages" the development of State research capacity. The conference substitute adopts the Senate provision.

The House amendment included the physically handicapped among groups to whom assistance should be made available on an equitable basis. There was no comparable Senate provision. The conference substitute adopts the House provision.

The Senate bill provided for specific protection to be afforded employees affected by this Act. The House amendment provided for "fair and equitable treatment" to be afforded employees affected by this Act. The conference substitute adopts the Senate provision with an amendment deleting the phrase "as determined by the Secretary of Labor" and providing that arrangements for the protection of employees shall be to the maximum extent feasible. It is the intent of the conferees that the Administrator of LEAA consult with the Secretary of Labor, in order to utilize his expertise, before establishing guidelines for implementation of fair and equitable arrangements to protect the interests of employees affected by assistance under this Act. It is the further intent of the conferees that problems concerning employee protection arrangements shall be resolved by the Administrator in consultation with the Secretary of Labor where necessary.

The Senate bill provided for the involvement and participation of private agencies and the maximum utilization and coordination of existing juvenile delinquency programs in the development of the State plan. There was no comparable House provision. The conference substitute adopts the Senate provision.

The Senate bill required the reallocation of the State formula allotment to public and private agencies when a state plan is deliberately not prepared or modified. The funds reallocated will be utilized for special emphasis prevention and treatment programs within such State. The House bill contained a similar provision but makes no distinction regarding intentions. The conference substitute adopts the Senate provision.

The Senate bill provided that should no State plan be submitted due to neglect or oversight, the Administrator shall "endeavor" to make that State's allotment available to public and private agencies under the special emphasis program. There was no comparable House provision. The conference substitute adopts the Senate provision.

The Senate bill prohibited the use of potentially dangerous behavior modification treatment modalities on non-adjudicated youth without parental consent. There was no comparable House provision. The conference substitute contains no provision for the Senate language.

The House amendment provided for programs to retain youth in elementary and secondary schools and to prevent alcohol abuse among its special emphasis programs and grants. There was no comparable Senate provision. The conference substitute adopts the House provision.

The Senate bill provided a ceiling of 50% for assistance in Special Emphasis grants and programs. There was no comparable House provision. The conference substitute adopts the Senate provision.

The House amendment provided that priority for Special Emphasis grants and contracts be given to public and private nonprofits groups which have had experience in dealing with youth. There was no comparable Senate provision. The conference substitute does not contain the House language.

The Senate bill contains an application procedure for Special Emphasis grants related to the State Planning Agency. The House application for special emphasis grants and contracts was similar but did not specifically related to the State Planning Agency. The conference substitute adopts the Senate provision.

The Senate bill provided that the purpose of the special emphasis program was to implement the recommendations of the Advisory Committee. The House amendment provided that the purpose of the special emphasis program is to implement the recommendations of the Institute. The conference substitute provides that the purpose of the special emphasis program is to implement the recommendations of the Advisory Committee and the Institute.

The House amendment limited the use of funds for construction purposes to 50% for community-based facilities. There was no comparable Senate provision. The conference substitute adopts the House provision.

The House amendment limited to 25% the amount that a recipient may be required to contribute to the total cost of services. There was no comparable Senate provision. The conference substitute does not contain the House provision.

The Senate bill authorized the Administrator to utilize up to 25% of the formula grant funds to meet the non-Federal matching requirement of other Federal juvenile delinquency programs. The House amendment provided up to 25% of all funds to be utilized for this purpose. The conference substitute adopts the Senate provision.

The Senate bill established a National Institute for Juvenile Justice. The House amendment established an Institute for the Continuing Studies of the Prevention of Juvenile Delinquency. The conference substitute combines both provisions and establishes a National Institute for Delinquency Prevention and Juvenile Justice.

The House amendment specified the purposes of the Institute. There was no comparable Senate provision. The conference substitute adopts the House provision.

The House amendment included among the functions of the Institute, the dissemination of data, the preparation of a study on delinquency prevention and the development of technical training teams. There was no comparable Senate provision. The conference substitute adopts the House provision.

The Senate bill included seminars and workshops among the functions of the Institute. The House amendment included similar language among the functions of the Institute. The conference substitute adopts the Senate provision.

The Senate bill included training among the functions of the Institute. The House amendment included specific aspects of training among the functions of the Institute. The conference substitute adopts the House provision.

The House amendment provided that the functions, powers and duties of the Institute may not be transferred elsewhere without specific Congressional consent. There was no comparable Senate provision. The conference substitute does not contain the House language.

The House amendment provided for the specific powers of the Institute. There was no comparable Senate provision. The conference substitute adopts the House provision.

The House amendment provided for the specific powers and responsibilities of the Institute staff. The Senate bill contained similar but more general language. The conference substitute adopts the House provision.

The House amendment provided for the establishment of the training program, the curriculum of the training program, and the enrollment of participants in the training program of the Institute. There was no comparable Senate provision. The conference substitute adopts the House provision.

The Senate bill provided that the annual report of the Institute shall be submitted to the Administrator who, in turn, shall include a summary of this report and recommendations in his report to the President and the Congress. The House amendment provided that the Institute shall submit an annual report to the President and to the Congress. The conference substitute adopts the Senate provision.

The Senate bill provided for the development of standards for juvenile justice by the submission of an Advisory Committee report to the President and the Congress as well as by other means. The House amendment provided for the development of standards for juvenile justice by the submission of a report to the President and to Congress as well as by other means. The conference substitute adopts the Senate provision.

The House amendment authorized the Institute to make budgetary recommendations concerning the Federal budget. The Senate bill contained no such provision. The conference substitute adopts the Senate provision.

The Senate bill prohibited revealing individual identities, gathered for the purposes of the Institute, to any "other agency, public or private". The House amendment prohibited the disclosure of such information to "any public or private agency". The conference substitute adopts the Senate provision.

The House amendment authorized an appropriation for the Institute of not more than 10% of the total appropriation authorized for this Act. There was no comparable Senate provision. The conference substitute does not contain the House language. The conferees were in disagreement about what the appropriate level of funding should be for the Institute. In deleting this provision, however, the conference agreed that the level of funding for the Institute should be less than 10% of the total appropriation for this Act.

The House amendment provided for the effective dates of this Act. There was no comparable Senate provision. The conference substitute adopts the House provision.

The House amendment provided that the powers, functions and policies of the Institute shall not be transferred elsewhere without Congressional consent. There was no comparable Senate provision. The conference substitute does not contain the House language.

The House amendment provided that the Institute, in developing standards for juvenile justice, shall recommend Federal budgetary actions among its recommendations. There was no comparable Senate provision. The conference susbtitute does not contain the House language. The Senate bill established a National Institute of Corrections within the Department of Justice, Bureau of Prisons. There was no comparable House provision. The conference substitute adopts the Senate provision.

The Senate bill provides a two year authorization of $75,000,000 and $150,000,000. The House amendment provides a four year authorization of $75,000,000, $75,000,000, $125,000,000 and $175,000,000. The conference substitute provides a three year authorization of $75,000,000, $125,000,000 and $150,000,000.

Section 512 and 520 of the Omnibus Crime Control and Safe Streets Act, as amended provide for LEAA's authorization through June 30, 1976. Section 261(a) of the conference substitute provides authorization for the juvenile delinquency programs through June 30, 1977. It is anticipated that LEAA's basic authorization will be continued and the agency will continue to administer these programs through June 30, 1977.

The conferees agreed to including a provision from the Senate bill which requires LEAA to maintain its current levels of funding for juvenile delinquency programs and not to decrease it as a result of the new authorizations under this Act. It is the further intention of the conferees that current levels of funding for juvenile delinquency programs in other Federal agencies not be decreased as a direct result of new funding under this Act.

The House amendment contains a specific non-discrimination provision. There is no specific provision in the Senate bill. The conference bill adopts a modification of the House provision. This modification complements and parallels the requirements of Section 518(c) of the Omnibus Crime Control and Safe Streets Act of 1968 and Title VI of the Civil Rights Act of 1964.

CARL D. PERKINS,
AUGUSTUS F. HAWKINS,
SHIRLEY CHISHOLM,
ALBERT H. QUIE,
Managers on the Part of the House.
BIRCH BAYH,
JAMES O. EASTLAND,
JOHN L. MCCLELLAN,
PHILIP A. HART,
QUENTIN N. BURDICK,
ROMAN HRUSKA,
HUGH SCOTT,
MARLOW W. COOK,
CHARLES MCC. MATHIAS, JR.,
Managers on the Part of the Senate.

ACTION HELD UP ON REORGANIZATION RESOLUTION

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

Mr. MARTIN of Nebraska. Mr. Speaker, it has been 6 months since the Select Committee on Committees reported out House Resolution 988, the Reorganization Act of the House. As the Members know, this has been held up for the past 6 months by the action of the Democratic Caucus.

Finally, last Thursday I was notified that a hearing was to be held in the Committee on Rules tomorrow, Tuesday morning, on this very important resolution. Twenty-four hours later, however, I was notified that it was called off because of the fact that some of the Members on the Democratic side of the aisle had put some pressure on the chairman of the Committee on Rules at the behest of the labor unions to cancel this hearing and hold up further consideration of this very important matter, one which the American people are demanding that the House take some action on.

Once again, Mr. Speaker, this illustrates the great power of the labor unions in this country, in opposition to the wishes of the American electorate. I hope that we can get this resolution called up before the Committee on Rules in the very near future.

ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. The Chair desires to make an announcement.

Pursuant to the provisions of clause 3(b) of rule XXVII, the Chair announces that he will postpone further proceedings today on each motion to suspend the rules on which a recorded vote or the yeas and nays are ordered, or on which the vote is objected to, under clause 4 of rule XV.

After all motions to suspend the rules have been entertained and debated and after those motions to be determined by "nonrecord" votes have been disposed of, the Chair will then put the question on each motion on which the further proceedings were postponed.

CALL OF THE HOUSE

Mr. MATHIS of Georgia. 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. 497]

Alexander	Frelinghuysen	Nelsen
Anderson, Ill.	Giaimo	O'Brien
Arends	Goldwater	Owens
Aspin	Gunter	Patten
Badillo	Hammer-schmidt	Pepper
Beard	Hanna	Pike
Blatnik	Hébert	Pritchard
Brasco	Johnson, Colo.	Rarick
Breckinridge	Kluczynski	Reid
Brotzman	Kyros	Roncalio, Wyo.
Buchanan	Landrum	Roncallo, N.Y.
Burke, Calif.	Leggett	Rooney, N.Y.
Burton, John	Lehman	Rosenthal
Butler	Litton	Roy
Byron	Lott	Ruppe
Carey, N.Y.	McClory	Sarbanes
Cederberg	McCloskey	Satterfield
Chisholm	McKinney	Stark
Clark	McSpadden	Stuckey
Corman	Macdonald	Teague
Cotter	Madigan	Tiernan
Daniel, Dan	Martin, Nebr.	Ullman
Davis, Ga.	Martin, N.C.	Van Deerlin
Diggs	Mayne	Vander Jagt
Dorn	Michel	Walsh
Drinan	Mink	Williams
Esch	Minshall, Ohio	Young, Alaska
Flowers	Mollohan	Young, Ill.
Ford	Murphy, N.Y.	Young, S.C.
Fountain	Nedzi	
Fraser		

The SPEAKER. On this rollcall 344 Members have recorded their presence by electronic device, a quorum.

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

ANTI-INFLATION ACT OF 1974

Mr. PATMAN. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 16425) to provide for the monitoring of the economy, and for other purposes.

The Clerk read the bill as follows:

H.R. 16425

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 "Anti-Inflation Act of 1974".

FINDINGS AND PURPOSES

SEC. 2. It is hereby defined that the Federal Government must have a continuing concern with the rate of inflation, supply, industrial capacity, and means of increasing productivity, and must place primary reliance on budgetary and monetary policy as well as international trade and exchange rate policy, to constrain domestic inflation. In addition, to contribute to the moderation of inflation without incurring the drawbacks of mandatory controls, a body within the executive branch should act to see that the Government's direct impact on prices and wages is less inflationary and encourage private parties and local and State governments to adjust their policies and practices to contribute to a less inflationary economy.

COST OF LIVING TASK FORCE

SEC. 3. (a) The President is authorized to establish, within the Executive Office of the President, a Cost of Living Task Force (hereinafter referred to as the "Task Force").

(b) The Task Force shall consist of the Counselor to the President for Economic Affairs, the Chairman of the Council of Economic Advisers, the Secretary of the Treasury, the Secretary of Agriculture, the Secretary of Commerce, the Secretary of Labor, the Director of the Office of Management and Budget, the Special Assistant to the President for Consumer Affairs, the Chairman of the National Commission on Productivity and Work Quality, and such other members as the President may, from time to time, designate or appoint. The President shall appoint the Chairman and the Vice Chairman of the Task Force.

(c) There shall be a Director of the Task Force who shall be appointed by the President and be a member of the Task Force. The Director shall be compensated at the rate prescribed for level IV of the Executive Schedule by section 5315 of title 5 of the United States Code. There shall be a Deputy Director of the Task Force who shall be appointed by the President and be compensated at the rate prescribed for level V of the Executive Schedule by section 5316 of title 5 of the United States Code. The Director of the Task Force shall be the chief executive officer of the Task Force and shall perform such functions as the President or the Chairman of the Task Force may prescribe. The Deputy Director shall perform such functions as the Chairman or the Director of the Task Force may prescribe.

(d) The Director of the Task Force may appoint, employ, and fix the compensation of such officers and employees, including attorneys, as are necessary to perform the functions of the Task Force and to prescribe their duties. In addition to the number of positions which may be placed in GS-16, GS-17, and GS-18 under existing law, the Director, with the approval of the Chairman of the Task Force, may, without regard to the provisions of title 5 of the United States Code relating to appointments in the competitive service, place, not to exceed five positions in GS-16, GS-17, and GS-18 to carry out the functions of the Task Force.

(e) The Director of the Task Force may employ experts, expert witnesses, and consultants in accordance with the provisions of section 3109 of title 5 of the United States Code, and compensate them at rates not in excess of the maximum daily rate prescribed for GS-18 by section 5332 of title 5 of the United States Code.

(f) The Director of the Task Force may, with their consent, utilize the services, personnel, equipment, and facilities of Federal, State, regional, and local public agencies and instrumentalities, with or without reimbursement therefor, and may transfer funds made available pursuant to this Act to Federal, State, regional, and local public agencies and instrumentalities as reimbursement for utilization of such services, personnel, equipment, and facilities.

FUNCTIONS OF THE TASK FORCE

SEC. 4. (a) The Task Force shall—

(1) review and analyze industrial capacity, demand and supply in various sectors of the economy, working with the industrial groups concerned and appropriate governmental agencies to encourage price restraint;

(2) work with labor and management in the various sectors of the economy having special economic problems, as well as with appropriate Government agencies, to improve the structure of collective bargaining and the performance of those sectors in restraining prices;

(3) improve wage and price data bases for the various sectors of the economy to improve collective bargaining and encourage price restraint;

(4) conduct public hearings when appropriate to provide for public scrutiny of inflationary problems in various sectors of the economy;

(5) focus attention on the need to increase productivity in both the public and private sectors of the economy;

(6) review the programs and activities of Federal departments and agencies and the private sector which may have effects on supply and prices and make recommendations for changes in such programs and activities to increase supply and restrain prices;

(7) evaluate the inflationary effects of international transactions, especially such aspects as the balance of payments, controls on imports and exports, and the cost of fuel and other commodities that directly or indirectly affect the rate of inflation;

(8) monitor the economy as a whole, including such matters as wages, costs, productivity, prices, sales, profits, imports and exports, and interest rates and rents.

(b) Nothing in this Act authorizes the imposition, or reimposition of any mandatory economic controls with respect to prices, rents, wages, salaries, corporate dividends, interest rates, or any similar transfers.

ACCESS TO UNITED STATES GOVERNMENT INFORMATION

SEC. 5. Any Department or agency of the United States which collects, generates, or otherwise prepares or maintains data or information pertaining to the economy or any sector of the economy shall, upon the request of the Chairman of the Task Force, make that data or information available to the Task Force.

REPORTS

SEC. 6. The Task Force shall transmit, through the President, quarterly reports to the Congress not later than thirty days after the close of each calendar quarter describing the actions taken under this Act during the preceding quarter, reporting its findings and recommendations with respect to the containment of inflation and the maintenance of a vigorous and prosperous peacetime economy, and giving its assessment of the progress attained in achieving the purpose of this Act.

AUTHORIZATION FOR APPROPRIATION

SEC. 7. There is hereby authorized to be appropriated $1,000,000, to be available until expended to carry out the purposes of this Act.

TERMINATION

SEC. 8. The authority granted by this Act terminates on June 30, 1976.

The SPEAKER. Is a second demanded?

Mr. J. WILLIAM STANTON. Mr. Speaker, I demand a second.

Mr. ROUSSELOT. Mr. Speaker, is the gentleman opposed to the bill?

Mr. J. WILLIAM STANTON. No, Mr. Speaker, I am not.

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

The SPEAKER. Is the gentleman opposed to the bill?

Mr. ROUSSELOT. I am, Mr. Speaker.

The SPEAKER. The gentleman qualifies.

Without objection, a second will be considered as ordered.

There was no objection.

Mr. PATMAN. Mr. Speaker, when the new President addressed Congress last week he called the state of the economy "not so good" and he pointed out that the American people are unanimously concerned about inflation. As a first step to bring about economic stability the President called on the Congress to pass, before the Labor Day recess, a bill to establish a Cost of Living Task Force which would enable the administration to monitor wages and prices so that abuses and inflationary price increases might be exposed. He specifically requested that the task force not be empowered to impose mandatory wage and price controls. Actually this request is similar to the one made by former President Nixon in a message to the Congress on August 2, 1974.

The members of the task force will be appointed by the President and it is given an authorization of $1 million to carry out its duties. During the course of its existence the task force shall first review industrial capacity, demand and supply for the purpose of persuading industrial and governmental agencies to exercise price restraints; second, work with labor, management, and appropriate Government agencies to improve the structure of collective bargaining and productivity; third, improve wage and price data bases for the various sectors of the economy to improve collective bargaining; fourth, conduct public hearings; fifth, to bring attention to bear on the need to increase productivity; sixth, review the activities of Federal agencies and the private sector which may tend to create shortages and increase prices and recommend changes to bring about an end to these practices; seventh, evaluate the inflationary effects of international transactions; and eighth, monitor the economy as a whole.

In other words, this agency will be a watchdog and provide the President a means to jawbone.

Your committee ordered this legislation favorably reported on August 15 by a vote of 27 to 7. While the bill is not as comprehensive as perhaps it should be, in light of the sad state of our economy it is a first step and one in which the President has requested. I doubt that anyone would argue that we simply do not need to do anything about the economy. We are presently experiencing a rate of inflation which amounted to 10 percent over the past 12 months and currently there is no sign of a significant moderation in this trend. Unemployment remains at about 5 percent, interest rates are higher than they have ever been in our history, the energy crisis continues, wholesale prices have more than doubled in the past 2 years and the housing industry is in the throes of depression.

Under these conditions people who suffer most are those who have low- and moderate-income and the elderly who are on fixed incomes. These people have no one to look to in times like this but their Government so I think that the Congress is obliged to act on this problem immediately; it would be irresponsible of us to do otherwise.

The only significant argument against this legislation is that it is in the words of one critic, "only the smallest, most insignificant thing you can do to solve America's economic problems and it would be unfair to pretend anything else."

While I would not argue, and I doubt if the members of your committee would disagree, that this Cost of Living Task Force is a cure-all for inflation and in view of the fact that we have a new President who has been in office less than a month, it probably would be unfair to require him to submit a comprehensive economic program at this time. At the same time, when he shows that he simply wants to do something about the economy, we should cooperate with him in every respect. This bill attempts to supply the President with the tools he requested and I urge your favorable consideration.

Mr. Speaker, I yield such time as he may consume to the gentleman from California (Mr. Moss).

Mr. MOSS. Mr. Speaker, I must rise in opposition to H.R. 16425. This is sham legislation and a gross fraud on the American people.

Polls released within recent days indicate that some 50 percent of the American people believe that there is the very real possibility of a 1930's type depression. Similarly, the Wall Street Journal states that—

> It is now no longer beyond the realm of possibility that the United States might soon have to endure a severe economic depression. (July 22, 1974).

Yet despite the seriousness of our situation, the most forceful part of this legislation, section 4(a)(2), states merely that the task force shall "work with labor and management, to improve the structure of collective bargaining and the performance of those sectors in restraining prices." Even this language, however, is not defined. What is the base period from which we are to measure the unreasonableness of increases in salaries, profits, and interest rates? This is the crux of the problem yet it is not addressed by this legislation.

H.R. 16425 further mandates the study of the economic factors which lead to inflation. This sort of study might be legitimate if we did not already have the Joint Committee on the Budget, the Joint Economic Committee, the Council of Economic Advisers, OMB, and the wells of expertise and activity in the various executive agencies, but we do. In fairness, Mr. Speaker, I must conclude that this legislation is no more than a cosmetic device to cover a lack of real and responsible action. I submit, Mr. Speaker, that this conclusion is one which will be shared by our constituents.

What is needed is real dialog between the Congress and the executive branch. One day of hearings in the Banking and Currency Committee and 40 minutes of debate on the floor today does not constitute such a dialog.

We are in need of an intelligent food policy. The Congress and the President should strive for a combination of full production targets, some export controls, a cut of overseas military spending to alter the foreign exchange rates which largely explain the inflationary press of foreign demand and careful monitoring by the Department of Agriculture.

We are also in need of an articulated energy policy. Mass transit will be considered tomorrow. FEO should have provided us with information concerning the future tradeoffs between possibly inflationary spending now and the effect on the economy of continuing high oil prices. We should work with the President to pass measures allowing the consumer to intelligently choose energy efficient products. We should further move forward with legislation requiring more efficient automobiles, the great consumers of oil in our economy. These measures by affecting our balance of payments would go far in affecting foreign demand and in turn domestic prices for our grain, timber, and metals.

We should also begin to examine with the President the policies of the Federal Reserve. Its tight money policies have essentially stopped housing construction in many parts of the country. This cure offered by the believers in the "old time religion" of tight money is the cause of inflation in this important sector of the economy. We should carefully explore the use of credit rationing for the housing industry and other industries hardest hit by unemployment.

Mr. Speaker, we must also investigate the tax laws which make it possible for the enormous multinational conglomerates to expand notwithstanding staggering interest rates. The tax laws give such giants effective subsidies from the U.S. Treasury which small business does not enjoy. One need only look at the soaring bankruptcy rate among small businesses to realize that the costs of deflation are borne by the small business while the conglomerates continue to share increasing profits. We must work with the President to end these discriminatory policies.

Finally, Mr. Speaker, we need to discuss with the President the need for stand by power to control inflationary price hikes. "Jawboning" alone is a most ineffectual weapon against what the President refers to as "public enemy No. 1, inflation."

In conclusion, Mr. Speaker, much needs to be done and much can be done. Let us have an end of cosmetic studies and get on with the important business at hand. We cannot do this if we vote to abdicate our important role in this area.

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

Mr. PATMAN. Mr. Speaker, I yield for a question but not for a speech.

Mr. GROSS. Mr. Speaker, I just made a trip to the minority desk to obtain a copy of the report. There is no report. Where is the report on this bill?

Mr. PATMAN. The object of a suspension of the rules is to suspend all the rules, so that any rule requiring the report is suspended by this action.

Mr. GROSS. That is hardly the question. The bill ought to be accompanied by a report, irrespective of anything else.

Mr. PATMAN. If we had had time under the rules to have gotten out the report before we had it on the Suspension Calendar today, we would have done it.

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

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

Mr. ROUSSELOT. Mr. Speaker, I appreciate my chairman yielding to me.

Did not the gentleman from Illinois (Mr. CRANE), in committee on Thursday or Wednesday when we took this bill up, and the gentleman from Texas asked for unanimous consent that we shorten the time in which the report would be made ready because the gentleman from Texas wanted to have it completed by Friday. My assumption was—as I am sure it was the assumption of Mr. CRANE—that the report would be available today. Did the printer not get the report out?

Mr. PATMAN. I think the gentleman is mistaken. I assure him that all rules are complied with in the presentation of this bill.

Mr. ROUSSELOT. I did not say that the rules were not complied with. My understanding was at the time that, if we submitted our minority or supplemental views by Friday, we were assured that was being done so that the committee staff would have an opportunity to make sure that the printed report was submitted for today.

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

Mr. PATMAN. I yield to the gentleman from Wisconsin for further explanation.

Mr. REUSS. Mr. Speaker, perhaps I can throw some light on what was a good faith effort by the committee to get a report ready.

The gentleman from Illinois (Mr. CRANE) asked for time to file individual views as he was entitled to do. Because it was then the universal assumption that the House would sit on Friday, Mr. CRANE and others similarly situated were allowed until Friday midnight to file their separate views.

In the event, the House did not sit on Friday; hence, the perfectly proper additional views of Mr. CRANE could not be filed. The report is ready, but it could not be printed. We regret it, but we are in compliance with the rule, and hope that this debate will serve the purpose.

Mr. PATMAN. Mr. Speaker, I yield such time as she may consume to the gentlewoman from Missouri (Mrs. SULLIVAN).

Mrs. SULLIVAN. Mr. Speaker, in this area of good feeling—and it is a good feeling, indeed, to have in the White House a President who is evidencing real concern about the economic storms engulfing our Nation—I am sure we are all disposed to give to the new administration our full cooperation in fighting inflation. So far, he has not asked for very much. But what he has asked for, in the form of this legislation to create a Cost of Living Task Force to monitor price and wage movements, is being provided immediately by Congress in exactly the form he requested, despite our misgivings that it is not much of an anti-inflation reed on which to lean.

But is this all there is? Is this all we are going to be asked to do in providing machinery to combat a further series of twists of the price-wage spiral? Let us hope not. We are willing to give President Ford enough time to get his bearings, enough time to consult with a wide variety of economic experts and representatives of all segments of the economy, and enough time to develop his own program. But let us also hope that his program, when developed, will be far different from the policies followed by his predecessor during the 19 months after the disastrous phase III destabilization policy went into effect on January 11, 1973.

During the hearing in the Committee on Banking and Currency last week on this legislation to create a Cost of Living Task Force, the new administration's spokesman at the hearing, Director Roy Ash of the Office of Management and Budget, appeared to be speaking for the new President in insisting that no consideration is being given, or will be given, to any proposal to seek a renewal of authority for price and wage controls. Mr. Speaker, no economic doors should be closed with finality. No tool for combating inflating should be thrown away out of any doctrinaire political considerations. We are in an economic crisis, and we must face that fact with courage and openmindedness.

If President Ford had asked us last week for the reenactment of the Economic Stabilization Act which expired April 30, I doubt if there would have been very many votes in committee or on the House floor to grant such powers right now, even in this so-called honeymoon or marriage relationship between Congress and our new President. First of all, the controls were used abominably in their final 15 months. They were administered by people who did not want to make them work fairly. Public confidence was destroyed in the effectiveness of the controls—not because controls are inherently bad, as President Nixon's people maintained, but because they were badly used.

As I have stated in my separate views on H.R. 16425, it is incumbent upon the new President to bring into his administration officials we can trust, and which the public can trust, to attack economic problems on a realistic basis. They must be people who are in sympathy with the jobs they are given to do, and who are recognized by the public as being concerned over the very real economic problems of the individual family.

And the Congress, too, must learn from past mistakes. On April 16, 1973, the House rejected a bill from our committee to roll back all prices and interest rates to the levels of January 11, 1973, and to mandate controls over agricultural products and other raw materials, and over interest rates. Farmers were then enjoying high prices, even though the rest of the people were suffering from excessive increases in food costs. In blocking controls over agricultural commodities, the House presumably gave the farmer a great break—but we all know what happened: farm prices continued to rise, but so did the farmer's costs; eventually, however, when some crop prices and livestock prices fell, the farmer was put in a cost-price squeeze which was disastrous for many small farmers, and even some very large ones. An effective controls program should regulate all prices and all costs of production which have an inflationary impact.

All I am saying now is that with a new President and a new attitude in the White House, we must encourage President Ford to look at all of his options in fighting inflation, rather than standing behind the ineffectual policies of tight money, high-interest rates, and increased unemployment favored by the Nixon administration as the so-called old-fashioned religion in combating inflation. It did not work for Mr. Nixon and it will not work for President Ford.

The direct economic controls enacted by Congress on a standby basis on August 15, 1970, did work—they worked with remarkable effectiveness—from the time they were first applied a year later, on August 15, 1971, until they were largely dismantled—except over wages—on January 11, 1973. Certainly, the controls created problems and imbalances and the need for adjustments, but adjustments were made, the economy settled down, the price-wage spiral was halted, and we were doing fine from August 1971 to January 11, 1973. Let us never forget that.

If and when President Ford indicates a recognition of the need for restored controls authority, and brings into Government the kind of people who could operate such a program fairly and effectively, the Congress should stand ready to consider such legislation promptly and without prejudice.

Mr. PATMAN. Mr. Speaker, I yield such time as he may consume to the gentlemen from Texas (Mr. GONZALEZ).

Mr. GONZALEZ. Mr. Speaker, since no committee report was available for this debate, I feel it incumbent to state my position on this proposal.

Stated simply, this bill is intended to give the appearance of action against inflation, while in fact providing no action at all. It authorizes the President to appoint a committee which he undoubtedly could create on his own authority, and gives him a million dollars to do that which he could do anyway. My view is that the President does not need the authority conferred in this bill, and that he could find the authorized funds elsewhere.

Surely nothing is more pressing than the problem of inflation. But this does not mean that Congress ought to approve yet another sham action. We have been through so many games with inflation that I begin to wonder if we are not like the Bourdon kings of old—capable of learning nothing, incapable of forgetting anything.

Experience with the Economic Stabilization Act should have convinced even the most sanguine of us that it is a mistake to create an agency that has no real accountability to Congress. But this bill creates an agency that reports to the President, who then reports what he likes to Congress. In other words, if the task force comes up with reports and recommendations the President does not like, Congress will never receive them.

Inflation is an urgent problem, more so now than it was 5 years ago. Yet this bill does not demand that the task force it creates will come up with any comprehensive attack against inflation. The task force need not come up with anything substantive at all—merely quarterly reports of such a vague nature that they need contain nothing but sermons and slogans.

We need to learn that a real economic program is needed for this country. We need to forget about setting up a task force which, like this one, is intended merely to create an illusion of action.

Some would say that the President needs this bill in order to effectively "jawbone" against inflationary forces. But this bill contains no authority to support that moral suasion. The task force creates no moral authority that does not already exist; surely the President knows that, and knows too that he may need more than a jawbone to fight against inflation.

I am concerned that the task force may simply become a trumpet against the efforts of working people to regain some of their lost purchasing power, while doing nothing to dissuade industrial giants from continuing to steadily increase their prices and profits. If this should happen, as developed under the recent and disastrous controls program, the task force would merely become another discredited political subcommittee. The last thing the country can afford is another official agency established to trumpet one political philosophy or another. We need a sound program.

My friends in the minority party have in these last few years hooted at the kind of jawboning envisioned in this bill, but now they embrace it fervently. Likewise, they opposed wage and price

controls, only to change their minds when their party switched lines. I admire this kind of moral and political flexibility, but cannot find in my own backbone that kind of malleability.

I did not believe that wage and price controls would work, because I did not believe that they would be equitably administered—and I was right. I do not believe that this proposed task force would do anything that could not otherwise be done. And I do not believe that Congress, for all its desires to cooperate with a new President, should acquiesce in this illusory action.

Certainly Congress ought to act against inflation. We ought to take some real action. If we want to do that, we should create a task force that reports directly to us, once each month, and which has the specific job of coming forward with a comprehensive economic program. We should have learned long ago that Congress ought to show some responsibility in the management of the Nation's economic problems. This means much more than handing the President a blank check after some crisis.

Yet, here we are again, after a great crisis, signing yet another blank check to the President. This bill does not reflect congressional responsibility, and it is not taking responsible action; it is merely avoiding, once again, the task of creating a national economic policy that is fair, that assures prosperity, and above all, one that works to contain inflation and solve our pressing social and economic problems.

Mr. ROUSSELOT. Mr. Speaker, although I personally do not feel this legislation is necessary, on the basis of our previous votes in the Committee on Banking and Currency several months ago, in fairness I am yielding 4 minutes to my ranking minority Member, the gentleman from New Jersey (Mr. WIDNALL), who favors the legislation.

Mr. WIDNALL. Mr. Speaker, I rise in support of H.R. 16425, a bill which would establish a Cost of Living Task Force. President Ford branded inflation "public enemy No. 1," and I think that we all support that indictment. The proposed task force would seek out and expose—to the administration, to Congress, and to the public—the confederates of public enemy No. 1. Who are these confederates? They can be the corporations whose prices and profits are unjustifiably high. They can be the labor unions whose demands for wage increases grossly exceed their gains in productivity. And let us acknowledge the fact that the Federal Government has been a confederate of inflation, because it has overspent, because it has failed to formulate an effective anti-inflationary policy.

The task force would be composed of four Cabinet officers and five other senior officials in the administration whose responsibilities relate directly to the economy. In addition, it would have a small and flexible staff. The task force would monitor the economy, assessing the inflationary impact of wage and price developments, of governmental programs and activities, and of the increasing costliness of food and raw materials. It would coordinate the anti-inflationary efforts of the various departments and agencies of the Federal Government. Working cooperatively with management and labor, the task force would encourage these groups to restrain the rise of wages and prices.

A primary function of this task force might be to mobilize public opinion against some of the confederates of public enemy No. 1, after these confederates are known. I think that, increasingly, the public expects inflation and accepts it as an unavoidable, inevitable inconvenience. It does not question the justifiability of price and wage increases and does not suspect that it is being gouged. It thinks that the days of price stability are forever gone. Entrepreneurs and wage earners can sometimes exploit the public acceptance of inflation, claiming falsely that they must ask for considerably more money in return for their goods and services because of a general, ongoing inflation of wages and prices. the task force should point out—to the administration, to Congress, and to the public—that, in certain instances, the rises of prices and wages are not inevitable, are not justified, and are abusive. I do not mean to imply that such abuses are widespread. They are probably not. However, whenever they exist, they should be made known to us all. The task force should expose such abuses to public censure in order to discourage them. If necessary, it should engage in what some have called "jawboning," actively attempting to persuade corporations and labor unions to exercise restraint when determining prices and wages.

Do not be mistaken. The establishment of this task force would not be an initial step toward the reimposition of wage and price controls, which most of us would oppose. From our own experience, we know that wage and price controls create far more problems than they ever solve. These controls do not halt inflation. They merely postpone it. More than this, by making prices and wages rigid and unresponsive to shifts in demand and supply, wage and price controls engender gross inefficiences, major dislocations, and severe shortages.

The President has asked for this Cost of Living Task Force. Let us approve it without delay. We know that it is hardly a cure-all which will rid us of the present inflation. But we believe that it represents a step in the right direction.

Mr. PATMAN. Mr. Speaker, I yield 1 minute to the gentleman from Massachusetts (Mr. HARRINGTON).

Mr. HARRINGTON. Mr. Speaker, in the rather dismal period of almost 6 years of this administration's efforts to deal with matters which affect our economy, the only period in which we have had any lasting impact in encouraging stability stemmed out of the adoption of suggestions by most of the critics in August 1971, and continued until the rather abrupt termination of what was called phase II in January, 1973.

To participate in what may be a well intentioned effort in furtherance of a "marriage" described to us the other night by the President is understandable to us in many respects. But on the other hand, it only contributes to the politics of expectation. This afternoon's toothless effort in dealing with the problems of inflation will do little to restore either stability or confidence for the American public.

Mr. Speaker, I am somewhat puzzled and surprised that the chairman and the membership of the committee who have so willingly acceded to this approach, as constituted and without opportunity to debate, would not feel over the longer term as equally critical of the President in the aftermath, given the predictable failure of this approach, as they are accommodating now.

Mr. Speaker, I hope we will reject this bill this afternoon so as to provide a chance to deal with the legislation and the severe problems it is supposed to address in a more amendable fashion.

Mr. ROUSSELOT. Mr. Speaker, I yield 4 minutes to the gentleman from Illinois (Mr. CRANE).

Mr. CRANE. Mr. Speaker, this bill, self-defined as the Anti-Inflation Act of 1974, is sweeping in its mandate to superintend many of the aspects of our economy which contribute to rising prices. Truth in advertising laws, however, require me to say that an Anti-Inflation Act it is not.

It is, as I stated in committee, a "toothless tiger." It specifically states:

> Nothing in this act authorizes the imposition, or reimposition of any mandatory economic controls with respect to prices, rents, wages, salaries, corporate dividends, interest rates, or any similar transfers.

Director of OMB, Roy Ash, in his testimony before the committee stated emphatically that it was not his intention nor that of the administration to reimpose upon us disruptive wage and price controls. He pointed out further that they had, in fact, exacerbated inflation in this country through the distortions they created.

By 1973, even George Meany and the National Association of Manufacturers had come to agree on this point. Nevertheless, both Meany and the NAM as well as Dr. Arthur Burns and then Secretary of the Treasury John Connally were of one mind in the summer of 1971 in calling for such controls presumably to stop inflation.

At that time, I inserted in the RECORD a rather comprehensive analysis of controls under Benito Mussolini, Adolf Hitler, and Juan Peron, as well as our own experiences during World War II, and the Korean war which demonstrated conclusively the fact that wage and price controls only aggravate inflationary problems since they attack symptoms and not causes.

In his testimony before the committee, Mr. Ash acknowledged that one of the major causes of inflation—I would say the overwhelming cause of inflation—is deficit spending by the Congress of the United States and monetization of that debt by the Federal Reserve System.

I find nothing in the functions of the task force to be created under this bill that draws attention to this fact.

To be sure there are additional factors contributing to rising prices. However, most of these are beyond the purview or control of the proposed Cost of Living Task Force. One of these is the heightened demand for scarce resources. the result of rising expectations, and greater world affluence, and population growth worldwide. We do not need a task force to inform us of this elemental fact.

A second cause is the arbitrary price increase inflicted on the industrialized nations by the OPEC countries when they dramatically increased the price of oil. Sufficient attention has been already devoted to this cause of escalating prices by the media.

A third major cause is increasing production costs imposed on American businesses through overregulation by Congress of the business community which has produced mountainuous paper-pushing, form-filling burdens. Congress has also, in an excess of zeal, imposed environmental standards on the business community which have unfortunately had the effect of significantly increasing production costs while simultaneously imposing greatly increased demand for scarce energy resources.

Minimum wage laws have also contributed to pressure on wage demands all the way up the line. Nothing in the Cost of Living Task Force mandate calls attention to these facts.

The one area where the task force might focus public attention is on wage increases that exceed productivity, but again one can find these facts in Department of Labor and Department of Commerce statistics and the business community has endeavored to dramatize this problem for years.

Evans and Novak in their Washington Post column of August 15, indicated that it is the desire of the new administration to "deroyalize" itself by cutting back on personnel at the White House and by placing greater reliance on the Cabinet, Inasmuch as this task force is to be comprised of, among others, the Counselor to the President for Economic Affairs, the Chairman of the Council of Economic Advisers, the Secretary of the Treasury, the Secretary of Agriculture, the Secretary of Commerce, the Secretary of Labor, the Director of the Office of Management and Budget, the Special Assistant to the President for Consumer Affairs, and the Chairman of the National Commission on Productivity and Work Quality, it would seem that the President has access to all the expertise necessary to perform the duties of this new task force without creating a new body at an expense of $1 million and adding a new Director at level 4 of the Executive Schedule, a Deputy Director at level 5 of the Executive Schedule, five new positions in GS–16, GS–17, and GS–18 as well as "such officers and employees, including attorneys, as are necessary to perform the functions of the task force."

With such an array of talent which is already available coupled with the moral authority of the President, it would seem we already have an effective means of "jawboning" to secure restraint with respect to excessive wage or price determinations. The best that can be hoped for in this area is a mutual spirit of compromise and cooperation on the part of all Americans to help cope with the pressing problems of rising prices. But what worries me most about the prospects of re-creating a Cost of Living Task Force is that if it turns out to be a pussycat in dealing with the problems, there will soon arise a noisy chorus from the economically illiterate and the politically demagogic pandering to the national desire to find a convenient scapegoat for the complex economic woes of this Nation by putting teeth into this tiger. At that point, we will once again be compelled to relearn the lessons of history.

This Cost of Living Task Force is either a potential menace or a charade. In either case, it is wrong.

Mr. PATMAN. Mr. Speaker, I yield 2 minutes to the gentleman from Ohio (Mr. J. WILLIAM STANTON).

Mr. J. WILLIAM STANTON. Mr. Speaker, I rise in strong support of H.R. 16425, a bill to provide for the monitoring of the economy and for other purposes.

Mr. Speaker, we have heard some of our colleagues state that this bill is simple window dressing and will not accomplish its goal of curbing inflation. I have to, personally, discount this observation. I will admit that the battle of inflation will require many steps by the Federal Government, by labor and business, and by the general public if we are to succeed. This bill will accomplish its purpose only if other steps are taken as a result of this legislation and at the same time that the task force is pursuing the findings and purposes of this act.

When one reads this legislation, they discover that the purpose of Congress is to create a body within the executive branch whose purpose is to act to see that the Government's direct impact on prices and wages is less inflationary and encourage private parties and local and State governments to adjust their policies and practices to contribute to a less inflationary economy.

To carry out the functions of this task force we specifically state that they shall:

(1) review and analyze industrial capacity, demand, and supply in various sectors of the economy, working with the industrial groups concerned and appropriate governmental agencies to encourage price restraint;

(2) work with labor and management in the various sectors of the economy having special economic problems, as well as with appropriate Government agencies, to improve the structure of collective bargaining and the performance of those sectors in restraining prices;

(3) improve wage and price data bases for the various sectors of the economy to improve collective bargaining and encourage price restraint;

(4) conduct public hearings when appropriate to provide for public scrutiny of inflationary problems in various sectors of the economy;

(5) focus attention on the need to increase productivity in both the public and private sectors of the economy;

(6) review the programs and activities of Federal departments and agencies and the private sector which may have effects on supply and prices and make recommendations for changes in such programs and activities to increase supply and restrain prices;

(7) evaluate the inflationary effects of international transactions, especially such aspects as the balance of payments, controls on imports and exports, and the cost of fuel and other commodities that directly or indirectly affect the rate of inflation;

(8) monitor the economy as a whole, including such matters as wages, costs, productivity, prices, sales, profits, imports and exports, and interest rates and rents.

Mr. Speaker, I cannot help but point out that the findings and purposes of this act and the functions of the task force are similar to the Anti-Inflation Act of 1974 that I first introduced on April 3, 1974. At that time it was the overwhelming sentiment of our committee not to continue the Cost of Living Council in any way, shape, or form. This was despite my personal plea that no authority was given for the reimposition of any mandatory economic controls. Hindsight has taught us that we made a mistake. I applaud President Ford for asking for this legislation and I urge its adoption on the theory that it is better late than never.

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

Mr. J. WILLIAM STANTON. I yield to the gentleman from California.

Mr. ROUSSELOT. Mr. Speaker, I know that the gentleman from Ohio was one of those in the committee who, when we voted down this same concept in April, the gentleman in the well was one of those in the committee that supported this legislation.

Mr. J. WILLIAM STANTON. I strongly supported it, and I appreciate the gentleman pointing out that on April 5 we did not get sufficient time to discuss it. I took a strong stand against wage and price controls, but sincerely regret that the legislation was not adopted by our committee at that time. If it had been adopted we would have had a way to monitor industries that were voluntarily decontrolled when this legislation expired on April 30. I believe that the overwhelming sentiment today would be for it, although that is a question of hindsight. I certainly believe that the gentleman from California (Mr. ROUSSELOT) would agree that we would have had maybe a little less cost rise to some people in this country.

Mr. ROUSSELOT. I do not agree with my colleague, the gentleman from Ohio. But I did want to point out that the gentleman has been in favor of this legislation for several months.

Mr. J. WILLIAM STANTON. I appreciate the gentleman pointing that out.

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

Mr. J. WILLIAM STANTON. If I have time I will be happy to yield to the gentleman from Idaho.

Mr. SYMMS. Could the gentleman cite to me one place, one time, anywhere in history, where wage and price controls have been used successfully by any government?

Mr. J. WILLIAM STANTON. I would say to the gentleman from Idaho (Mr. SYMMS): Show me one item, one single sentence in this particular bill with reference to wage and price controls. It simply is not there.

The SPEAKER. The time of the gentleman has expired.

Mr. ROUSSELOT. Mr. Speaker, I yield 2 minutes to the gentleman from Michigan (Mr. HUBER).

Mr. HUBER. Mr. Speaker, I had the unfortunate experience of coming down here in 1973 as a freshman to try to get some help for some of our people back in my district who were dealing with the Cost of Living Council.

So feeling that I could meet with the head of the Cost of Living Council, Dr. Dunlap, I attempted to reach him on the telephone. That was a real experience. I must have called that office at least a half dozen times, and I could get to the third secretary twice removed. There was no way that I could convince Dr. Dunlap that he ought to do me as a Congressman the courtesy of returning my call, because has was not responsible to me, and he could not have cared less. As a matter of fact, the only way I got to talk to this gentleman was to take advantage of the Republican Party who offered to freshman Members of Congress a chance to appear on a television program with him. I took advantage of that opportunity.

We were given a 1-minute TV interview, and when it came to my turn and they turned on the lights, Dr. Dunlap said to me:

What can I do for you?

I said:

You can answer your telephone; that is what you can do for me.

I said:

I had to come down to this lousy television program to talk to you because you are too important to concern yourself with talking to a Congressman.

If there is anything we do not need in this country today, when we have so many inflation problems, it is to have more independent unconcerned bureaucrats to act as barriers between the people and the Government. The only thing I could say is if we put another layer of bureaucracy in here and it does not give us any more cooperation than we have had in the past, we are not going to help solve the problem of inflation; we are just going to add to it.

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

Mr. WYLIE. Mr. Speaker, I rise in support of H.R. 16425, cited as the Anti-Inflation Act of 1974. This measure will reestablish the concept of a Cost of Living Task Force within the Executive Office of the President. Its function will be to monitor all aspects of the economy and make policy recommendations to improve fiscal and monetary policy and productivity. Its purpose will be to operate as a "super jawboning agency" to raise public consciousness concerning price and wage increases that threaten a deterimental impact on the fight against inflation. I think this will prove helpful by bringing public pressure to bear on important economic sectors that may be operating in an irresponsible manner.

This bill will not reinstitute mandatory economic controls, which have proved so ineffective in the past and may have caused as many economic problems as they have attempted to alleviate.

I will be the first to concede as the distinguished Chairman from Texas (Mr. PATMAN) said that this legislation is not an economic cure-all. Inflation will only be controlled when the Congress and the entire Nation are willing to balance the Federal budget. Controlling inflation will be a difficult task requiring everyone to bite the proverbial bullet. Nonetheless, this legislation will help keep the issues involved before the public in a constructive manner, and this should prove helpful in gaining popular support for the difficult steps that must be taken to stabilize our economy. At least passage of the bill can do no harm and could be one important weapon in the arsenal we must throw into the battle against inflation.

Besides, I think if President Ford feels this legislation will help him in his fight against inflation, it is little enough for Congress to do.

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

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

Mr. KETCHUM. I thank the gentleman for yielding.

The gentleman has indicated that this sort of jawboning would be to monitor excesses in wage increases or excesses in profits, so that in spite of this political philosophy we can blame it on one or the other. Are they also going to oversee the excesses in the Congress?

Mr. WYLIE. I would hope so. I asked Director Roy Ash that very question, and he said such action is provided for in the bill.

Mr. PATMAN. Mr. Speaker, I yield 1 minute to the gentleman from New York (Mr. BINGHAM).

Mr. BINGHAM. Mr. Speaker, I regret this measure is brought before us under suspension. I should have liked to have seen a matter of this importance brought before us under a rule and subject to amendment.

Personally, I do not think that this proposed Cost of Living Task Force is going to get us very far in the fight against inflation. It is mostly window dressing.

This bill falls so far short of what really needs to be done that it comes close to being a fraud. Moreover, whatever good there is in the proposal could be accomplished by the President acting alone, and this bill is therefore unnecessary. Since I dislike seeing the Congress involved in such a cosmetic maneuver, I propose to vote against the motion to suspend the rules and pass the bill without amendment.

I regret that we have a measure dealing with this overwhelmingly important problem brought to us in this fashion with a minimum of debate and with no possibility of amendment.

On March 28 of this year, 2 days before the Economic Stabilization Act expired, a Wall Street Journal headline proclaimed: "Will End of Controls Set Off an Explosion of Inflation in the United States? Administration Economists Contend Not, Feel Bulge in Prices Will Be Modest." As we all know by now, the administration economists were wrong. Stagnation, double-digit inflation, recession, depression, negative growth have all become part of our national vocabulary.

In this critical situation, it is natural to look to our new President for direction and leadership. I for one was relieved when the President, in his address to the Congress, declared inflation to be America's No. 1 enemy, but I was disappointed when the only thing he asked for was a new agency, much like the old Cost of Living Council, to monitor wages and prices and to add economic respectability to "jawboning."

President Ford's proposal in my view is both too little and too late. Monitoring wages and prices, with no authority to do anything about increases, is like trying to control speeders on the highway with sweet talk with scolding.

This initiative on the part of our new President is disturbingly reminiscent of what President Nixon did during the years and months before he accepted the need for controls. He proclaimed inflation to be one of our biggest problems, and he engaged in a variety of public relations episodes which were a substitute for action to halt the spiral of inflation. I am afraid the same pattern of events is emerging again. Apparently, we do not learn from our past mistakes.

This bill is unnecessary because the President does not need congressional authority to "jawbone," nor does he need congressional approval to create an executive branch office to perform the monitoring function. What I perceive here is an attempt to interfere as little as possible with the marketplace, co-opting the Congress into joining in the maneuver.

Had this bill come before the House under an open rule so that it could be amended, I would have been prepared to offer my bill as a substitute. It at least contains a definite program designed to protect the American consumer. It would set inflation and unemployment targets well within the range of accepted limits—and well below what we are experiencing today; it would create an independent Economic Stabilization Administration distinct and separate from the IRS; it would require the President—acting through the new ESA—to impose price controls where needed to achieve the targets; it would not allow the President to impose wage controls except as a last resort when voluntary

restraints and the pressure of price controls are insufficient to keep wage increases within reasonable bounds; and it would give to the Congress the power by concurrent resolution to impose controls when the President fails to act, or veto any control regulation issued by the ESA.

The bill before us today holds out the hope to the American people that its new leader in the White House will set our economic house in order quickly. The Congress should not partake in building up the expectations of the American people that it is going to be that easy. Without more, this legislation should not be approved. If it were the forerunner of a stiff but equitable economic remedy, I would be prepared to support it. But as of this moment, I have heard nothing to suggest that such is the intended course of action. I have no wish to become a part of an economic sham to be perpetrated on the American people. I am convinced that my constituents want action such as I have proposed, action that will insure them that they can pay their rent and supermarket bills without first going to the bank for a loan.

Mr. ROUSSELOT. Mr. Speaker. I yield 3 minutes to the gentleman from Iowa (Mr. GROSS).

Mr. GROSS. Mr. Speaker. I note the title of this bill states that it is "to provide for the monitoring of the economy." I would ask what the heads of agencies and the departments of Government are doing now but monitoring the economy? If not, we need some substantial changes.

This bill provides for a task force, and what would the task force be composed of? It would be composed of 10 of the heads of the departments and agencies of the Government now in existence plus, as my friend, the gentleman from Michigan (Mr. HUBER), has mentioned, a nice new layer of bureaucratic fat at a cost of a million dollars which is certainly conducive to inflation. I repeat, at a cost of $1 million. That is what this bill provides.

Moreover, on page 2 of the bill, after stating that it is for the purpose of monitoring the economy of the country, it goes on to state "and monetary policy as well as international trade and exchange rate policy, to constrain domestic inflation."

The dictionary tells us that to "constrain" is to compel or force. Are you saying that we are going to compel or force domestic inflation, and if so, how much? I believe those who constructed this bill ought to have used the word "restrain" which means to curb, repress, or suppress inflation.

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

Mr. GROSS. I yield to the gentleman from Iowa (Mr. SCHERLE).

Mr. SCHERLE. Mr. Speaker, I thank my colleague, the gentleman from Iowa, for yielding.

Will my colleague tell us what role the $100,000 we just voted about 2 weeks ago is going to play in this legislation?

Mr. GROSS. I could not begin to tell the gentleman where it has gone or where it will go, but Members of the House approved something on the order of $100,000 for this purpose.

Mr. SCHERLE. And that also was to monitor and to study the inflation, was it not?

Mr. GROSS. That is right.

Mr. Speaker, I am opposed to this legislation for the reason that it would simply add another layer of fat to the bureaucracy. If the officials and personnel now in this Government are not qualified to recognize inflation and the reasons for it, they are incompetent and ought to be fired. This is, again, throwing money at a problem in the hope that it will disappear.

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

Mr. BROWN of Michigan. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker, it has been said that people have a government in order to have someone to blame for requiring them to do that which they should do voluntarily. This axiom it seems to me is especially true with respect to inflation, the issue we are discussing today.

Inflation will be stopped when people want it to be stopped, when the people in industry and when the people in government and when the people in labor and when the people generally, the consumers want it stopped.

Let me suggest the legislation we are debating is a step in the direction of getting the people to understand that basic axiom; the idea that they should know about the factors that are adding to inflation. Through this Cost of Living Task Force we hope we will be able to cause the people to appreciate the very reasons for inflation, the causes of inflation in the different segments, the abuses of our economy that are leading to inflation, and in that way to somehow stop inflation.

I support the bill. I urge my colleagues to support the bill.

Mr. ROUSSELOT. Mr. Speaker, I yield 1 minute to the gentleman from New York (Mr. KEMP).

Mr. KEMP. Mr. Speaker, I rise in support of President Ford's attempts to cut the cost of living by cutting Government spending but I am in opposition to this bill to create the Cost of Living Task Force.

I oppose this measure because it is not the answer to controlling inflation. To the contrary—and by relying on it—the Government and the American people may be tempted to avoid dealing with the real causes of inflation.

Implicit in the creation of either a permanent Cost of Living Council with mandatory Federal wage and price control powers—like we had between 1971 and this past spring—or a "temporary" Cost of Living Task Force—like the one proposed here—is the notion that inflation comes from higher wages and profits. That notion—that belief—is wrong. Higher wages and higher profits are the results of inflation, not its causes.

When the wage earner holds dollars of less value in his hand, he has to ask for more of them—for wage increases—just to stay abreast of inflation. When the businessman holds dollar of less value in his hand, he has to ask for more of them—for more profits, more capital—just to replace old equipment and buy inventories with which to insure production. Jobs and production are at stake, and inflation is their enemy.

What, then, are the causes of inflation?

Inflation arises from the actions of Government. It comes from a decline in the purchasing power of the American dollar. When the dollar is worth less, it takes more of them to buy a good or a service. Instead of taking $100 to buy something last year, it takes $114—or more—to buy it this year. That is inflation.

This lessening of the dollar's value is a direct result of the Federal Government spending money it does not have—deficit spending and budgets out of balance—and then trying to cover that deficit by printing more paper money behind which there is no growth in productivity.

When you and I hold a dollar in our hands, and then the Federal Government simply prints more dollars behind which there is no increased productivity, the value of the dollars we hold is less. It, therefore, takes more of them to maintain our standard of living. That is inflation.

Yet, the Cost of Living Task Force—created to deal with inflation—will not direct its efforts at either trimming the Federal budget or holding back the production of money—the causes of inflation. Instead, it will spend its time "jawboning" and "browbeating" both labor and business about proposed or actual increases in wages and profits. In other words, it will spend its time fighting the effects of—the results of—inflation. I think that is misleading to the American people, for they have the right to expect the Congress and the Government to really address themselves to the real causes of inflation.

An "aye" or "nay" vote on this bill—to create this Cost of Living Task Force—is not an "aye" or "nay" vote on inflation. By voting against this bill, one certainly is not voting for more inflation. To the contrary, by voting against this bill, one is saying that he wants the issue of inflation really attacked, not just talked about on this floor and in the executive.

I have worked against inflation by voting against excessive Government spending. I have voted to cut billions from the Federal budget. I opposed the continuation of the mandatory Cost of Living Council—a council which in the name of controlling inflation allowed it to increase almost threefold and produced some of the severest shortages in our Nation's history. I have urged that we balance the budget and also urged that the production of money be tied directly to increases in national productivity, and I have introduced bills to require both.

There is another thing which worries me about the bill before us. The Cost of

Living Task Force is to have no power to actually control wages and prices. That's good, in my opinion, but I predict a scenario may arise from the operation of the task force which will eventually produce another round of mandatory wage and price controls.

Why? Because during the life of this task force, inflation will probably continue unabated—unless, of course, we cut spending and the issuance of paper money—neither of which are within the purview of the task force.

When inflation continues, proponents of mandatory controls will say, "See, jawboning didn't work. We are still having inflation, despite the task force. Let us, therefore, reimpose mandatory wage and price controls. Let us give the task force these powers, too."

I regret to say it, Mr. Speaker, but I see that day coming. Thus, what we are doing today—if this bill should become law—is setting into motion—taking the first step toward—the creation of another mandatory wage and price control structure. And, I see nothing to indicate that it would not be unlike the previous one—producing both higher prices and less goods.

I had hoped to be able to vote for the first economic measures proposed by the new administration, because I believe strongly that the new administration is taking some prudent and long overdue steps toward restoring the health of our economy. I will work with this administration to cut inflation by cutting the costs of Government—by insisting upon balanced budgets and reduced costs. I will work with this administration to cut inflation by trimming our sails on new money supply. I cannot, however, vote with it this time, for I believe this bill is going in the wrong direction.

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

Mr. KEMP. I yield to the gentleman from Idaho.

Mr. SYMMS. I would like to associate myself with the gentleman's remarks, and compliment him for his keen understanding of the cause of inflation. This bill gives undue credit to the myth that it is to fight inflation. To say this board will fight or stop inflation is like saying that a wet sidewalk causes rain—I guess if enough politicians run around the country promoting a myth maybe they can make the economic illiterate, American public believe it but it certainly does no compliment or credit to the respect of this body.

Mr. Speaker, this legislation should be voted down.

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

Mr. ROUSSELOT. Mr. Speaker, I yield such time as he may consume to the gentleman from New York (Mr. KEMP).

Mr. ROUSSELOT. Mr. Speaker, I yield myself 2 minutes.

H.R. 16425, though labeled the Anti-Inflation Act of 1974, can neither halt nor significantly reduce inflation. The economic elements and variables which the Cost of Living Task Force proposes to monitor, in order to demonstrate the Government's "continuing concern with the rate of inflation," are not the source of the problem.

The primary cause of inflation is the Government's irresponsible fiscal and monetary policies. Unrestrained Federal spending creates budgetary deficits. The Federal Reserve monetizes these deficits, resulting, in the long run, in extremely high interest rates on Treasury borrowing, which American taxpayers must pay. This fact is implicit in the "findings and purposes" of the bill, which state that the "Federal Government, must place primary reliance on budgetary and monetary policy, as well as international trade and exchange rate policy, to constrain domestic inflation."

If the Federal Government wants to utilize monitoring as a weapon against inflation, it should monitor itself, including the operations of the Federal Reserve. Moreover, with the combined resources of the Council of Economic Advisers, as well as the Treasury, Commerce, and Labor Departments, and the Office of Management and Budget at his disposal, the President is already well equipped to conduct whatever monitoring needs to be done.

To establish yet another bureaucracy to monitor the market economy will at best be ineffective, since it will not act as a restraint upon wage increases which are not justified by increased productivity or upon price increases which are not justified by greater acceptance of a product in the marketplace. At its worst, monitoring could be counterproductive. It could cause sharp increases in wage demands and list prices out of fear that mandatory controls may be reimposed. In addition, by distracting attention from the real causes of inflation, monitoring will postpone the time when effective fiscal and monetary action is finally taken.

Only last April, the full Committee on Banking and Currency voted 21 to 10 to table all bills calling for extension of the Economic Stabilization Act, including proposals similar to H.R. 16425, as reported by this same committee. Why this change now? It is because we have a new President and we are anxious to support him. We are anxious to support the President, but this does not make an idea any better than it was when it was rejected 4 months ago.

What is needed now, and what was needed last April, as well as 3 years ago when wage and price controls were first imposed, is for the Federal Government to exercise effective fiscal and monetary restraint. In his address to a joint session of Congress on August 12, 1974, President Ford recognized the need for such restraint and pledged to work "to bring the Federal budget into balance by fiscal 1976." Only this can stop inflation—let us not postpone it any longer.

Mr. PATMAN. Mr. Speaker, is the minority going to use any more time? We want the minortiy to finish their time. We have only one more speaker.

The SPEAKER. Does the gentleman from California reserve his time?

Mr. ROUSSELOT. I am only planning to use the time if I need it. I reserve the balance of my time.

Mr. PATMAN. Mr. Speaker, I object to reserving the time.

The SPEAKER. The majority has the right in the affirmative to close the debate.

PARLIAMENTARY INQUIRY

Mr. GROSS. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. GROSS. Are not the rules suspended in this procedure?

The SPEAKER. The rules are suspended, but the majority has the right to close the debate.

Mr. GROSS. But this is a tradition in the regular procedure, in the consideration of a bill.

The SPEAKER. That is true. The Chair is going to comply in all respects with the custom of this House and provide for the affirmative to close debate.

The gentleman from Texas can reserve 1 minute of his time and yield the balance of his time.

Mr. PATMAN. Mr. Speaker, I do not understand the rule to mean——

The SPEAKER. There is no rule.

Mr. PATMAN. It means that I can yield them 1 minute of the remaining time, if that is what they want.

The SPEAKER. The gentleman may go ahead and yield all but 1 minute of his time.

Mr. ROUSSELOT. Why does not the gentleman just proceed. He is the one who is asking for suspension of the rule.

Mr. PATMAN. We only have one speaker, and we are asking the minority to use its debate time.

The SPEAKER. The minority has no further requests for time at this time.

Mr. PATMAN. Mr. Speaker, I yield the remainder of the time for debate on this bill to the gentleman from Wisconsin (Mr. REUSS).

Mr. REUSS. Mr. Speaker, I am the last speaker, I presume, and I shall be very brief, I am positive.

We have had some economic discussions in the last few moments about the causes of inflation. Much emphasis has been placed on fiscal policy, and certainly an unbalanced budget plays its part. But that is merely one of many causes: monetary inflation, misallocation of credit inflation, lack of supply inflation, cost-plus inflation, and latterly, psychological inflation.

It has been stated a moment ago that since last April circumstances have not changed. I am sure the people of the United States generally do not share that view. Circumstances have changed enormously in the last few days, and our new President does command the confidence of the American people.

He came before us a week ago and asked us for a small thing, a little bill setting up a monitoring agency which does not now exist. I do not think it will do any harm. I think it may do some good. The President has asked for it before we go on our Labor Day recess.

I am quite proud of our Committee on Banking and Currency for coming back in a few days with such a bill. I take very seriously the views expressed by the gentleman from Massachusetts (Mr. HARRINGTON) and the gentleman from New York (Mr. BINGHAM) and others, that this legislation could be improved.

I say, let us pass it now. Let us give the President the tools he says he needs. And then, at the summit conference on economics which he has called for an early date after we get back, let us see whether, as an incident to a social contract for all our people, perhaps a less toothless tiger than the bill before us today could be included.

So, I would hope that we would take account of the fact that circumstances have changed, and that both sides of the aisle will respond cooperatively to our new President.

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

Mr. REUSS. I yield to the gentleman from Michigan.

Mr. BROWN of Michigan. Mr. Speaker, on page 2 of the bill authority is given the President to designate members of the task force other than those specifically mentioned in the legislation. Because of the problem of interest rates, credit availability and all of these things, there was some concern expressed in our committee that no one in the financial area was included as ex officio member of the task force.

There also has been expressed some concern about the so-called independence of the Federal Reserve Board.

I would just like to have this colloquy with the gentleman from Wisconsin to establish that it is the intent of the committee and of the House that the President may designate the Chairman of the Federal Reserve Board or a member of the Board of Governors notwithstanding any other provision of law with respect to the independence of that Board. Is that not correct?

Mr. REUSS. I think the gentleman is entirely right. Whether the chairman of the Federal Reserve Board is made of sterner stuff than this gives him is a problem for the appointing authority, but he certainly is eligible for appointment. I agree with the gentleman.

Mr. VANDER VEEN. Mr. Speaker, will the gentleman yield?

Mr. REUSS. I yield to the gentleman from Michigan.

Mr. VANDER VEEN. Mr. Speaker, I appreciate the gentleman's yielding.

I only wish to say, Mr. Speaker, that in view of the President's request for cooperation, I want, as a Member of the Democratic side and as a Representative of the President's own congressional district, to show that we wish in every way possible to cooperate with the President in attempting to attack what I agree is the No. 1 problem of this country, that is, inflation.

Mr. Speaker, I wish to associate myself with the remarks of the gentleman from Wisconsin, and I urge support of this bill.

Mr. REUSS. Mr. Speaker, I thank the gentleman.

The House of Representatives has come up delightfully in public esteem in recent weeks. I would hope that we could continue to earn that good opinion of our public by showing that we too can act expeditiously.

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

Mr. REUSS. I yield to the gentleman from Ohio.

Mr. WYLIE. Mr. Speaker, I think the gentleman from Wisconsin is making a responsible and generous statement. Earlier is was mentioned that our fiscal policy is the real cause of inflation.

I would like to submit that this bill calls for an assessment and recommendations by the Cost of Living Council as far as Federal programs are concerned.

I asked Mr. Ash, when he appeared before our committee about looking at Federal programs. He said that it is contemplated that the task force will make recommendations to Congress on Government spending. I think we can support this bill, from that standpoint.

Mr. Speaker, I think the gentleman has made a significant and persuasive statement, and I thank the gentleman for yielding to me to say so.

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

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

Mr. GROSS. Mr. Speaker, what we can look forward to, I think the gentleman will agree, is the addition of almost numberless GS–18 supergrades as well as consultants who will draw pay at the top of the supergrade level. We can look forward to the expenditure of $1 million with certainty. We may be uncertain about other things in connection with this but of one thing we can be certain: the number of bureaucrats will be increased and the $1,000,000 will be spent. All will be inflationary.

Mr. REUSS. To answer the gentleman, I would hope that we could have a Gross-Reuss task force to maintain surveillance over the new task force, to keep those supergrades down.

Mr. Speaker, I hope that the bill will be decisively adopted.

Mr. ROUSSELOT. Mr. Speaker, I think we have heard the arguments on both sides of this issue. I think the most persuasive thing that I have seen is that our committee, just 3 months ago, voted this down overwhelmingly as unnecessary.

Again, I wish to reemphasize that conditions have not changed that much.

Our President has said that he needs the cooperation of Congress in cutting inflation. The first thing we need to do is cut and balance the budget. That, I believe, is the most important thing that we can do for the American people.

I urge my colleagues to disapprove this unusual procedure of suspending the rules for this legislation.

Mr. BRINKLEY. Mr. Speaker, in his address to the joint session of Congress last week, President Ford accurately adjudged inflation as "public enemy No. 1," and pledged to us his total effort at unifying the Nation in a concerted campaign against this problem. I have faith in his ability to do this.

As one of his first recommendations, the President urged the Congress to reestablish a cost of living monitoring system within the Federal Government, while at the same time he vowed that there would not be a reestablishment of wage and price controls. Upon hearing the President make this recommendation, my immediate reaction was one of surpise; I told a reporter who asked my reactions, in fact, that it came as a "jolt." After all, the former Cost of Living Council had been so closely related to wage and price controls, which many think now were a disaster and very well might have caused more harm than good to the economy.

It is clear now, Mr. Speaker, that what the President was asking for was a task force that would monitor wages and prices along with other aspects of the economy, and would recommend to the President actions that could be taken with regard to private business, Federal agencies and other sectors, with an eye toward generally increasing supplies while holding back prices. The Cost of Living Task Force, in essence, will be giving public exposure to conditions in the economy, while not possessing the powerful controls which the former Cost of Living Council had.

I think that we all must face the realities of the economic situation, Mr. Speaker, and acknowledge the necessity of an oversight panel such as that urged by the President. But we all must demand, in return for supporting the request, that the panel—the task force—stay within its legal bounds and not become another agency for controlling wages and prices.

In this regard, I am bothered somewhat by the rather high budget, $1 million, requested for the task force, and by the fact that the bill provides for a director and deputy director at salaries of $38,000 and $36,000 a year respectively; and provides for the hiring of "a necessary number" of additional personnel at supergrade salary levels ranging from $32,806 to $36,000 yearly. I for one want to go on record as urging and hoping that the task force will hold its personnel needs to a minimum, that the personnel hired will justify their presence on the payroll, and that the Cost of Living Task Force itself will set an example for the rest of the Nation.

What we need now, Mr. Speaker, is not another bureaucracy. Indeed, we learned through the Cost of Living Council that this is no answer for inflation. What we urgently need is a trustworthy weapon against "public enemy No. 1," and the seriousness of the problem requires that the Cost of Living Task Force contribute meaningfully to that goal.

Mrs. HOLT. Mr. Speaker, the creation of a Cost of Living Task Force to monitor the economy will give President Ford a device in the fight against inflation, but we must all recognize that it will be nothing more than a useful device.

The Cost of Living Task Force will not stop inflation, and no Member of the House of Representatives should use his vote for this resolution as an excuse to

evade the hard decisions on Government spending.

Mr. Speaker, on our agenda today is a $20 billion bill dealing with mass transit, and this will put Members of Congress to the real test. It will show just how serious are the Members about fighting inflation.

President Ford, struggling with the immense economic problems confronting our Nation, has urged us to exercise restraint on the mass transit act. He has called upon us to reduce the authorization to a manageable $11 billion or less.

If we are ever to control inflation and end the economic crisis afflicting our Nation, it will require responsibility by the Congress.

Mr. Speaker, it is very nice to have one's name recorded among the votes for a Cost of Living Task Force, but this does not relieve the Congress of the hard decisions that must be made.

Studies are useful, and monitoring the economy is useful, but nothing could be more valuable than a Congress awakened to the necessity for fiscal restraint.

Mr. BAUMAN. Mr Speaker, I support the enactment of H.R. 16425, the Anti-Inflation Act of 1974. This measure establishes a Cost of Living Task Force to monitor the many aspects of the economy and will grant the President and the Congress a possibly useful weapon in our joint effort to combat inflation, which is indeed our No. 1 domestic enemy.

I do not believe that the imposition of further wage and price controls will assist us in combating the existing inflationary forces and it should be clearly noted that this measure contains no authority to impose mandatory economic controls on prices, wages, rents, or salaries. The history of wage and price controls during the previous administration should make it clear to everyone that Government sanctions will not arrest the rapid increase in prices and wages.

While I am not in favor of mandatory wage price controls, I am of the opinion that the enactment of this legislation and the upcoming White House Conference on the Status of the Economy will focus the Nation's attention on our most important domestic problem. It may even provide the necessary impetus for both business and labor to conduct themselves with restraint in the course of labor negotiations which will take place in the coming months. Restraint and cuts in Federal spending by both the Congress and the administration are badly needed to enable us to win the long and difficult struggle against inflationary forces in our country.

Mr. Speaker, the quick enactment of this legislation following President Ford's recent request for its prompt consideration by the Congress is a clear indication of the spirit of cooperation in which both the Congress and the administration will act to provide improved economic conditions for all the citizens of this country. While I am under no illusions about the impact of this legislation in and of itself, I do believe that those of us in the Congress owe it to the new President to permit the passage of this bill. He has asked us to cooperate in his professed willingness to fight inflation, and along with a continuing effort to cut Government spending, we should be willing to join him in this battle. I therefore support H.R. 16425.

The SPEAKER. The question is on the motion offered by the gentleman from Texas (Mr. PATMAN) that the House suspend the rules and pass the bill (H.R. 16425).

The question was taken.

Mr. ROUSSELOT. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

Pursuant to clause 3 of rule XXVIII and the prior announcement of the Chair, further proceedings on this motion will be postponed.

PARLIAMENTARY INQUIRY

Mr. PATMAN. Mr. Speaker, I have a parliamentary inquiry.

The SPEAKER. The gentleman will state his parliamentary inquiry.

Mr. PATMAN. Mr. Speaker, does the statement of the Chair mean that after the other bills considered under suspension of the rules have been disposed of this afternoon, the votes on those bills will be taken up in order and this will be the first one to be voted on at that time?

The SPEAKER. The gentleman is correct. The bill will be voted on at that time.

AMENDING EMERGENCY DAYLIGHT SAVING TIME ENERGY CONSERVATION ACT OF 1973

Mr. STAGGERS. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 16102) to amend the Emergency Daylight Saving Time Energy Conservation Act of 1973 to exempt from its provisions the period from the last Sunday in October 1974, through the last Sunday in February 1975, as amended.

The Clerk read as follows:

H.R. 16102

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 3 of the Emergency Daylight Saving Time Energy Conservation Act of 1973 is amended—

(1) by inserting immediately after "(15 U.S.C. 260a(a))," in subsection (a) the following "and except as provided in subsection (e) of this section,"; and

(2) by adding at the end thereof the following subsection:

"(e) During the period commencing at 2 o'clock antemeridian on the last Sunday of October 1974, and ending at 2 o'clock antemeridian on the last Sunday of February 1975, the standard time of each zone established by the Act of March 19, 1918 (15 U.S.C. 261–264), as modified by the Act of March 4, 1921 (15 U.S.C. 265), shall be the standard time of each such zone pursuant to such Act of March 19, 1918, as so modified."

SEC. 2. Section 4(a) of the Emergency Daylight Saving Time Energy Conservation Act of 1973 is amended by striking out "June 30, 1975" and inserting in lieu thereof "July 31, 1975".

The SPEAKER. Is a second demanded?

Mr. BROYHILL of North Carolina. Mr. Speaker, I demand a second.

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

There was no objection.

Mr. STAGGERS. Mr. Speaker, H.R. 16102 if enacted would return the United States to standard time from the last Sunday in October 1974—October 27—until the last Sunday in February 1975—February 23.

As everyone will recall, Mr. Speaker, the United States was faced with a severe shortage of energy supplies in the fall of 1973. In November the President sent to the Congress an energy emergency legislative program which included enactment of year-round daylight saving time. This was based on experience during the two World Wars when enactment of year-round daylight saving time resulted in conservation of electric energy. In addition, it was believed that enactment of the legislation would more actively involve the American people in the energy conservation effort.

In response to the President's request, the Congress enacted the Emergency Daylight Saving Time Energy Conservation Act of 1973—Public Law 93–182. The act placed most of the Nation on daylight saving time from its effective date of January 6, 1974, until the last Sunday in April 1975. The act also directs the Secretary of Transportation, who administers it, to submit to the Congress interim and final reports on the operation and effects of the legislation.

The Secretary has submitted a substantial two-volume report. However, he notes that its findings are, for the most part, inconclusive because of other changes while the act has been in effect, including limited fuel availability, speed limit reductions, Sunday gasoline station closings, and voluntary reductions by the American people in lighting, heating, and unnecessary travel.

The interim report does indicate, however, that observance of daylight saving time during the months of January through April 1974 probably resulted in a reduction in consumption of electrical energy of between .75 and 1 percent. Though this may sound insignificant, Mr. Speaker, it translates into a reduction in energy consumption equivalent to about 100,000 barrels of oil per day.

The Secretary's interim report also indicates that although there has been an increase in fatalities among school age children between the morning hours of 6 to 9 a.m. there has also been an offsetting decrease of such fatalities during the remainder of the day. But, again, the results are inconclusive, Mr. Speaker, because of the unusual traffic conditions resulting from the energy shortage.

The Secretary has recommended that the Emergency Daylight Saving Time Act be amended so as to place the United States on standard time during the months of November, December, January and most of February. His report indicates that a majority of the American people prefer daylight saving time from March through October. It would also permit a more thorough assessment of the overall impact of daylight saving time including its effect on energy consumption by having it in effect during March and most of April 1975.

Mr. Speaker, H.R. 16102 would carry out the Secretary's recommendation and I urge its enactment.

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

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

Mr. BRAY. Mr. Speaker, in the State of Indiana, we have approximately 12 counties that are in the central time zone and the rest of the State is in the eastern time zone. Under the 1966 act there was a provision, as I recall, that a State could elect to exempt all of the State, or all of the State in the more easterly time zone, from observance of daylight saving time.

Indiana did elect to stay on standard time in that portion of the State in the eastern time zone the year around.

Now, does this legislation affect that in any way?

Mr. STAGGERS. Mr. Speaker, the situation in Indiana is this. Indiana has passed a law which is given effect by the 1973 act which exempts the 80 counties of Indiana in the eastern time zone from observing daylight saving time when it is in effect elsewhere in the United States. The six counties in the northwest part of Indiana and the six in the southwest part observe central daylight saving time when it is in effect elsewhere. Therefore, when daylight saving time is being observed elsewhere in the United States, all of the State of Indiana is on the same clock time—that is, it is 7 a.m., or what have you, throughout the State of Indiana as a result of the 80 counties in the eastern time zone observing eastern standard time and the 12 counties in the northwest and southwest corners of the State observing central daylight saving time.

However, while the Nation is observing standard time as it would from the last Sunday in February 1975—February 23—under H.R. 16102, there is no provision for exemption under the 1966 or 1973 act and the 80 counties of Indiana in the eastern time zone will be observing eastern standard time and the 12 counties in the northwest and southwest which are in the central time zone will be observing central standard time. These different parts will be observing different clock times while standard time is in effect. Thus, when it is 10 a.m. in that portion of Indiana in the eastern time zone, it is 9 a.m. in the 12 counties in the northwest and southwest which are in the central time zone—while, of course, standard time is being observed throughout the United States.

Under H.R. 16102, daylight saving time would resume throughout most of the United States on the last Sunday in February 1975. At that time all of Indiana would again observe the same clock time as a result of the interaction of the Federal law and the laws of the State of Indiana. If Indiana wanted to change its law it, of course, could do so. I understand the Indiana legislature meets in November of each year.

Mr. BRAY. No, Indiana will not have time to take care of this if legislators are running because the legislature does not meet until January, and the legislation as passed becomes effective in October.

Mr. STAGGERS. I have it marked down here that the Indiana legislature meets in November. But whether it meets in November or January makes no difference. Under the 1966 act the changeover to standard time has taken place on the last Sunday in October of each year and I do not see that the State of Indiana could or would want to do anything about that. The change back to daylight saving time under the 1966 act, however, took place on the last Sunday in April, whereas, under H.R. 16102 it would take place on the last Sunday in February 1975.

Mr. BRAY. Does this change the law existing today?

Mr. STAGGERS. I did not hear the gentleman.

Mr. BRAY. Is this going to change the law, except that we are changing the months of daylight savings time, but is this going to change the law in Indiana?

Mr. STAGGERS. This legislation would not affect Indiana law as I explained it earlier. It would amend the 1973 Emergency Daylight Saving Act to provide for standard time throughout the United States from the last Sunday in October 1974 to the last Sunday in February 1975.

Mr. BRAY. It will not change the Indiana law?

Mr. STAGGERS. No.

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

Mr. STAGGERS. I will be happy to yield to the gentleman from Kentucky.

Mr. MAZZOLI. I thank the gentleman for yielding.

I would like to ask the chairman this question: The State of Kentucky under the authority of the Emergency Daylight Saving Time Act, redrew its time zones. Would the gentleman from West Virginia tell me in the event this bill carries today and becomes the law, whether it will change this exemption? Does that mean that from the last Sunday in October to the last Sunday in February that these time zones would revert back to the time zones in effect prior to the emergency daylight saving time bill enactment last year?

Mr. STAGGERS. No, the legislation itself will make no change whatsoever in the boundary zone limit in Kentucky under the 1973 act. However the time limits could be changed if the State of Kentucky wanted to change them and the Secretary of Transportation concurred. That was the way the time zone limit was changed before, as I understand it. The Secretary changed it from across the middle of the State on a north south axes to a position where the 12 northeastern counties, which adjoin Ohio and West Virginia are the only ones left in the eastern time zone.

Mr. MAZZOLI. At the present time these 120 counties are separated, 108 counties on Central time, and the 12 eastern counties on Eastern time, and that would stay in effect during the 4 months of standard time?

Mr. STAGGERS. It will.

Mr. MAZZOLI. Then come next February, the last Sunday in February of 1975, then would they simply—the 12 counties and the 108 counties—separate between the daylight saving time at the end of February 1975?

Mr. STAGGERS. Under the Secretary of Transportation's order the zone change in Kentucky under the 1973 act would continue until the last Sunday in April.

Mr. MAZZOLI. The last Sunday in April?

Mr. STAGGERS. Then they go back to the time zone limits as they existed under the Uniform Time Act of 1966.

Mr. MAZZOLI. Then as of the last Sunday in April 1975, they would revert to the time zone boundaries in the way they existed prior to the emergency daylight saving time?

Mr. STAGGERS. That is correct.

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

Mr. STAGGERS. I am happy to yield to the gentleman from Indiana.

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

In the colloquy the gentleman from West Virginia had a moment ago with the gentleman from Indiana (Mr. BRAY) I understood the gentleman to say that the legislature in Indiana would have to take positive action. It seems to me that on page 2, paragraph (e) it does provide that this legislation shall become effective on the last Sunday of October, 1974, and I see no provision exempting those several States, including the State of Indiana, in which the basic law had exempted those States, the amended statute. But how can Indiana and possibly four other States comply with this when their State legislatures are not going to meet until after this October date?

Mr. STAGGERS. Let me say to the gentleman from Indiana this would put each of them under standard time. As in the past, they had no trouble whatsoever under standard time, and they will all be under standard time, the whole Nation will. Before we went into daylight saving time we heard no complaints from Indiana.

Mr. MYERS. If the gentleman will yield further, the original legislation did provide for an exemption of these five States including Indiana, these States were on the margin, where the States were divided into two time zones, and I do not see where that is provided for in this legislation.

Mr. STAGGERS. The gentleman does not quite understand this. Under the 1973 Emergency Daylight Saving Time Act we allowed a State divided by a time zone limit to exempt all of the State in the more easterly time zone from observing daylight saving time. Of course, under the 1973 act as passed last year we only provided for daylight saving time and for some exemptions to its observance. Even under the 1966 act there were no exceptions to the observance of standard time and certainly it wouldn't make sense to allow States to exempt themselves from the observance of standard time provided for under H.R. 16102.

Mr. MYERS. And it is the intention of this legislation not to change the

existing laws and the existing times as they now exist in these States that are divided?

Mr. STAGGERS. While the Nation is observing standard time. That is right.

Mr. MYERS. They will continue to exercise the same time that they are presently on, and stay year round?

Mr. STAGGERS. Unless they want to change it.

Mr. MYERS. I thank the gentleman.

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

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

Mr. GROSS. I thank the gentleman for yielding.

What is so mysterious about this subject that the Department of Transportation—I believe that is where the study was supposed to be made—could not make their full report on time?

Mr. STAGGERS. We gave them until July of next year to make a full report. We said they should make an interim report before this July so we would know something of the operation and effects of the legislation while it is in effect.

Mr. GROSS. It might take another year to file a full report. It probably means there will be more people on the payroll or they will keep some more people on the payroll; will they not?

Mr. STAGGERS. No. We did not give them any extra money.

Mr. GROSS. I do not know about the extra money. Most of them are overstaffed anyway, but it gives them an excuse to keep them on the payroll; does it not?

Mr. STAGGERS. I might say to the gentleman we do not provide a cent of money in the bill.

Mr. GROSS. There is not all that mysteriousness about the daylight time or the lack of it. Now that Congress has recovered from the hysteria that overtook it last year, why do we not go to daylight time in April and cut it back in October when we are going into the winter in some areas?

Mr. STAGGERS. Let me say to the gentleman the Department of Transportation concluded—and the members of the subcommittee and of the full committee concurred—that the precarious period is from November through late February and that during that period we should observe standard time instead of daylight saving time. This 1973 act terminates, I might say to the gentleman from Iowa, on April 27, 1975, at which time the Nation will revert back to the 1966 law. However, as the gentleman from Iowa has noted, the Secretary of Transportation will have until July 31, 1975, to submit to the Congress his final report on the operation and effects of the 1973 act.

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

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

Mr. BRAY. I thank the gentleman for yielding.

As I understand it, at the present time the 80 counties in Indiana in the eastern time zone on eastern standard time and the 12 in the northwest and southwest part of the State are on central daylight saving time. Under the bill, on the last Sunday of October the entire State would be on standard time, either eastern standard or central standard time, without any action on the part of our legislature; is that correct?

Mr. STAGGERS. The gentleman is correct.

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

Mr. STAGGERS. I yield to the gentleman from Indiana (Mr. DENNIS).

Mr. DENNIS. Mr. Speaker, but until and unless the legislature meets and does that, the effect of this bill is that whereas the State of Indiana now stays on the same clock time, it will no longer do so and these counties on central time will now be on a slower time unless we amend the State law. Isn't that the effect of this bill?

Mr. STAGGERS. The gentleman is correct. During the observance of standard time Indiana may not exempt itself and the portion of the State in the eastern time zone will observe eastern standard time and the two areas in the central time zone will observe central standard time.

Mr. DENNIS. And during that time then they will have two times.

Mr. BROYHILL of North Carolina. Mr. Speaker, you will undoubtedly recall, on November 27, 1973, during the period in which the United States was confronted with its first prolonged peacetime energy shortage, the House passed the Emergency Daylight Saving Time Energy Conservation Act to provide for daylight saving time on a year round basis for a 2-year trial period. It was hoped that this action would not only result in energy savings in electrical power consumption but would also actively involve the American people in an energy conservation effort and that this involvement would encourage individuals to be more sensitive about energy usage in their own homes.

In order to gain a broader understanding of the effects of year round daylight saving time, Congress included in the act a requirement for the Secretary of Transportation to prepare an interim report by June 30, 1974, and a final report by June 30, 1975, on the operation and the effects of the act. The interim report was transmitted to the Congress on June 28, 1974.

That report recommended proceeding with the second year of the experiment, but it also recommended that the act be amended to provide that during the second year of the experiment, the Nation observe daylight time for 8 months of the year instead of 12, and return to standard time for the remainder, from the last Sunday in October 1974, to the last Sunday in February 1975.

In its evaluation of the effects of year-round daylight saving time, the Department of Transportation concluded that year-round daylight saving time probably resulted in a savings in electricity consumption of as much as 0.75 percent for January and February and 1 percent for March and April. Other factors could have contributed to these savings. To the extent that savings occurred, coal was the predominant fuel saved. There was also evidence that electrical power companies experienced peak-load demand reductions, but the energy savings could not be substantiated due to the lack of data.

In the judgment of the Department of Transportation the months of March and April offer the potential of producing larger energy savings of electricity and of offsetting increases in gasoline consumption as compared to the winter months. A second year's experiment for these months would provide ample time to collect and evaluate heating fuel and electrical peak-load data which were not available for the interim study, and would, of course, provide a more comprehensive assessment of the net effect of energy use due to daylight saving time.

As you are aware, a great deal of public apprehension was expressed over the safety of children traveling to school on dark mornings. While the limited data available for the brief period of last winter's year-round daylight saving time experience, and the unusual travel conditions prevailing at the time, did not provide an adequate basis for properly evaluating the risk to schoolchildren, there is some evidence that daylight saving time during the four darkest winter months does in fact provide an increased hazard to children. For this reason, I feel it would be wise to adopt the provisions of H.R. 16102 and return to standard time during the four darkest months of the winter from November through February.

Although the United States is not at this time confronted with a critical shortage of energy supplies, it is essential that our limited resources be conserved. Even though the data derived from the observance of daylight saving time during the period from January 6, 1974, through April 1974 are not conclusive, there is some substantial basis for concluding that such observance did result in a reduction of the consumption of electrical energy between three-quarters and 1 percent. This translates into annual energy savings equivalent to 50,000 barrels of oil per day.

For the reasons that I have expressed I urge the enactment of H.R. 16102 which would place the United States on standard time from the last Sunday in October 1974 until the last Sunday in February 1975. Our best information indicates that this would result in the conservation of electrical energy during the months of March and April 1975 and would certainly permit a more thorough assessment of the overall impact of daylight saving time including its effect on total energy consumption.

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

Mr. BROYHILL of North Carolina. I yield to the gentleman from Kentucky.

Mr. SNYDER. I had one further question in furtherance of the colloquy between the gentleman from Kentucky and the chairman of the committee.

Mr. BROYHILL of North Carolina. I will be delighted to yield to the chairman and to the gentleman and I will be glad to respond as well.

Mr. SNYDER. Under last year's law where a time zone split a State, one of the options was to allow the Governor to request the Secretary to change the time zone line, which ours did. My question is now that we are taking care of the more difficult hours for schoolchildren and so forth, will the Governor still have either under existing law or under this bill the option to request the Secretary to revert to the original time zone line if he elected to do that?

Mr. STAGGERS. Yes; according to the Secretary, he would have a provision to do it. He would have the authority and the power and the Governor would have the authority and the power to do it for him.

Mr. BROYHILL of North Carolina. Mr. Speaker, I yield to the gentleman from Kentucky and a member of the committee who has been a strong advocate for taking this action we are now doing.

Mr. CARTER. Mr. Speaker, I support the bill, H.R. 16102, to amend the Emergency Daylight Saving Time Energy Conservation Act of 1973 by reestablishing standard time in the United States from the last Sunday in October of this year until the last Sunday in February 1975.

My support, however, is not without some reservation, Mr. Speaker. Although this measure will enable us to return to standard time during a portion of the winter season, it does not go far enough toward providing the remedy that we need. For years I have proposed that daylight saving time be effective only during the period from Memorial Day to Labor Day of each year, and I continue to believe that this would be the most reasonable solution to this entire matter.

In any case, it is clear that the Emergency Daylight Saving Time Energy Conservation Act of 1973 has not proved to be effective in conserving our vital energy resources, and I am in favor of this proposal to amend it.

Mr. BROYHILL of North Carolina. Mr. Speaker, I yield such time as he may consume to the gentleman from Nebraska (Mr. CCCOLLISTER), a member of the committee.

Mr. MCCOLLISTER. Mr. Speaker, I rise in support of the legislation to end year-round daylight saving time. After 7 months of this experiment, we do not have enough data to abandon it completely, but we have enough to modify the system to meet the problems which have arisen.

Preliminary reports from the Department of Transportation indicate energy savings totaled about 1 percent during March and April, with coal the predominant fuel saved. The second year is needed to provide time to collect and evaluate heating fuel and electrical statistics which were not available for the interim report.

Another major factor in considering an amendment to the Emergency Daylight Saving Time Energy Conservation Act of 1973 is public concern for safety of schoolchildren. Reduced speed limits and gasoline shortages probably figured in increased traffic safety, but the data is inconclusive. There was a 23.8-percent decrease in motor vehicle fatalities for January-March 1974 compared with the same period in 1973. An increase in schoolchildren fatalities during the morning hours of 6 to 9 a.m. for February 1974 was offset by a decrease in fatalities in the early evening hours. Some schools advanced their starting times to alleviate the darkness problem, so it is nearly impossible to determine the actual effect.

Despite the lack of hard evidence on this point, the public anxiety and ill feeling it generated make it worthwhile to return to standard time during the 4 darkest months of the year. Sunrises during March and April are early enough to remove parental concern about a return to daylight saving time.

Public opinion is strongly on the side of March through October daylight saving time according to polls taken in March of this year during the experiment.

By allowing 2 more months on standard time, the adverse economic impact on some daytime only and full-time radio stations could be alleviated somewhat. Some stations have complained that they miss part of their prime time morning rush-hour broadcasts since they cannot come on the air until sunrise. The full-time stations receive morning interference from stations which are allowed to turn up their power between sunset and sunrise.

As much as the energy situation has eased since the end of the Arab oil embargo, we cannot drop all our conservation efforts now. After we have the results of the second year of the experiment we will be better equipped to study the whole question of daylight saving time.

I appreciate the fact that the Department of Transportation took public opinion and reaction into account in making their recommendations. And I am pleased to back a revised plan of daylight saving time from the last Sunday in February through the last Sunday in October and a return to standard time November through February.

Mr. BROYHILL of North Carolina. Mr. Speaker, I yield such time as he may consume to the gentleman from Pennsylvania (Mr. HEINZ), another member of the committee.

Mr. HEINZ. Mr. Speaker, as you know, the Emergency Daylight Saving Time Energy Conservation Act of 1973 was passed to provide for daylight saving time on a year-round basis for a 2-year trial period. In addition to the expected energy savings in electrical power consumption, other energy savings were anticipated by the act. One of the hoped-for effects of YRDST was that it would actively involve the American people in an energy conservation effort and that this involvement would lead individuals to a sensitivity to energy usage in their own homes. The magnitude of the resultant energy savings, however, was impossible to predict at the time of the passage of the act. Also, a number of ancillary benefits were anticipated by the act, including reduced crime, improved traffic safety, expanded economic opportunities both domestically and internationally, and increased opportunities for recreational activities. These benefits were also impossible to quantify when the act was passed. To gain a broader understanding of the effects of YRDST, we required that the Secretary of Transportation prepare an interim report by June 30, 1974, and a final report by June 30, 1975 on the operation and effects of the act.

The interim report supports continuing the DST experiment and recommends that the act be amended to provide that during the second year of the experiment, the Nation observe daylight time for 8 months of the year and return to standard time for the remainder, from the last Sunday in October 1974 to the last Sunday in February 1975.

I am pleased that my recommendations as set forth in H.R. 16229, which I introduced on August 1, 1974, were adopted by my colleagues on the Interstate and Foreign Commerce Committee, and I strongly support the clean bill reported by the committee.

Mr. BROYHILL of North Carolina. Mr. Speaker, I yield such time as he may consume to the gentleman from California (Mr. KETCHUM).

Mr. KETCHUM. Mr. Speaker, I rise to support H.R. 16102, the Emergency Daylight Saving Time Amendments. I supported the legislation that gave us year-round daylight saving time because I hoped it would conserve sufficient energy to offset any unpleasant side effects. Unfortunately, this has not proven to be the case.

The time to admit a mistake is when you have made one. It is clear that whatever energy was saved by changing to daylight saving time last winter was minimal. The early morning darkness caused by daylight saving time proved to be much more of a problem than we envisaged. Parents were understandably reluctant to allow their children to walk to school, or ride their bicycles in the dark. It appears that the darkness increased the early morning fatality rate for schoolchildren. The winter months are simply not suited for daylight saving time, and we cannot save energy by trying to make them so.

I hope that we pass this bill removing the darkest months from daylight saving. But the American people should not construe this action as meaning it is no longer necessary to conserve energy. That goal is just as important now as it was when we first passed the year-round legislation. That experiment did not work, and we should recognize it, and correct it, but we must not cease searching for ways to stretch our energy resources.

Mr. BROYHILL of North Carolina. Mr. Speaker, I yield such time as he may consume to the gentleman from Kansas (Mr. SEBELIUS).

Mr. SEBELIUS. Mr. Speaker, I would like to add that I do not think we went far enough on this. I will rise later at the appropriate time to comment further on this.

Mr. Speaker, I appreciate the opportunity to make these remarks pertaining to the bill that would give us back some 4 months of standard time.

In behalf of all of the farmers, businessmen, mothers, and schoolchildren who get up in darkness in my congressional district. I want to thank my urban colleagues for providing us with 1 extra hour of daylight in the morning for 4 months.

Ever since coming to the Congress I have introduced legislation that would limit daylight saving time to the 3 summer months. Unfortunately, my bill never saw the light of day. Furthermore, when the energy crisis came upon us, the Sun set on my bill and we witnessed the dawning of a new era; daylight saving the year round.

Nevertheless, now that it has been shown we do not save any appreciable energy with daylight saving and considering the hardship "DST" brings to our citizens, I am hopeful that some day in the near future we will be able to shed new light on this subject. This action today at least provides some light at the end of the dark tunnel. I am always grateful for progress of any kind. I am reminded of the legend that states daylight saving time was invented by an old pioneer who cut off one end of a blanket and sewed it on to the other end in order to make it longer. I want to thank my colleagues for giving us part of our blanket back.

Mr. BROYHILL of North Carolina. Mr. Speaker, I yield such time as he may consume to the gentleman from California (Mr. HOSMER).

Mr. HOSMER. Mr. Speaker, I rise in opposition to the bill, because the year-around daylight saving time experiment has just begun. There has not been any definitive indications made by the Department at this time one way or another about the proposition. It has been in too short a time to gain meaningful knowledge. I believe we should let the time run out on the law as it now is. Only the next 4 winter months are involved, but they are key months for all evaluating the proposition properly. That will give us a good runout. We will be able to know the right thing to do. Certainly we are just guessing, and guessing wildly, about the merits of this question as we consider it today. I urge defeat of the bill.

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

Mr. BROYHILL of North Carolina. I yield to the gentleman from Georgia.

Mr. BRINKLEY. I understand from the chairman of the committee that the general legislation will expire in 1975. Will that be the end of 1975, or does the gentleman know?

Mr. BROYHILL of North Carolina. I am sorry. I did not hear the gentleman's question. I understand he is asking when this would expire?

Mr. BRINKLEY. Negative. May I put the question again. I understand this legislation which we are considering today will be effective for 1 year only.

Mr. BROYHILL of North Carolina. For this year only, that is, for the months including the winter months of 1974–75.

Mr. BRINKLEY. And then in 1975 the law which this legislation modifies, that law expires——

Mr. BROYHILL of North Carolina. Next year, it would revert back to the basic law which is 6 and 6; 6 months of daylight time and 6 months of regular time. It means that next year we would observe regular time, standard time, from the last Sunday in October until the last Sunday in April of 1976.

Mr. BRINKLEY. Until the last Sunday in April 1976?

Mr. BROYHILL of North Carolina. Yes.

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

Mr. BROYHILL of North Carolina. I yield to the gentleman.

Mr. GROSS. That is if Congress does not go berserk again?

Mr. BROYHILL of North Carolina. That is unless Congress acts otherwise.

Mr. GROSS. I thank the gentleman.

Mr. BROYHILL of North Carolina. Mr. Speaker, I have no further requests for time.

Mr. STAGGERS. Mr. Speaker, I yield 1 minute to the gentlewoman from Connecticut (Mrs. GRASSO).

Mrs. GRASSO. Mr. Speaker, I thank the gentleman for yielding time to me.

Mr. Speaker, I rise in support of this legislation. I commend our distinguished chairman for acting on this matter with discretion and dispatch.

Mr. Speaker, most of my colleagues would agree that year-round daylight saving time has not been entirely successful as an energy conservation proposal.

Therefore, I strongly support passage of H.R. 16102, the Emergency Daylight Saving Time Act Amendments. The bill would return the United States to standard time for the winter months by reinstating standard time from the last Sunday in October 1974 to the last Sunday in February 1975.

Shortly after the country went on permanent daylight saving time in January 1974, I was disturbed by the disruptions in the schedules of working people in Connecticut and by reports of injuries suffered in traffic accidents by children who had to travel to school in the dark. At that time I urged the distinguished gentleman from West Virginia (Mr. STAGGERS) to conduct oversight hearings on the new law. By early February, I had been convinced that the new law needed revision and introduced a bill to reimpose standard time from the last Sunday of November to the last Sunday in February.

The recent interim report filed by the Department of Transportation substantiates the need for a revision in the present law by indicating that little energy saving resulted from the change to year-round daylight saving time during the months of January and February. Moreover, the report mentions school schedule changes, loss of revenue by radio stations, and adverse conditions in the construction industry as evidence of the confusion caused by the time change.

However, I take serious exception to the DOT's treatment of traffic fatalities involving schoolchildren. The Department indicates an overall decline in these fatalities in January and February, with a rise in early morning deaths offset by a decline in fatalities at night. This is an insensitive way of treating this subject. The Department should be reminded that it is dealing with children and not simply with cold, hard statistics, and that their protection is imperative at any hour.

Mr. Speaker, year-round daylight saving time was tried and it proved unsatisfactory. H.R. 16102 would rectify the present situation by returning the United States to 4 months of standard time in the late fall and early winter months.

The House must take favorable action on this legislation to curtail the year-round daylight saving time system. A prompt revision of the year-round plan is essential to the safety of our schoolchildren, the peace of mind of their parents, and the well-being of all our people.

I urge my colleagues to support H.R. 16102.

Mr. ICHORD. Mr. Speaker, the House Interstate and Foreign Commerce Committee has voted out a bill for our consideration today which would amend the Emergency Daylight Saving Time Energy Conservation Act of 1973 to place the United States on standard time from the last Sunday in October 1974 until the last Sunday in February 1975. This compromise bill would amend the year-round DST which went into effect on January 6, 1974, replacing it with 4 months of standard time rather than the normal 6 months of standard time which this Nation had prior to enactment of Public Law 93–182.

While I did not vote in favor of the original year-round DST legislation when it passed the House on November 27 due to my conviction that it strongly discriminated against selected segments of our population, would not save appreciable energy, and was only an expedient response to the critical and complex energy shortages which confronted this Nation in the fall of 1973, I do feel that this compromise bill offered by the Interstate and Foreign Commerce Committee should be commended and warrants the support of the Members of this body. The committee's bill represents the culmination of hearings which were held on August 12 which I had the privilege to participate in and is a direct response to the recommendations of the interim report of the Department of Transportation on the effect of YRDST which, after determining that energy savings under YRDST were "inconclusive," recommended that Public Law 93–182 be amended so that standard time is ob-

served for the 4 winter months. Under the legislation offered to the House today the Department of Transportation would be required to report to Congress on July 31, 1975, as to the full effects of this amended version of daylight saving time. In the interest of energy conservation I believe that we should try this amended version of DST and fully determine if an energy conservation does result. By returning to standard time during the dark winter months we shall hopefully avoid many of the problems which arose under YRDST such as the detrimental effect of this Nation's schoolchildren and farmers. Thus, Mr. Speaker, while I have introduced legislation which would repeal YRDST entirely, I do support this compromise measure. At the same time, Mr. Speaker, I would urge that we also turn our full diplomatic skills to the Middle East in the hope that stability in that area of the world will preclude a future oil embargo such as the one which created the severe shortages of several months ago, and additionally, Mr. Speaker, I would urge this body to continue with deliberate and sensible long-range planning to encourage and expand domestic energy exploration and development and promote the wise use of our all too limited energy supplies.

Mr. BINGHAM. Mr. Speaker, I rise in opposition to this attempt to amend the Emergency Daylight Saving Time Energy Conservation Act of 1973. I believe the need for year-round daylight saving time—YRDST—exists to the samc degree today as it did in November when this body voted to implement it, despite the apparent easing of the petroleum shortage.

Public Law 93–182 provided for a 2-year experiment in YRDST. The present bill provides for terminating the experiment and reverting to standard time from the last Sunday in October 1974, until the last Sunday in February 1975.

One of the provisions in the original emergency legislation required the Secretary of Transportation to submit an interim report on the effects and operations of YRDST. It is on the basis of that report and its recommendations that this legislation is before us today. I do not question the statistical expertise of the Department of Transportation, but I do question the wisdom of their conclusions.

In the first place, there was a measurable savings in energy during the period January–April 1974; 14,000 barrels of oil per day; 106 million cubic feet of gas—or another 19,500 barrels of oil; 9,650 tons of coal per day—or another 42,320 barrels of oil; 24,000 barrels per day equivalent of nuclear and hydropower.

During January and February, DOT estimated there was a three-quarter percent decrease in peakload energy consumption, and a 1-percent decrease during March and April. This bill then ignores a quantitative energy savings and the year-round need to conserve energy appears in order to appease a vocal segment of the public.

We are only deceiving ourselves if we believe that the energy shortage is over. When the heating season begins in November, heating oil supplies will get tight; why make them tighter by repealing d.s.t.?

Many of those who oppose YRDST and support this bill argue that early morning darkness has been responsible for an increased number of schoolbus related fatalities. While the DOT report does support the contention that there were an increased number of schoolchildren fatalities during the morning hours, the report also stated that there was an offsetting reduction in fatalities during the early evening hours. Furthermore, there is no direct evidence that darkness rather than human or mechanical failures were directly responsible for fatal accidents involving school age children.

DOT data for the January to March 1974 period shows a 28.5-percent decrease in motor vehicle fatalities for all segments of the population. While the reduction in the speed limit on our highways was no doubt the major factor in this saving of many human lives, I cannot believe that pushing dusk back—the most dangerous time of the day to drive—until after the end of the rushhour did not also contribute to the reduction in highway deaths.

Many senior citizens and pedestrains in my district have also benefited from the extra hour of daylight. Though there are no conclusive figures to support the contention that YRDST has reduced crime, many of my constituents believe that it has had such an effect, and statistics do in fact show that the greatest incidence of muggings, robberies, and purse snatchings occur during the early evening hours when most people are either returning from work or are shopping.

I believe that this is a hasty amendment to a reasonable emergency measure. It appears to represent a weakening of our resolve to conserve energy whenever possible despite a little inconvenience so that we may be in a better position to handle the next abrupt curtailment of energy supplies, be it from an increase in demand or foreign intervention. YRDST should be given at least 1 more year's trial.

Mr. HECHLER of West Virginia. Mr. Speaker, I strongly opposed and voted against winter daylight saving time when it was put into effect last year. For the life of me, I could not and cannot understand why small schoolchildren were forced to wait in the early morning darkness for the schoolbus to come along, and by what logic it could be claimed that fuel was being saved by this intolerable burden on the people.

In the early morning hours in the winter, the temperature is at its lowest. It stands to reason that more fuel must be expended in schools, homes and places of business during these hours when daylight saving time is in effect. Many school superintendents had to change their school hours during the darkest months of winter in order to protect the safety of young schoolchildren, and to save the fuel which was being burned up early in the morning. As a result, many parents who went to work at 9 a.m. found it difficult to bring their children to the schools or bus stops when school did not begin until later under the adjusted school hours.

Lots of people were grumpy all day when forced to get up and go to work in the middle of the night.

Personally, I would have preferred to see daylight saving time only from Memorial Day until Labor Day. However, the pending legislation is at least a step in the right direction, and I strongly favor and will vote for its adoption.

Mr. MILLER. Mr. Speaker, I rise in support of this proposal to return a measure of standard time to the Nation. Last December I voted against going to year-'round daylight saving time. In retrospect I think most Members will agree that the decision to make this switch was ill-conceived and done only for cosmetic purposes. Statistics just released show that no measurable savings were made by moving to YRDST. Indeed, those Members who voted in favor of the legislation last December did so only because of the great concern that something—anything—had to be done about our energy problem. Our energy crisis was not something that developed from November 30 of last year. It had been slowly building for the past 3 years. When the Arab oil embargo made the crunch more immediate there was a rush to show concern by adopting this move to daylight time.

The repeal today of the congressional action of last December shows that there are dangers involved in rushing to meet a problem with the depth of the energy shortage with stop-gap measures. In the future I hope that Congress will take a closer look at any such proposals before rushing to judgment.

I know that many of my constituents in the 10th District of Ohio will applaud the action we take here today. Since the instatement of YRDST last year my office has been flooded with letters complaining of the disadvantages of the switch. The primary concern was over the safety of schoolchildren in the early morning hours. With the start of the new school year only a few days away, the action we take here today will be a great comfort to parents of school-age children, especially when the dark months of midwinter are upon us and standard time becomes so important.

Mr. Speaker, I urge prompt passage of this important measure.

Mr. BAUMAN. Mr. Speaker, I rise in support of H.R. 16102, which amends the Emergency Daylight Saving Time Energy Conservation Act of 1973 to allow the United States to observe standard time during the 4 winter months, from the last Sunday in October of 1974 until the last Sunday in February 1975. As we all know, last November the Congress, as part of its efforts to take prompt action with regard to the energy crisis, passed the Emergency Daylight Saving Time Energy Conservation Act, which put the country on year-round daylight saving time. While I had reservations

at that time the overwhelming majority of both the House and Senate approved the measure and it took effect in January of this year.

In the 8 months which have elapsed since the move to year-round daylight saving time, it is apparent that the change was made in haste and that the advantages gained, if any, do not outweigh the increased danger which it presents for schoolchildren in my district in Maryland and throughout the country. The year-round daylight saving time study prepared by the Department of Transportation indicates that there was an increase in schoolchildren fatalities during the early morning hours of 6 to 9 a.m. for February of 1974 as opposed to February of 1973 and it is quite possible that this unfortunate increase was due to hasty enactment of the legislation.

Mr. Speaker, while I have sponsored legislation which provided for the repeal of the Emergency Daylight Saving Time Energy Conservation Act, I am pleased that the Department of Transportation and the Committee on Interstate and Foreign Commerce have supported a measure which provides for a return to standard time from November to February. I believe that the great majority of the people in my district and across the country favor a resumption of standard time during the winter months. It is my hope that the enactment of this legislation will provide safer commuting conditions for children who walk to school and wait for schoolbuses during the early morning hours at a time when many commuters are traveling to their places of business.

Mr. MATHIAS of California. Mr. Speaker, I see no reason to continue daylight saving time through a second winter. The positive effects of the program are outweighed by the public's dislike of year-round daylight saving time.

The continuation of this program produces nominal energy savings. Most Americans have adjusted their lives and lifestyles to stay within the boundaries necessarily established to conserve our energy resources. The dissolution of daylight saving time for 4 months a year should not adversely affect the sometimes stable, sometimes unstable energy situation.

In my district, Mr. Speaker, a large portion of the school aged children are transported to school along rural roads and highways. The early morning darkness of daylight saving time coupled with the thick Tule fogs we receive between November and February, increase the chances of serious injuries and fatalities to these children. There is not much that we can do to minimize the risk of injury to our children, but when the opportunity to eliminate a potential hazard comes along we must act upon it. Therefore, Mr. Speaker, I support H.R. 16102.

Mr. WHALEN. Mr. Speaker, I rise in favor of passing H.R. 16102 under the suspension of the rules.

Last December I voted for the Daylight Saving Time Energy Conservation Act of 1973. That legislation provided that DST would be in effect on a year-round basis for a 2-year period. Another important provision of that act, the inclusion of which I strongly supported, stipulated that the Secretary of Transportation submit to Congress an interim report detailing the effects of the time change.

That interim report has been completed. The legislation before us this afternoon is a result of the recommendations contained therein. That is, the Nation will return to standard time from the last Sunday in October 1974, until the last Sunday in February 1975. The requirement that the Secretary file a final report is continued, although the deadline is extended a month, from June 30, 1975, to July 31, 1975.

I have studied the Secretary's report and concur in the decision to recommend the resumption of standard time during the 4 winter months. The Secretary has acknowledged that the data on which his recommendations are based are not conclusive. As he stated in his summary:

> The effects were so small that they could not in general be reliably separated from effects of other changes occurring at the same time. . . . Consequently, the part winter season provided a poor basis for analysis and generalization . . . there is no unambiguous direct evidence that they were either beneficial or harmful.

For example, electricity consumption was reduced by only about 0.75 percent in January and February and by 1 percent in March and April.

Of great concern to parents were the effects on children going to school in the early morning darkness. While the available evidence showed that, indeed, fatalities at that time involving schoolchildren increased, there was an offsetting decrease in the early evening hours.

In addition, no significant effects on traffic safety could be attributed to year-round DST.

At best, then, the benefits of winter DST are marginal compared to the problems and inconveniences which polls show our people experienced. For that reason, I urge the prompt adoption of H.R. 16102.

Mr. BOLAND. Mr. Speaker, while there are many of us here today that would continue to disagree with the assertion that the energy crisis in this country is over, no one would deny that the sense of urgency that prevailed at the beginning of last year's embargo has greatly diminished.

It is therefore, in the light of reasoned reflection, that we reexamine today H.R. 16102 which would amend the Emergency Daylight Saving Time Energy Conservation Act of 1973.

What have been the energy savings that resulted from year-round daylight savings time? The Secretary of Transportation, who is required by the act to prepare a report on the efficacy of this legislation has submitted an extensive interim study which casts significant doubt on the energy savings contributions that the act has made. Many other contributing factors—including speed limit reductions, weekend gasoline station closings, and voluntary conservation efforts—have been cited as having had greater impact on the reduced energy consumption of the Nation.

Thus, the Committee on Interstate and Foreign Commerce has decided to recommend only a limited implementation of daylight saving time during the coming winter. Instead of year-round daylight saving time, the Nation would return to standard time from the last Sunday in October 1974 to the last Sunday in February 1975.

Mr. Speaker, I support this recommendation. As it has been proposed, during the months of March and April 1975, emergency daylight saving time would still be in effect. The Secretary of Transportation will thus still be able to complete his study of year-round daylight time, with 1975 data, while American workers and schoolchildren will be able to ride to work or school in relative light.

The increased incidence of child fatalities in the early morning hours of last winter, because of emergency daylight saving time, has disturbed me greatly. I feel that what energy savings might be attributable to daylight saving time must give way to safety for schoolchildren.

In addition, there are other areas of disruption which could be eliminated by this change back to Standard Time. Radio station interference would be lessened. School timetables advanced to avoid transporting children in the dark could be restored. All this could be achieved, we are told, without significant hindrance to the principal object of the Emergency Daylight Savings Time Energy Conservation Act, which was to assess the permanent advantage of regular year-round daylight savings time.

I urge my fellow Members to support H.R. 16102 as both a sensible and a responsible solution to one of our nagging energy problems.

Mr. FRENZEL. Mr. Speaker, I rise in opposition to the termination of daylight saving time.

Our energy conservation measures are falling away, one by one, at a time when there is no reason to believe that they are not needed.

The experiment with this important conservation measure is not complete. Early evidence indicates that year round DST does provide for a small reduction in energy consumption. More importantly, the reductions occur at time of peak electrical demands, and may be saved brown-outs this winter, and potential electric supply crises in winters to come.

This is no time for the Congress to pretend that we have, or can get, all the energy we need. Energy is high-priced and subject to embargo at any time. Last winter's price increases and embargo give us a fair warning which we seem unable to understand.

Termination of year-round DST is playing fast and loose with national energy policy. We need conservation, but this Congress seems determined to base its energy policy on politics rather than realities.

I oppose this bill although I know it will be a futile gesture. Just as we are unable to set realistic spending priori-

ties, so are we unable to establish a realistic energy policy.

Mr. REGULA. Mr. Speaker, I rise in support of H.R. 16102 to amend the Emergency Daylight Saving Time Act.

At the end of this month school boards and school superintendents will be planning year schedules. In doing so, it is critical that they know whether this country will observe standard or daylight saving time during the winter months.

To eliminate the safety hazard to children who would have to go to school in the dark, I introduced a similar bill last February, H.R. 12695. This June, Congress received an interim report from the U.S. Department of Transportation as required by the Emergency Daylight Saving Time Act. This study recommends that, as part of a continuing experiment, the Nation observe daylight saving time for 8 months of the year and standard time from the last Sunday in October 1974 through the last Sunday in February 1975. This exactly parallels my proposal, allowing for time changes to be made on Sundays.

The interim report notes that year-round daylight saving time—YRDST—probably resulted in an electrical energy savings of three-fourths percent to 1 percent this past winter. But the predominant fuel saved was coal, our most abundant fossil fuel.

The study also reveals that there was an increase in schoolchildren fatalities during the morning hours of 6 to 9 a.m. for February 1947 versus February 1973. There is great public apprehension over the safety of children traveling to school on dark mornings. In a national survey—conducted by the National Opinion and Research Center—NORC—of the University of Chicago—71 percent of those polled felt that such accidents were caused by the extra hour of darkness in the morning. The perceived threat to schoolchildren's safety resulted in 56 percent feeling that YRDST should be discontinued this coming winter.

It is generally accepted that light has a significant effect on motor vehicle accidents. The National Safety Council reports a death rate for night accidents which is 2.5 times that of daylight accidents. If parents are required to send their children to schools, it is our public responsibility to provide them with the safest possible transportation.

We should act to allay any parental fears by observing standard time during the winter months.

In Ohio's 16th District, the shortest day of the year has 9 hours and 12 minutes of sunlight. New York, Philadelphia, Pittsburgh, Columbus, Indianapolis, Des Moines, Denver, and Salt Lake City also get at least 9 hours of sunlight during the winter solstice. I submit that children of this latitude, and some even more northerly can go to and return from public schools in daylight. Observing standard time, the latest sunrise in the 16th District occurs at 7:25 a.m. and the earliest sunset at 4:31 p.m. A hypothetical school day of 8:15 to 3:30 would allow 45 minutes of daylight before and after school.

The strength of our Nation lies in the energies of its people. We can surely invest four-twelfths of any time-management energy saving in safety for our schoolchildren, to insure that their energies will grow and mature.

Mrs. HOLT. Mr. Speaker, last winter Congress enacted legislation to establish year-round daylight saving time in an effort to conserve our dwindling energy resources.

Through the months, it was determined that little, if any, energy savings resulted from continuous daylight savings time. It was determined, however, that much inconvenience was caused.

Mr. Speaker, I am relieved that we are taking early action to restore standard time through the 4 winter months. Putting our schoolchildren in danger cannot be condoned.

Mr. McKAY. Mr. Speaker, I am taking this opportunity to express my support for H.R. 16102 amending the Daylight Saving Time Energy Conservation Act of 1973.

I support this bill for the following reasons. First, the actual energy savings realized are in question. For example, schools were completed to turn on lights and heat earlier actually adding to their energy consumption. Parents were forced to drive their children to school because of the danger involved with their children walking to school in the dark. This extra fuel consumption was unnecessary and added to the fuel shortage. Most important of all the Department of Transportation has released an interim report on the operational effects of year-round daylight saving time. The results indicate that we are not conserving energy under this plan.

A second consideration is for the safety of the school aged children. Fatalities among schoolchildren increased during the early morning hours with the implementation of daylight saving time. I feel this is an unnecessary risk for these young citizens.

My third consideration is related to the factor of inconvenience. Farmers, dairymen, and construction workers are all adversely affected by the imposition of daylight saving time during the winter months.

It is my belief that the serious safety implications combined with considerations of convenience and actual energy savings does not warrant another winter under daylight saving time.

Mr. FLYNT. Mr. Speaker, I support H.R. 16102 and urge my colleagues to approve its passage.

Like many of my colleagues, I have introduced legislation to repeal the Emergency Daylight Saving Time Act of 1973. While I would like to have the opportunity to vote on legislation which would further shorten the period of daylight saving time beyond that recommended in H.R. 16102, I am pleased that the Committee on Interstate and Foreign Commerce has reported this legislation to remove daylight saving time during November, December, January, and February.

I opposed the Emergency Daylight Saving Time Energy Conservation Act when it was originally presented on the floor of the House in November 1973. I opposed year-round daylight saving time primarily because of the dangerous conditions in predawn hours on heavily traveled streets, roads, and highways when schoolchildren are required to await school buses or walk to school in the darkness. We have the opportunity and the responsibility today to reduce the dangers to which our schoolchildren are exposed by passing H.R. 16102.

The original rationale for the 1973 act was that by gaining an extra hour of daylight in the evening hours, energy would be saved. This has not proven to be true with people now needing extra lights in the morning to prepare themselves for the day. The additional energy now spent in the morning more than nullifies the energy saved by the additional hour of evening light.

In the past, Georgians have agreed with daylight saving time during the summer months but have opposed it in the fall because of the safety hazards to their schoolchildren. Literally hundreds of parents of young children have expressed to me their concern about the unsafe conditions created since year-round daylight saving time became effective on January 6, 1974. I urge my colleagues to approve H.R. 16102 and thereby contribute to a safer time environment for our children.

Mr. ROGERS. Mr. Speaker, I rise in support of H.R. 16102, a bill to amend the Public Law 93–182, the Emergency Daylight Saving Time Energy Conservation Act of 1973. This bill would place the United States on standard time from the last Sunday in October until the last Sunday in February.

Several reasons prompt my support of this legislation. I question the dubious results achieved in the area of energy conservation under year-round daylight saving time. Reports vary on the measure of success gained in pursuit of this desired goal in the face of our first peace time energy shortage.

Second, my reason for support of this bill to repeal winter daylight savings time is based upon the increase in traffic fatalities that occurred in the early morning hours as children walked to school in the dark. Rearranging of school hours alone cannot solve this problem.

It is significant to recognize that the House Interstate and Foreign Commerce Committee considered this legislation and ordered it reported to the House by a nearly unanimous voice vote. This fact is coupled with the committee's recommendation that H.R. 16102 should be enacted as expeditiously as possible so that school systems, railways, airlines, buslines, radio, and television networks and broadcast stations and other enterprises could make necessary schedule alterations to provide for a smooth transition.

In voicing my concern and the concern of those persons in my district in Florida, I introduced H.R. 12313, on January 28, 1974, a bill to repeal the Emergency Daylight Saving Time Energy Conservation Act of 1973. It is my belief that H.R. 16102 combines the best of both proposals by allowing for a return to standard time during the winter months. I have felt that any energy conservation

resulting from the original bill would prove negligible, certainly nothing commensurate to the danger hundreds of thousands of schoolchildren face each morning.

Upon completion of our first year of year-round daylight saving time, the Department of Transportation, has authorized release of a summary of its effect. The results are inconclusive and the study itself admits "that since the measurable effects of YRDST were small, there is no unambiguous direct evidence that they were either beneficial or harmful." The Secretary of Transportation now recommends that Public Law 93–182 be amended as this legislation, H.R. 16102 proposes to do.

As we approach winter 1975, I would hope that we would assess the accomplishments and consequences of nationwide year round daylight saving time. Bearing in mind the increased incidence of traffic fatalities of schoolchildren, the increased morning use of gasoline and electricity, and the conflicting reports concerning the actual conservation of energy, I urge my colleagues in the House to discontinue the year round daylight saving time requirement during the winter months by supporting H.R. 16102.

In closing, I wish to enclose a letter from the Honorable Reubin O'D. Askew, Governor of the State of Florida copies of which were sent to all members of the Florida Delegation. It supports my earlier contentions and reads as follows:

STATE OF FLORIDA,
August 12, 1974.

HON. JOHN E. MOSS,
Chairman, Subcommittee on Commerce and Finance, U.S. House of Representatives, Washington, D.C.

DEAR REPRESENTATIVE MOSS: I greatly appreciate the opportunity to be able to send my written comments to your subcommittee for your hearings on year-round daylight saving time.

When the nation switched from standard to daylight saving time on January 6, 1974, the citizens of Florida were more than willing to participate in this national experiment to reduce energy consumption. We anticipated that there might be difficulties and inconveniences but we did not think that these problems would create a unique hardship necessary to justify requesting a specific exemption from the Secretary of Transportation.

Almost immediately after the change from standard to daylight saving time, Florida experienced a tragic increase in the number of fatal accidents involving school children in the pre-dawn hours.

At my request, the Florida Highway Patrol prepared a special report, copy enclosed, which attempted to isolate the relationship of the time change on school related fatalities. The report compares fatalities of school age children (5 to 18) during dawn (6:30–9:00 a.m.) and dusk (5:00–7:30 p.m.) hours during weekdays from January 6 to April 26, 1974 and from January 8 to April 27, 1973 as follows:

SCHOOL AGE TRAFFIC FATALITIES—WEEKDAYS

From 6:30 to 9 a.m.—1974: 22; 1973: 5.

From 5 to 7:30 p.m.—1974: 15; 1973: 18.

Total 1974: 37; 1973: 23.

As you can see, pre-dawn fatalities in 1974 increased *tragically* over 1973 from 5 to 22, and total morning and evening deaths increased from 23 to 37. These figures are even more revealing when compared to total highway fatalities for all ages which *decreased* from 887 in 1973 to 673 in 1974.

There is no way to know for certain how many of these accidents resulted from the morning darkness of daylight time or how many were caused by the unusually heavy fog that shrouded much of our State during January and February. Unfortunately, government can do little about the early morning fog and quick falling evening darkness, but it can control the clock that marks the coming and going of our school children.

Because of these highway tragedies, I strongly urge Congress to allow the citizens of Florida and the nation to enjoy daylight time in the summer and standard time in the winter. Either the provisions of the Uniform Time Act of 1966 or the eight months of daylight and four months of standard time recommended by the Administration would achieve this goal.

With warm regards,
Sincerely,

REUBIN ASKEW,
Governor.

Mr. BIAGGI. Mr. Speaker, I rise in support of the bill H.R. 16102, a bill which will amend the year-round daylight saving time bill to allow standard time to be in effect from the last Sunday in October of 1974 through the last Sunday in February of 1975. While I would have preferred to see my own bill H.R. 12586, which would have repealed the entire act, and made standard time in effect from the first Sunday in March until the last Sunday in October, I feel the important thing is to pass some legislation which will preclude Americans from having to endure the dangers of darkness on winter mornings.

Back in November of 1973, I joined with my colleagues in support of H.R. 11324 which authorized year round daylight savings time to be tried on an experimental basis for 2 years. I supported this legislation on the grounds that it had the potential to both conserve critically low energy supplies as well as reduce crime, both with a minimal adverse effect on the Nation as a whole.

However, what appeared to be a sound concept in theory has proved not to be so in practice. Year-round daylight savings time has presented many new and potentially dangerous problems for our citizens.

The supposed strong point of this policy was its potential to conserve electrical and other energy consumption through time management and indirectly reduce energy used by increased awareness and involvement by individuals, companies, and public agencies.

Yet, a recent study released by the Department of Transportation, summarizing the first full winter of year-round daylight saving time, showed that the positive effects on energy conservation were indeed minimal, as less than a 1-percent saving in overall energy consumption was achieved.

Without a doubt, the most serious problems created by this new time arrangement was endured by the millions of schoolchildren in our Nation. For many of these young Americans, year-round daylight saving time meant having to walk, ride bicycles or buses to school in the dark during the coldest months of the year.

As a result, there were increased incidences of children being killed or seriously injured during the early morning hours. Ten major States including Pennsylvania and Connecticut reported increased fatalities in 1974 over the comparible period of 1973. Of these States with increased fatalities, Florida showed the biggest increase, up five fatalities in January 1974 as compared with January of 1973.

The Department of Transportation attempted to minimize these increases and instead tried to twist these figures around. They stated that fatalities nationwide involving school age children over the entire day in both January and February of this year were reduced from the previous year. However, they conceded that in the morning between 6 and 9 a.m. there were sharp increases, but they claimed than an offsetting decrease in fatalities during the early evening hours effectively canceled these increases.

Yet, as most people know, very few schoolchildren, particularly the youngest ones, are required to return from school in the early evening hours. It is the early morning that we should be concerned with. These figures take on an even more tragic overtone when measured against the fact that less travel and gasoline use was recorded during the past winter than in 1973.

With a seeming return to normalcy being registered at the gasoline lines, it can be reasonably expected that more and more cars will be back on the roads by the time that the winter of 1975 arrives. It is because of the real potential for increased deaths and injuries to our schoolchildren, that I introduced my bill, and we are presently considering this bill both designed to amend the present period for which daylight savings time is in effect.

What this bill will do is not destroy the concept of maximum daylight, but rather modify it so that it no longer poses a daily life and death struggle for the young schoolchildren of this Nation. What is being proposed is an 8-month-a-year period for daylight savings time, with the 4 winter months returning to standard time. The long-range goal of achieving the maximum number of daylight hours during the course of the normal school/working day is a sound one.

However, year round daylight savings time is neither the best nor the safest way to achieve this.

In the month of January for example under year round daylight savings time, the sun does not rise until after 8 a.m., well after many schoolchildren are either in class or in route to school. Yet, under the provisions of this bill, during the months of November, December, January, and February, we would be under standard time thus allowing the sun to rise 1 full hour earlier.

The plight of our schoolchildren is but one of several important problems which have resulted from the conversion to YRDST. It has resulted in serious problems for a number or radio stations in this Nation, who in the midst of their important morning rush-hour broadcasts, encounter serious frequency interference problems.

As I mentioned earlier, I felt that more daylight might have a favorable effect in reducing the overall number of crimes committed in this Nation. Yet, accord-

ing to reliable figures, year round daylight savings time has had no effect in reducing these crimes.

Advocates of YRDST point to the fact that a majority of Americans as well as majorities in both Houses of Congress supported YRDST and helped to make it a law of the land. Yet, as sometimes happens, unforeseen difficulties which occur ipso facto have caused many of these former supporters to reassess their positions. My personal reassessment led to the introduction of my bill.

A revision in the present law is needed, one which makes DST an 8-month operation. We should no longer have to make school administrators undertake the arduous task of changing their hours of school operations. The children of our Nation should no longer have to fear for their lives simply going to school. And we should preclude the parents of these children from having to endure the anxiety of sending their children off to school in the dark, or worse, themselves driving, thus wasting more energy and presenting additional obstacles for the children who continue to walk.

I wish to pay particular tribute to the distinguished chairman of the committee (Mr. STAGGERS) for his efforts at reporting out a bill this session. We should admit to previous error rather than compounding it by allowing this law to stand. I urge its prompt passage.

The SPEAKER. The question is on the motion offered by the gentleman from West Virginia (Mr. STAGGERS) that the House suspend the rules and pass the bill H.R. 16102, as amended.

The question was taken.

Mr. SCHERLE. Mr. Speaker, I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER. Pursuant to clause 3, rule XXVII, and the Chair's prior announcement, further proceedings on this motion will be postponed.

GENERAL LEAVE

Mr. BROYHILL of North Carolina. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on the subject of the bill under consideration.

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

There was no objection.

CONFERENCE REPORT ON S. 3698, AMENDING THE ATOMIC ENERGY ACT OF 1954

Mr. PRICE of Illinois submitted the following conference report and statement on the Senate bill (S. 3698) to amend the Atomic Energy Act of 1954, as amended, to enable Congress to concur in or disapprove international agreements for cooperation in regard to certain nuclear technology:

CONFERENCE REPORT (H. REPT. No. 93-1299)

The committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 3698) to amend the Atomic Energy Act of 1954, as amended, to enable Congress to concur in or disapprove international agreements for cooperation in regard to certain nuclear technology, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its disagreement to the amendment of the House and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the House amendment insert the following:

That subsection 123 d. of the Atomic Energy Act of 1954, as amended, is revised to read as follows:

"d. The proposed agreement for cooperation, together with the approval and determination of the President, if arranged pursuant to subsection 91 c., 144 b., or 144 c., of if entailing implementation of sections 53, 54, 103, or 104 in relation to a reactor that may be capable of producing more than five thermal megawatts or special nuclear material for use in connection therewith, has been submitted to the Congress and referred to the Joint Committee and a period of sixty days has elapsed while Congress is in session (in computing such sixty days, there shall be excluded the days on which either House is not in session because of an adjournment of more than three days), but any such proposed agreement for cooperation shall not become effective if during such sixty-day period the Congress passes a concurrent resolution stating in substance that it does not favor the proposed agreement for cooperation: *Provided*, That prior to the elapse of the first thirty days of any such sixty-day period the Joint Committee shall submit a report to the Congress of its views and recommendations respecting the proposed agreement and an accompanying proposed concurrent resolution stating in substance that the Congress favors, or does not favor, as the case may be, the proposed agreement for cooperation. Any such concurrent resolution so reported shall become the pending business of the House in question (in the case of the Senate the time for debate shall be equally divided between the proponents and the opponents) within twenty-five days and shall be voted on within five calendar days thereafter, unless such House shall otherwise determine.".

SEC. 2. This Act shall apply to proposed agreements for cooperation and to proposed amendments to agreements for cooperation hereafter submitted to the Congress.

And the House agree to the same.

MELVIN PRICE,
CHET HOLIFIELD,
CRAIG HOSMER,
MIKE MCCORMACK,
Managers on the Part of the House.

JOHN O. PASTORE,
GEORGE D. AIKEN,
HOWARD BAKER,
Managers on the Part of the Senate.

JOINT EXPLANATORY STATEMENT OF THE COMMITTEE ON CONFERENCE

The managers on the part of the House and the Senate at the conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 3698) to amend the Atomic Energy Act of 1954, as amended, to enable Congress to concur in or disapprove international agreements for cooperation in regard to certain nuclear technology, submit the following joint statement to the House and the Senate in explanation of the effect of the action agreed upon by the managers and recommended in the accompanying conference report:

The House amendment struck out all of the Senate bill after the enacting clause and inserted a substitute text.

The Senate recedes from its disagreement to the amendment of the House with an amendment which is a substitute for the Senate bill and the House amendment. The differences between the Senate bill, the House amendment, and the substitute agreed to in conference are noted below.

PROCEDURE FOR APPROVAL OF AGREEMENTS

The Senate bill provided that agreements for cooperation of the type specified in the bill would not become effective until they had been submitted to Congress and referred to the Joint Committee on Atomic Energy and a period of sixty days had elapsed. The Joint Committee was required to submit a report to the House and Senate within 30 days after receipt of the proposed agreement and to submit in addition a proposed concurrent resolution stating in substance that the Congress either favors or disfavors the proposed agreement. If within 60 days Congress were to pass a concurrent resolution stating in substance that it does not favor a proposed agreement, then the agreement would not become effective.

The House amendment provided that no proposed agreement of the type specified in the bill would become effective unless and until specifically approved by Act of Congress.

LEGISLATIVE PRIORITY AND ANTIFILIBUSTER PROVISION

The Senate bill provided that within 25 days after the Joint Committee on Atomic Energy reports its proposed concurrent resolution, such resolution becomes the pending business of the House in question and shall be voted on within five calendar days thereafter, unless such House shall otherwise determine by yeas and nays.

The House amendment contained no provisions for legislative priority for matters dealing with proposed agreements.

The conference substitute conforms essentially to the Senate bill with the exception that the yeas and nays aspect has been deleted. Each House may determine whether and how the proposed concurrent resolution becomes the pending business or is voted on by any method acceptable under its rules.

EFFECTIVE DATE OF BILL

The Senate bill provided that this Act will be applicable to proposed agreements for cooperation and to proposed amendments to agreements for cooperation submitted to Congress after its enactment.

The House amendment provided that the Act would apply to agreements and amendments proposed or entered into after July 1, 1974.

The conference substitute conforms to the Senate bill.

MELVIN PRICE,
CHET HOLIFIELD,
CRAIG HOSMER,
MIKE MCCORMACK,
Managers in the Part of the House.

JOHN O. PASTORE,
GEORGE D. AIKEN,
HOWARD BAKER,
Managers in the Part of the Senate.

CONFERENCE REPORT ON H.R. 14920, GEOTHERMAL ENERGY ACT OF 1974

Mr. McCORMACK submitted the following conference report and statement on the bill (H.R. 14920) to further the conduct of research, development, and demonstrations in geothermal energy technologies, to establish a Geothermal Energy Coordination and Management Project, to amend the National Science Foundation Act of 1950 to provide for the funding of activities relating to geothermal energy, to amend the National Aeronautics and Space Act of 1958 to provide for the carrying out of research

and development in geothermal energy technology, to carry out a program of demonstrations in technologies for the utilization of geothermal resources, and for other purposes:

CONFERENCE REPORT (H. REPT. NO. 93-1301)

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 14920) to further the conduct of research, development, and demonstrations in geothermal energy technologies, to establish a Geothermal Energy Coordination and Management Project, to amend the National Science Foundation Act of 1950 to provide for the funding of activities relating to geothermal energy, to amend the National Aeronautics and Space Act of 1958 to provide for the carrying out of research and development in geothermal energy technology, to carry out a program of demonstrations in technologies for the utilization of geothermal resources, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate to the text of the bill and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following:

SHORT TITLE

SECTION 1. This Act may be cited as the "Geothermal Energy Research, Development, and Demonstration Act of 1974".

FINDINGS

SEC. 2. The Congress hereby finds that—

(1) the Nation is currently suffering a critical shortage of environmentally acceptable forms of energy;

(2) the inadequate organization structures and levels of funding for energy research have limited the Nation's current and future options for meeting energy needs;

(3) electric energy is a clean and convenient form of energy at the location of its use and is the only practicable form of energy in some modern applications, but the demand for electric energy in every region of the United States is taxing all of the alternative energy sources presently available and is projected to increase; some of the sources available for electric power generation are already in short supply, and the development and use of other sources presently involve undesirable environmental impacts;

(4) the Nation's critical energy problems can be solved only if a national commitment is made to dedicate the necessary financial resources, and enlist the cooperation of the private and public sectors, in developing geothermal resources and other nonconventional sources of energy;

(5) the conventional geothermal resources which are presently being used have limited total potential; but geothermal resources which are different from those presently being used, and which have extremely large energy content, are known to exist;

(6) some geothermal resources contain energy in forms other than heat; examples are methane and extremely high pressures available upon release as kinetic energy;

(7) some geothermal resources contain valuable byproducts such as potable water and mineral compounds which should be processed and recovered as national resources;

(8) technologies are not presently available for the development of most of these geothermal resources, but technologies for the generation of electric energy from geothermal resources are potentially economical and environmentally desirable, and the development of geothermal resources offers possibilities of process energy and other nonelectric applications;

(9) much of the known geothermal resources exist on the public lands;

(10) Federal financial assistance is necessary to encourage the extensive exploration, research, and development in geothermal resources which will bring these technologies to the point of commercial application;

(11) the advancement of technology with the cooperation of private industry for the production of useful forms of energy from geothermal resources is important with respect to the Federal responsibility for the general welfare, to facilitate commerce, to encourage productive harmony between man and his environment, and to protect the public interest; and

(12) the Federal Government should encourage and assist private industry through Federal assistance for the development and demonstration of practicable means to produce useful energy from geothermal resources with environmentally acceptable processes.

DEFINITIONS

SEC. 3. For the purpose of this Act—

(1) the term "geothermal resources" means (A) all products of geothermal processes, embracing indigenous steam, hot water, and brines, (B) steam and other gases, hot water and hot brines resulting from water, gas, or other fluids artificially introduced into geothermal formations, and (C) any byproduct derived from them;

(2) the term "byproduct" means any mineral or minerals which are found in solution or in association with geothermal resources and which have a value of less than 75 percent of the value of the geothermal steam and associated geothermal resources or are not, because of quantity, quality, or technical difficulties in extraction and production, of sufficient value to warrant extraction and production by themselves;

(3) "pilot plant" means an experimental unit of small size used for early evaluation and development of new or improved processes and to obtain technical, engineering, and cost data;

(4) "demonstration plant" means a complete facility which produces electricity, heat energy, or useful byproducts for commercial disposal from geothermal resources and which will make a significant contribution to the knowledge of full-size technology, plant operation, and process economies;

(5) the term "Project" means the Geothermal Energy Coordination and Management Project established by section 101(a);

(6) the term "fund" means the Geothermal Resources Development Fund established by section 204(a); and

(7) the term "Chairman" means the Chairman of the Project.

TITLE I—GEOTHERMAL ENERGY COORDINATION AND MANAGEMENT PROJECT

ESTABLISHMENT

SEC. 101. (a) There is hereby established the Geothermal Energy Coordination and Management Project.

(b)(1) The Project shall be composed of six members as follows:

(A) one appointed by the President;

(B) an Assistant Director of the National Science Foundation;

(C) an Assistant Secretary of the Department of the Interior;

(D) an Associate Administrator of the National Aeronautics and Space Administration;

(E) the General Manager of the Atomic Energy Commission; and

(F) an Assistant Administrator of the Federal Energy Administration.

(2) The President shall designate one member of the Project to serve as Chairman of the Project.

(3) If the individual appointed under paragraph (1)(A) is an officer or employee of the Federal Government, he shall receive no additional pay on account of his service as a member of the Project. If such individual is not an officer or employee of the Federal Government, he shall be entitled to receive the daily equivalent of the annual rate of basic pay in effect for level IV of the Executive Schedule (5 U.S.C. 5315) for each day (including traveltime) during which he is engaged in the actual performance of duties vested in the Project.

(c) The Project shall have overall responsibility for the provision of effective management and coordination with respect to a national geothermal energy research, development, and demonstration program. Such program shall include—

(1) the determination and evaluation of the resource base;

(2) research and development with respect to exploration, extraction, and utilization technologies;

(3) the demonstration of appropriate technologies; and

(4) the loan guaranty program under title II.

(d)(1) The Project shall carry out its responsibilities under this section acting through the following Federal agencies;

(A) the Department of the Interior, the responsibilities of which shall include evaluation and assessment of the resource base, including development of exploration technologies;

(B) the National Aeronautics and Space Administration, the responsibilities of which shall include the provision of contract management capability, evaluation and assessment of the resource base, and the development of technologies pursuant to section 102(b);

(C) the Atomic Energy Commission, the responsibilities of which shall include the development of technologies; and

(D) the National Science Foundation, the responsibilities of which shall include basic and applied research.

(2) Upon request of the Project, the head of any such agency is authorized to detail or assign, on a reimbursable basis or otherwise, any of the personnel of such agency to the Project to assist it in carrying out its responsibilities under this Act.

(e) The Project shall have exclusive authority with respect to the establishment or approval of programs or projects initiated under this Act, except that the agency involved in any particular program or project shall be responsible for the operation and administration of such program or project.

PROGRAM DEFINITION

SEC. 102. (a)(1) The Chairman, acting through the Administrator of the National Aeronautics and Space Administration, is authorized and directed to prepare a comprehensive program definition of an integrated effort and commitment for effectively developing geothermal energy resources. Such Administrator, in preparing such comprehensive program definition, is authorized to consult with other Federal agencies and non-Federal entities.

(2) The Chairman shall transmit such comprehensive program definition to the President and to each House of the Congress. Interim reports shall be transmitted not later than November 30, 1974, and not later than January 31, 1975. Such comprehensive program definition shall be transmitted as soon as possible thereafter, but in any case not later than August 31, 1975.

(3) As part of the comprehensive program definition required by paragraph (1), the Chairman, acting through the Geological Survey, shall transmit to the President and to each House of the Congress a schedule and objectives for the inventorying of geothermal resources.

(b) The National Aeronautics and Space

Administration is authorized to undertake and carry out those programs assigned to it by the Project.

RESOURCE INVENTORY AND ASSESSMENT PROGRAM

SEC. 103. (a) The Chairman shall initiate a resource inventory and assessment program with the objective of making regional and national appraisals of all types of geothermal land resources, including identification of promising target areas for industrial exploration and development. The specific goals shall include—

(1) the improvement of geophysical, geochemical, geological, and hydrological techniques necessary for locating and conducting geothermal resources;

(2) the development of better methods for predicting the power potential and longevity of geothermal reservoirs;

(3) the determination and assessment of the nature and power potential of the deeper unexplored parts of high temperature geothermal conviction systems; and

(4) the survey and assessment of regional and national geothermal resources of all types.

(b) The Chairman, acting through the Geological Survey and other appropriate agencies shall—

(1) develop and carry out a general plan for the orderly inventorying of all forms of geothermal resources of the Federal lands and, where consistent with property rights and determined by the Chairman to be in the national interest, of non-Federal lands;

(2) conduct regional surveys, based upon such a general plan, using innovative geological, geophysical, geochemical, and stratagraphic drilling techniques, which will lead to a national inventory of geothermal resources in the United States;

(3) publish and make available maps, reports, and other documents developed from such surveys to encourage and facilitate the commercial development of geothermal resources for beneficial use and consistent with the national interest;

(4) make such recommendations for legislation as may from time to time appear to be necessary to make Federal leasing policy for geothermal resources consistent with known inventories of various resource types, with the current state of technologies for geothermal energy development, and with current evolutions of the environmental impacts of such development; and

(5) participate with appropriate Federal agencies and non-Federal entities in research to develop, improve, and test technologies for the discovery and evaluation of all forms of geothermal resources, and conduct research into the principles controlling the location, occurrence, size, temperature, energy content, producibility, and economic lifetimes of geothermal reservoirs.

RESEARCH AND DEVELOPMENT

SEC. 104. (a) The Chairman, acting through the appropriate Federal agencies and in cooperation with non-Federal entities, shall initiate a research and development program for the purpose of resolving all major technical problems inhibiting the fullest possible commercial utilization of geothermal resources in the United States. The specific goals of such program shall include—

(1) the development of effective and efficient drilling methods to operate at high temperatures in formations of geothermal interest;

(2) the development of reliable predictive methods and control techniques for the production of geothermal resources from reservoirs;

(3) the exploitation of new concepts for fracturing rock to permit recovery of contained heat reserves;

(4) the improvement of equipment and technology for the extraction of geothermal resources from reservoirs;

(5) the development of improved methods for converting geothermal resources and byproducts to useful forms;

(6) the development of improved methods for controlling emissions and wastes from geothermal utilization facilities, including new monitoring methods to any extent necessary;

(7) the development and evaluation of waste disposal control technologies and the evaluation of surface and subsurface environmental effects of geothermal and development;

(8) the improvement of the technical capability to predict environmental impacts resulting from the development of geothermal resources, the preparation of environmental impact statements, and the assuring of compliance with applicable standards and criteria;

(9) the identification of social, legal, and economic problems associated with geothermal development (both locally and regionally) for the purpose of developing policy and providing a framework of policy alternatives for the commercial utilization of geothermal resources;

(10) the provision for an adequate supply of scientists to perform required geothermal research and development activities; and

(11) the establishment of a program to encourage States to establish and maintain geothermal resources clearinghouses, which shall serve to (A) provide geothermal resources developers with information with respect to applicable local, State, and Federal laws, rules, and regulations, (B) coordinate the processing of permit applications, impact statements, and other information which geothermal resources developers are required to provide, (C) encourage uniformity with respect to local and State laws, rules, and regulations with respect to geothermal resources development, and (D) encourage establishment of land use plans, which would include zoning for geothermal resources development and which would assure that geothermal resources developers will be able to carry out development programs to the production stage.

(b) The Chairman, acting through the appropriate Federal agencies and in cooperation with non-Federal entities, shall implement a coordinated program of research and development in order to demonstrate the technical means for the extraction and utilization of the resource base, including any byproducts of such base, and in order to accomplish the goals established by subsection (a). Research authorized by this Act having potential applications in matters other than geothermal energy may be pursued to the extent that the findings of such research can be published in a form for utilization by others.

DEMONSTRATION

SEC. 105. (a) The Chairman, acting through the appropriate Federal agencies and in cooperation with non-Federal entities, shall initiate a program to design and construct geothermal demonstration plants. The specific goals of such program shall include—

(1) the development of economical geothermal resources production systems and components which meet environmental standards;

(2) the design of plants to produce electric power and, where appropriate, the large-scale production and utilization of any useful byproducts;

(3) the involvement of engineers, analysts, technicians, and managers from industry field and powerplant development, which shall lead to the early industrial exploitation of advanced geothermal resources;

(4) the provision for an adequate supply of trained geothermal engineers and technicians;

(5) the provision of experimental test beds for component testing and evaluation by laboratories operated by the Federal Government, industry, or institutions of higher education;

(6) the construction and operation of pilot plants; and

(7) the construction and operation of demonstration plants.

(b) In carrying out his responsibilities under this section, the Chairman, acting through the appropriate Federal agencies, and in cooperation with non-Federal entities, may provide for the establishment of one or more demonstration projects utilizing each geothermal resource base involved, which shall include, as appropriate, all of the exploration, siting, drilling, pilot plant construction and operation, demonstration plant construction and operation, and other facilities and activities which may be necessary for the generation of electric energy and the utilization of geothermal resource byproducts.

(c) The Chairman, acting through the appropriate Federal agencies, is authorized to investigate and enter into agreements for the cooperative development of facilities to demonstrate the production of energy from geothermal resources. The responsible Federal agency may consider—

(1) cooperative agreements with utilities and non-Federal governmental entities for construction of facilities to produce energy for commercial disposition; and

(2) cooperative agreements with other Federal agencies for the construction and operation of facilities to produce energy for direct Federal consumption.

(d) The responsible Federal agency is authorized to investigate the feasibility of, construct, and operate, demonstration projects without entering into cooperative agreements with respect to such projects, if the Chairman finds that—

(1) the nature of the resource, the geographical location, the scale and engineering design of the facilities, the techniques of production, or any other significant factor of the proposal offers opportunities to make important contributions to the general knowledge of geothermal resources, the techniques of its development, or public confidence in the technology; and

(2) there is no opportunity for cooperative agreements with any utility or non-Federal governmental entity willing and able to cooperate in the demonstration project under subsection (c)(1), and there is no opportunity for cooperative agreements with other Federal agencies under subsection (c)(2).

(e) Before favorably considering proposals under subsection (c), the responsible Federal agency must find that—

(1) the nature of the resource, the geographical location, the scale and engineering design of the facilities, the techniques of production, or any other significant factor of the proposal offers opportunities to make important contributions to the general knowledge of geothermal resources, the techniques of its development, or public confidence in the technology;

(2) the development of the practical benefits as set forth in paragraph (1) are unlikely to be accomplished without such cooperative development; and

(3) where non-Federal participants are involved, the proposal is not eligible for adequate Federal assistance under the loan guaranty provisions of title II of this Act.

(f) If the estimate of the Federal investment with respect to construction and operation costs of any demonstration project proposed to be established under this section exceeds $10,000,000, no amount may be appropriated for such project except as specifically authorized by legislation hereafter enacted by the Congress.

(g)(1) At the conclusion of the program under this section or as soon thereafter as may be practicable, the responsible Federal agencies shall, by sale, lease, or otherwise, dispose of all Federal property interests

which they have acquired pursuant to this section (including mineral rights) in accordance with existing law and the terms of the cooperative agreements involved.

(2) The agency involved shall, under appropriate agreements or other arrangements, provide for the disposition of geothermal resource byproducts of the project administered by such agency.

SCIENTIFIC AND TECHNICAL EDUCATION

SEC. 106. (a) It is the policy of the Congress to encourage the development and maintenance of programs through which there may be provided the necessary trained personnel to perform required geothermal research, development, and demonstration activities under sections 103, 104, and 105.

(b) The National Science Foundation is authorized to support programs of education in the sciences and engineering to carry out the policy of subsection (a). Such support may include fellowships, traineeships, technical training programs, technologist training programs, and summer institute programs.

(c) The National Science Foundation is authorized and directed to coordinate its actions, to the maximum extent practicable, with the Project or any permanent Federal organization or agency having jurisdiction over the energy research and development functions of the United States, in determining the optimal selection of programs of education to carry out the policy of subsection (a).

(d) The National Science Foundation is authorized to encourage, to the maximum extent practicable, international participation and cooperation in the development and maintenance of programs of education to carry out the policy of subsection (a).

TITLE II—LOAN GUARANTIES

ESTABLISHING OF LOAN GUARANTY PROGRAM

SEC. 201. (a) It is the policy of the Congress to encourage and assist in the commercial development of practicable means to produce useful energy from geothermal resources with environmentally acceptable processes. Accordingly, it is the policy of the Congress to facilitate such commercial development by authorizing the Chairman of the Project to designate an appropriate Federal agency to guarantee loans for such purposes.

(b) In order to encourage the commercial production of energy from geothermal resources, the head of the designated agency is authorized to, in consultation with the Secretary of the Treasury, guarantee, and to enter into commitments to guarantee, lenders against loss of principal or interest on loans made by such lenders to qualified borrowers for the purposes of—

(1) the determination and evaluation of the resource base;

(2) research and development with respect to extraction and utilization technologies;

(3) acquiring rights in geothermal resources; or

(4) development, construction, and operation of facilities for the demonstration or commercial production of energy from geothermal resources.

(c) Any guaranty under this title shall apply only to so much of the principal amount of any loan as does not exceed 75 percent of the aggregate cost of the project with respect to which the loan is made.

(d) Loan guaranties under this title shall be on such terms and conditions as the head of the designated agency determines, except that a guaranty shall be made under this title only if—

(1) the loan bears interest at a rate not to exceed such annual per centum on the principal obligation outstanding as the head of the designated agency determines to be reasonable, taking into account the range of interest rates prevailing in the private sector for similar loans and risks by the United States;

(2) the terms of such loan require full repayment over a period not to exceed thirty years, or the useful life of any physical asset to be financed by such loan, whichever is less (as determined by the head of the designated agency);

(3) in the judgment of the head of the designated agency, the amount of the loan (when combined with amounts available to the qualified borrower from other sources) will be sufficient to carry out the project; and

(4) in the judgment of the head of the designated agency, there is reasonable assurance of repayment of the loan by the qualified borrower of the guaranteed indebtedness.

(e) The amount of the guaranty for any loan for a project shall not exceed $25,000,000, and the amount of the guaranty for any combination of loans for any single qualified borrower shall not exceed $50,000,000.

(f) As used in this title, the term "qualified borrower" means any public or private agency, institution, association, partnership, corporation, political subdivision, or other legal entity which (as determined by the head of the designated agency) has presented satisfactory evidence of an interest in geothermal resource and is capable of performing research or completing the development and production of energy in an acceptable manner.

PAYMENT OF INTEREST

SEC. 202. (a) With respect to any loan guaranteed pursuant to this title, the head of the designated agency is authorized to enter into a contract to pay, and to pay, the lender for and on behalf of the borrower the interest charges which become due and payable on the unpaid balance of any such loan if the head of the designated agency finds—

(1) that the borrower is unable to meet interest charges, and that it is in the public interest to permit the borrower to continue to pursue the purposes of his project, and that the probable net cost to the Federal Government in paying such interest will be less than that which would result in the event of a default; and

(2) the amount of such interest charges which the head of the designated agency is authorized to pay shall be no greater than the amount of interest which the borrower is obligated to pay under the loan agreement.

(b) In the event of any default by a qualified borrower on a guaranteed loan, the head of the designated agency is authorized to make payment in accordance with the guaranty, and the Attorney General shall take such action as may be appropriate to recover the amounts of such payments (including any payment of interest under subsection (a)) from such assets of the defaulting borrower as are associated with the project, or from any other surety included in the terms of the guaranty.

PERIOD OF GUARANTIES AND INTEREST ASSISTANCE

SEC. 203. No loan guaranties shall be made, or interest assistance contract entered into, pursuant to this title, after the expiration of the ten-calendar-year periood following the date of enactment of this Act.

GEOTHERMAL RESOURCES DEVELOPMENT FUND

SEC. 204. (a) There is established in the Treasury of the United States a Geothermal Resources Development Fund, which shall be available to the head of the designated agency for carrying out the loan guaranty and interest assistance program authorized by this title, including the payment of administrative expenses incurred in connection therewith. Moneys in the fund not needed for current operations may, with the approval of the Secretary of the Treasury, be invested in bonds or other obligations of, or guaranteed by, the United States.

(b) There shall be paid into the fund the amounts appropriated pursuant to section 304(c) and such amounts as may be returned to the United States pursuant to section 202(b), and the amounts in the fund shall remain available until expended, except that after the expiration of the ten-year period established by section 203, such amounts in the fund which are not required to secure outstanding guaranty obligations shall be paid into the general fund of the Treasury.

(c) Business-type financial reports covering the operations of the fund shall be submitted to the Congress by the head of the designated agency annually upon the completion of an appropriate accounting period.

TITLE III—GENERAL PROVISIONS

PROTECTION OF ENVIRONMENT

SEC. 301. In the conduct of its activities, the Project and any participating public or private persons or agencies shall place particular emphasis upon the objective of assuring that the environment and the safety of persons or property are effectively protected; and the program under title I shall include such special research and development as may be necessary for the achievement of that objective.

REPORTING REQUIREMENTS

SEC. 302. (a) Chairman of the Project shall submit to the President and the Congress full and complete annual reports of the activities of the Project, including such projections and estimates as may be necessary to evaluate the progress of the national geothermal energy research, development, and demonstration program and to provide the basis for as accurate a judgment as is possible concerning the extent to which the objectives of this Act will have been achieved by June 30, 1989.

(b) No later than one year after the termination of each demonstration project under section 105, the Chairman of the Project shall submit to the President and the Congress a final report on the activities of the Project related to each project, including his recommendations with respect to any further legislative, administrative, and other actions which should be taken in support of the objectives of this Act.

TRANSFER OF FUNCTIONS

SEC. 303. (a) Within sixty days after the effective date of the law creating a permanent Federal organization or agency having jurisdiction over the energy research and development functions of the United States (or within sixty days after the date of the enactment of this Act if the effective date of such law occurs prior to the date of the enactment of this Act), all of the research, development, and demonstration functions (including the loan guaranty program) vested in the Project under this Act, along with related records, documents, personnel, obligations, and other items to the extent necessary or appropriate, shall, in accordance with regulations prescribed by the Office of Management and Budget, be transferred to and rested in such organization or agency.

(b) Upon the establishment of a permanent Federal organization or agency having jurisdiction over the energy research and development functions of the United States, and when all research and development (and other) functions of the Project are transferred, the members of the Project may provide advice and counsel to the head of such organization or agency, in accordance with arrangements made at that time.

AUTHORIZATIONS OF APPROPRIATIONS

SEC. 304. (a) For the fiscal years ending June 30, 1976, and September 30 1977, 1978, 1979, and 1980, only such sums may be appropriated as the Congress may hereafter authorize by law.

(b) There are authorized to be appropriated to the National Aeronautics and Space Administration not to exceed $2,500,000 for the fiscal year ending June 30, 1975, for the purpose of preparing the program definition under section 102(a).

(c) In addition to sums authorized to be appropriated by subsection (b), there are authorized to be appropriated to the fund not to exceed $50,000,000 annually, such sums to carry out the provisions of the loan guaranty program by the Project under title II.

And the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate to the title of the House bill and agree to the same with an amendment as follows:

In lieu of the matter proposed to be inserted by the amendment of the Senate to the title of the House bill, insert the following: "An Act to further the conduct of research, development, and demonstrations in geothermal energy technologies, to establish a Geothermal Energy Coordination and Management Project, to provide for the carrying out of research and development in geothermal energy technology, to carry out a program of demonstrations in technologies for the utilization of geothermal resources, to establish a loan guaranty program for the financing of geothermal energy development, and for other purposes."

And the Senate agree to the same.

OLIN E. TEAGUE,
MIKE MCCORMACK,
DON FUQUA,
JIM SYMINGTON,
CHARLES A. MOSHER,
BARRY M. GOLDWATER,
JOHN WYDLER,
Managers on the Part of the House.

HENRY M. JACKSON,
ALAN BIBLE,
FRANK CHURCH,
LEE METCALF,
FLOYD K. HASKELL,
PAUL FANNIN,
MARK O. HATFIELD,
JAMES A. MCCLURE,
Managers on the Part of the Senate.

JOINT EXPLANATORY STATEMENT OF THE COMMITTEE OF CONFERENCE

The managers on the part of the House and the Senate at the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 14920) to further the conduct of research, development, and demonstrations in geothermal energy technologies, to establish a Geothermal Energy Coordination and Management Project, to amend the National Science Foundation Act of 1950 to provide for the funding of activities relating to geothermal energy, to amend the National Aeronautics and Space Act of 1958 to provide for the carrying out of research and development in geothermal energy technology, to carry out a program of demonstrations in technologies for the utilization of geothermal resources, and for other purposes, submit the following joint statement to the House and the Senate in explanation of the effect of the action agreed upon by the managers and recommended in the accompanying conference report:

The Senate amendment to the text of the bill struck out all of the House bill after the enacting clause and inserted a substitute text.

The House recedes from its disagreement to the amendment of the Senate with an amendment which is a substitute for the House bill and the Senate amendment. The differences between the House bill, the Senate amendment, and the substitute agreed to in conference are noted below, except for clerical corrections, conforming changes made necessary by agreements reached by the conferees, and minor drafting and clarifying changes.

Short title

House Bill

The House bill provided that this legislation shall be cited as the "Geothermal Energy Research Development, and Demonstration Act of 1974".

Senate Amendments

The Senate amendments provided that this legislation shall be cited as the "Geothermal Energy Act of 1974".

Conference Substitute

The conference substitute is the same as the House bill.

Findings

House Bill

Section 2 of the House bill provided that the Congress finds that (1) there is a national energy shortage; (2) present organizational structures and funding levels are not adequate to meet energy needs; (3) although electric energy is a convenient form of energy, the sources for electric power generation are in short supply; (4) national energy problems can be solved only if there is a commitment to develop geothermal resources; (5) undeveloped geothermal resources are known to have a large energy content; (6) some geothermal resources contain energy in forms other than heat; (7) some geothermal resources contain valuable byproducts; (8) technologies for the development of most geothermal resources presently are not available, but such technologies are potentially economical and desirable; (9) much of the known geothermal resources exist on public lands; (10) Federal financial assistance is necessary for the development of geothermal resources; and (11) there is a Federal responsibility to encourage private industry in the development of geothermal resources.

Senate Amendments

Section 201 of the Senate amendments sets forth that the policy of the Congress to encourage the development of geothermal energy through resource inventory, research, and financial and technical assistance for the construction of pilot and demonstration geothermal developments.

Conference Substitute

The conference substitute is the same as the House bill, except that an addition is made to reflect the policy stated in section 201 of the Senate amendments.

Definitions

House Bill

Section 3 of the House bill defined the term "byproduct" as any mineral found in association with geothermal steam and associated geothermal resources which has a value of less than 75 percent of the value of such geothermal steam and associated geothermal resources, or which is not of sufficient value to warrant extraction and production by itself.

Such section provided that the term "geothermal steam and associated geothermal resources" has the meaning given it by section 2(c) of the Geothermal Steam Act of 1970 (30 U.S.C. 1001(c)), except that any amendment of such subsection occurring after the date of the enactment of this legislation shall not affect the meaning of such term for purposes of this legislation.

Such section provided that the term "known geothermal resources area" has the meaning given it by section 2(c) of such Act (30 U.S.C. 1001(e)), except that any amendment of such subsection occurring after the date of the enactment of this legislation shall not affect the meaning of such term for purposes of this legislation.

Such section defined the term "fund" as the Geothermal Resources Development Fund.

Such section defined the term "Project" as the Geothermal Energy Coordination and Management Project.

Senate Amendments

Section 210 of the Senate amendments contained definitions of the terms "geothermal resources", "qualified borrower", "pilot plant", and "demonstration development". Section 104 of the Senate amendments defined the term "fund" to mean the Geothermal Resources Development Fund.

Conference Substitute

The conference substitute is the same as the House bill, except for the following changes: (1) the definition of "known geothermal resources area" is eliminated; (2) the Senate amendments' definition of "pilot plant" and "demonstration development" are added, with the latter term changed to "development plant"; (3) the definition of "Chairman" is added; and (4) the Senate amendments' definition of "geothermal resources" is substituted for the definition of "geothermal steam and associated geothermal resources". The manner in which the Senate amendments defined such term has the same substantive effect as the definition contained in the House bill.

COORDINATION OF GEOTHERMAL ENERGY DEVELOPMENT

Establishment of Geothermal Energy Coordination and Management Project

House Bill

Subsection (a) of section 101 of the House bill provided for the establishment of the Geothermal Energy Coordination and Management Project (hereinafter in this statement referred to as the "Project"). Subsection (b) of section 101 provided that the Project shall have the following members: the Administrator of the Federal Energy Administration; an Assistant Director of the National Science Foundation (hereinafter in this statement referred to as "NSF") an Assistant Secretary of the Department of the Interior; an Associate Administrator of the National Aeronautics and Space Administration (hereinafter in this statement referred to as "NASA"); and the General Manager of the Atomic Energy Commission (hereinafter in this statement referred to as "AEC"). Such subsection also provided that the Administrator of the Federal Energy Administration (hereinafter in this statement referred to as "FEA") shall act as Chairman of the Project.

Subsection (c) of section 101 provided that the Project shall be responsible for managing and coordinating national geothermal energy research, development, and demonstration programs, including determination and evaluation of the resource base, research and development with respect to various technologies, demonstration of appropriate technologies, and administration of the loan guaranty program established by this legislation.

Subsection (d) of section 101 provided that the Project shall cooperate with the Department of the Interior, NASA, AEC, and NSF, in carrying out its responsibilities. Such subsection also provided for the responsibilities of each such agency.

Subsection (e) of section 101 provided that the Project shall have overall authority with respect to programs and projects initiated under this legislation. The agencies involved, however, shall be responsible for the operation and administration of each such program or project.

Senate Amendments

The Senate amendments required functions to be performed with respect to management and coordination of a national geothermal energy research, development, and demonstration program, which are similar to functions established by section 101(c) of the House bill.

The Senate amendments assigned such functions to Federal agencies in the following manner: (1) section 202 of the Senate

amendments assigned the function of determining and evaluating the resource base to the Secretary of the Interior (hereinafter in this statement referred to as the "Secretary"); (2) sections 202(e) and 207 of the Senate amendments assigned the function of research and development with respect to exploration, extraction, and utilization technologies to the Secretary and to AEC; (3) sections 202(e) and 207 of the Senate amendments assigned the function of demonstrating appropriate technologies to the Secretary and AEC; and (4) title I of the Senate amendments required the Secretary to administer a loan guaranty program.

Section 205 of the Senate amendments required NASA to prepare and furnish a proposal for the employment of space technologies for the inventorying and mapping of geothermal resources, and section 202(c) of the Senate amendments required the Secretary to participate with NASA in the development of techniques for the discovery and evaluation of geothermal energy resources.

Section 203 of the Senate amendments required the Secretary to coordinate with the AEC geothermal energy development programs established by the Senate amendments.

Conference Substitute

The conference substitute is the same as the House bill, with the following changes: (1) the conference substitute gives the President authority to appoint a member to the Project; (2) the President is given authority to designate one of the members of the Project to serve as Chairman; (3) an Assistant Administrator of FEA is made a member of the Project to replace the Administrator of FEA; and (4) the conference substitute clarifies the intent that NASA shall provide its contract management capabilities to aid other members of the Project in accomplishing the goals of this legislation.

Specific inclusion of the Assistant Administrator of FEA as a member of the Project was agreed to in light of the duty assigned to the Administrator of FEA under section 5(b)(2) of the Federal Energy Administration Act of 1974 (P.L. 93-275; 88 Stat. 99), whereby the Administrator is "to assess the adequacy of energy resources". It is believed that FEA, in its planning capacity, should be aware of the activities and progress of the Project, and this goal would be served by designation of the Assistant Administrator of FEA as a member of the Project.

Functions of National Science Foundation

House Bill

Subsection (a) of section 102 of the House bill amended section 3 of the National Science Foundation Act of 1950 (42 U.S.C. 1862) by inserting a new subsection (c) which provides that the Director of NSF shall support geothermal energy research, development, and demonstration programs in accordance with section 102(b) of this legislation.

Subsection (b) of section 102 provided that the Director of NSF shall support and fund geothermal energy research, development, and demonstration programs initiated and approved by the Project. Such subsection further provided that its provisions in no way restrict the authority of the Director to support and fund basic research, but that such provisions do not authorize the Director to support and fund any demonstration project which is not included in any program initiated and approved by the Project. The Director may, however, support and fund such a project if any other provision of law provides him with authority to do so.

Senate Amendments

Section 202(e) of the Senate amendments required the Secretary to participate with NSF, together with other Federal agencies, in the assessment of geothermal energy resources.

Conference Substitute

The conference substitute omits section 102 of the House bill and section 202(e) of the Senate amendments. The omission of section 102 is based upon the fact that no amendment to the National Science Foundation Act of 1950 is necessary in order to provide NSF with authority to carry out functions assigned to it by this legislation.

Functions of National Aeronautics and Space Administration

House Bill

Subsection (a) of section 103 of the House bill amended section 203 of the National Aeronautics and Space Act of 1958 (42 U.S.C. 2473) by inserting a new subsection (b) which provides that NASA shall carry out geothermal energy technology research and development in accordance with section 103(b) of this legislation.

Subsection (b) of section 103 provided that NASA may undertake and carry out programs assigned to it by the Project.

Subsection (c) of section 103 required the Administrator of NASA to prepare, in consultation with various public and private agencies and organizations, a comprehensive program definition with respect to the development of geothermal energy resources.

Senate Amendments

No provision.

Conference Substitute

The conference substitute omits subsection (a) of section 103 of the House bill. Section 103(b) is retained by the conference substitute and subsection 103(c) is retained with the following changes: (1) the interim report filing date is changed from October 31, 1974, to November 30, 1974; (2) the final report filing date with respect to the program definition is changed from June 30, 1975, to August 31, 1975; and (3) a provision is added which establishes a resource inventory and assessment program to be carried out by the Geological Survey as an important part of the program definition. This latter provision is drawn from section 202 of the Senate amendments.

Resource inventory and assessment program

House Bill

Subsection (a) of section 104 of the House bill required the Project to make regional and national appraisals of geothermal resources. The goals of the appraisal program shall include (1) improving geophysical and other techniques necessary to locate and evaluate geothermal resources; (2) developing better methods to predict the power potential of geothermal reservoirs; (3) determining and assessing the nature and power potential of high temperature geothermal convention systems; and (4) surveying and assessing regional and national geothermal resources.

Subsection (b) of section 104 required the Project, acting through the Geological Survey and other appropriate agencies, to (1) inventory geothermal resources on Federal land and, with the explicit permission of the owner involved, on non-Federal land; (2) conduct regional surveys, using drilling and other techniques, leading to a national inventory of geothermal resources; (3) make available maps and reports developed from such surveys to encourage commercial development of geothermal resources; (4) recommend legislation with respect to Federal leasing policies for geothermal resources; and (5) participate with various public and private agencies and organizations in developing technologies for the discovery and evaluation of geothermal resources.

Senate Amendments

Section 203 of the Senate amendments required the Secretary to undertake a resource inventory and assessment program similar to the program established by section 104(a) of the House bill.

Section 202 of the Senate amendments required the Secretary, acting through the Geological Survey, to undertake steps with respect to resource inventory and assessment which are similar to the steps required by section 104(b) of the House bill.

Conference Substitute

The conference substitute is the same as the House bill, with the following changes: (1) the heading for section 104 of the House bill is changed to reflect the approach taken by the Senate amendments; and (2) the nature of drilling techniques to be used is modified by the conference substitute, to clarify the intent that this research should be to establish the extent and nature of geothermal resources, and should not involve any exploratory drilling, which is and should remain the province of private industry.

Research and development

House Bill

Section 105 of the House bill required the Project to initiate a research and development program to resolve problems with respect to commercial utilization of geothermal resources. The goals of such program shall include (1) development of effective drilling methods; (2) development of reliable predictive and control methods; (3) exploitation of rock fracturing techniques; (4) improvement of extraction equipment and technology; (5) development of geothermal energy conversion methods; (6) development of methods to control emissions and wastes; (7) development of waste disposal control technologies; (8) improvement of the capability to predict the environmental impact of developing geothermal energy resources; (9) identification of social legal, and economic problems with respect to geothermal resources development; (10) provision for an adequate supply of scientists to perform required geothermal research and development activities; and (11) establishment of a program to encourage States to establish geothermal energy research and development.

Such section also required the Project to implement a coordinated research and development program to demonstrate extraction and utilization technologies and to accomplish such goals.

Senate Amendments

Section 207 of the Senate amendments established a research and development program which was similar to the program established by the House bill. The differences between the two programs are as follows:

1. The Senate amendments required by the AEC to carry out the research and development program, in cooperation with private industry.

2. The Senate amendments required the AEC to continue research authorized by the Senate amendments having potential applications in fields other than those exclusively related to geothermal energy. The House bill limited the Project to research which is directly related to geothermal energy.

3. The Senate amendments did not include specifically in the research and development program the following goals: (1) identification of social, legal, and economic programs related to geothermal energy research; (2) provision for an adequate supply of scientists; and (3) encouragement of States to establish geothermal energy information clearing houses.

Conference substitute

The conference substitute is the same as the House bill, except that the conference substitute incorporates the provision of the Senate amendments which requires the Project to continue research authorized by this legislation having potential applications in fields other than those exclusively related to geothermal resources.

It is the intent of the conferees that the term "non-Federal entity" shall include, but

shall not be limited to, private industry, academic institutions, municipalities, public utility districts, State and local governments, and private research laboratories.

Demonstration

House bill

Subsection (a) of section 106 of the House bill provided that the Project shall initiate a program to design and construct geothermal demonstration plants. The goals of such program include (1) developing economical geothermal energy production systems and components; (2) designing and constructing plants to produce electrical power; (3) operating such plants for a period of time; (4) providing experimental test beds; (5) involving engineers and technicians from private industry in developing methods of geothermal energy exploitation; and (6) providing for an adequate supply of trained geothermal engineers and technicians.

Subsection (b) of section 106 permitted the Project to establish a separate demonstration project for each geothermal resource base. The Project was given authority to obtain, through appropriate Federal agencies, plants and other real property used in any demonstration project.

Any agency designated by the Project to conduct a demonstration project shall provide for the disposal of electric energy and other geothermal resource byproducts of such project. Such disposition, to the maximum extent possible, shall be achieved through the sale of such byproducts.

Such subsection also provided that, at the conclusion of the program required under subsection (a), agencies designated by the Project to conduct demonstration projects shall, to the extent possible or appropriate, dispose of such projects or dispose of all electric energy and other geothermal resource byproducts produced by such projects.

Such subsection also provided that preference shall be given to known geothermal resource areas in making site selections for demonstration plants.

Senate Amendments

Section 208 of the Senate amendments authorized the AEC to enter into cooperative agreements with non-Federal entities for the construction, operation, and maintenance of demonstration developments for the production of electric or heat energy from geothermal resources. The non-Federal participants would be expected to make some contribution in the form of funds, rights in property, services, or other valuable consideration. The amount of the non-Federal contribution would be left to the discretion of the AEC on a case-by-case basis.

It was anticipated that several such demonstrations would be selected to reflect the development of a variety of geothermal resource types, the application of a variety of energy development and utilization technologies and a variety of conditions of energy and byproduct needs.

The AEC was authorized to proceed with such developments in which the estimated Federal investment will not exceed $10,000,000.

The AEC was authorized to investigate potential agreements for major demonstration facilities (in which the Federal investment will exceed $10,000,000) and to submit proposals to proceed with such agreements to the Congress for authorization.

In preparing proposals for cooperative agreements with non-Federal entities to construct major geothermal energy facilities, it was intended that non-Federal participants shall be selected which have the financial, technical, and management competence to perform the functions required of them pursuant to the agreement.

Conference Substitute

The conference substitute is the same as the House bill, with the following changes: (1) the goals of the program established by section 106(a) of the House bill are expanded to include construction and operation of pilot plants and demonstration plants; (2) the provisions of the House bill relating to disposition of electric energy and demonstration projects are replaced by comparable provisions of the Senate amendments; and (3) the conference substitute eliminates the provision that preference shall be given to known geothermal resource areas in making site selections for demonstration plants.

The conference substitute incorporates provisions of section 208 of the Senate amendments which would authorize the Project to enter into cooperative agreements with non-Federal entities for the construction, operation, and maintenance of demonstration plants for the production of electric or heat energy from geothermal resources. The non-Federal participants would be expected to make some contribution in the form of funds, rights in property, services, or other valuable consideration. The amount of the non-Federal contribution would be left to the discretion of the Project on a case-by-case basis.

The conference substitute also adds a provision which is intended to complement the provisions of the Senate amendments which are incorporated and to provide an opportunity for the establishment of demonstration projects without cooperative agreements in the event that there are no possibilities for cooperative agreements with non-Federal entities.

The legislative intent of the Senate amendments was adopted by the conferees regarding the disposal of electric energy produced by demonstrations utilizing geothermal resources. The principal intent is to clearly specify those conditions which must be fully met prior to any consideration of Federal sale and disposition of electric energy resulting from demonstration projects initiated under this legislation. The measure insures that where electric energy is produced by jointly financed demonstration projects the non-Federal participating entity would market the power. In those instances where the criteria for a totally Federally financed and operated demonstration project are met, the resultant electric energy is to be consumed only by the Federal Government. In unusual circumstances, where (1) there is no non-Federal entity willing and able to participate, (2) the stringent criteria justifying a Federally-owned and operated project have been fully met, and (3) there is no opportunity for Federal consumption of the resultant electric energy, only then may the appropriate Federal agency consider direct commercial sale and disposition of the resultant electric energy.

The conference substitute also includes a provision, which is based upon a provision contained in section 208 of the Senate amendments, which requires specific congressional authority for any proposed demonstration project if the estimated Federal investment for such project exceeds $10,000,000.

Scientific and technical education

House Bill

Section 107 of the House bill provided that it is the policy of the Congress to encourage programs to provide trained personnel to carry out geothermal research, development, and demonstration activities. NSF was authorized to support educational programs designed to effectuate such policy. NSF was required to coordinate its activities with various public and private agencies and organizations, and was authorized to encourage international participation and cooperation with respect to such educational programs.

Senate Amendments

No provision.

Conference Substitute

The conference substitute is the same as the House bill.

LOAN GUARANTIES

Estabishment of loan guaranty program

House Bill

Subsection (a) of section 201 of the House bill provided that it is the policy of the Congress to authorize the Chairman of the Project to designate an appropriate Federal agency to guarantee loans to encourage commercial development of geothermal resources.

Subsection (b) of section 201 provided that the head of the designated Federal agency may guarantee any loan made for purposes of (1) determining and evaluating the resource base; (2) extraction and utilization research and development; (3) acquiring rights to geothermal resources; and (4) constructing and operating geothermal resources demonstration facilities.

Subsection (c) of section 201 provided that loan guaranties may not exceed 75 percent of the aggregate cost of the project involved. Subsection (d) of section 201 authorized the head of the designated agency to establish terms and conditions for loan guaranties, and further provided that a guaranty may be made only if (1) the rate of interest for the loan involved does not exceed prevailing interest rates for conventional construction loans; (2) the loan must be fully repaid within 30 years; (3) the amount of the loan, together with amounts otherwise available, is sufficient to carry out the project involved; and (4) there is reasonable assurance of repayment of the loan by the qualified borrower.

Subsection (e) of section 201 prohibited the head of the designated agency from guarantying any loan if such loan is in excess of $25,000,000 for any project, or from guarantying any combination of loans to a single qualified borrower in excess of $50,000,000.

Subsection (f) of section 201 defined the term "qualified borrower" as any public or private agency or organization which, as determined by the head of the designated agency, has an interest in geothermal resources and is capable of carrying out research or development activities with respect to energy production.

Senate Amendments

The Senate amendments were the same as the House bill, with the following differences:

1. The Senate amendments authorized the Secretary to administer the loan guaranty program.

2. The Senate amendments did not authorize specifically the making of loan guaranties for the following purposes: (1) determination and evaluation of the resource base; and (2) research and development with respect to extraction and utilization technologies.

3. The committee report with respect to the Senate amendments indicated that section 101(e) of the Senate amendments was designed to permit loan guaranties of no more than $25,000,000 for a single project, and loan guaranties of no more than $50,000,000 for a single borrower. The committee report with respect to the House bill indicated that section 201(e) of the House bill was designed to permit loan guaranties for loans for a single project if the amount of loans did not exceed $25,000,000, and to permit loan guaranties for loans to a single borrower if the amount of such loans did not exceed $50,000,000.

4. The definition of "qualified borrower" contained in section 210(b) of the Senate amendments specifically required that a potential borrower, in order to be considered a

qualified borrower, must have the financial responsibility to operate a geothermal energy commercial facility. The definition of "qualified borrower" contained in section 201(1) of the House bill did not make any specific reference to financial responsibility, but did require that a qualified borrower be capable of performing research or completing development and production of geothermal energy in an acceptable manner.

Conference Substitute

The conference substitute is the same as the House bill, with the following changes: section 201(c) of the House bill is clarified to indicate that this legislation intends to permit loan guaranties of no more than $25,000,000 for a single project, and loan guaranties on no more than $50,000,000 for a single borrower; and (2) the conference substitute makes technical changes in the provisions relating to the operation of the loan guaranty program to conform with current Federal practices and policies relating to the operation of similar loan guaranty programs.

The conference substitute retains the provision of the House bill which required the Chairman of the Project to designate the head of a Federal agency to administer the loan guaranty program. It is the intent of the conferees that the Federal agency which is designated should have the competence and field organizations necessary to receive and process applications.

The conference substitute also retains the provision of the House bill which authorized the making of loan guaranties for the determination and evaluation of the resource base and for research and development with respect to extraction and utilization technologies. The conference substitute also retains the definition of "qualified borrower" which is contained in the House bill and which is consistent with the establishment of eligibility for research and development loans.

Payment of interest

House Bill

Subsection (a) of section 202 of the House bill provided that the head of the designated agency may pay to the lender any interest charges due on the unpaid balance of a guaranteed loan if the head of the designated agency finds that (1) the borrower is unable to pay such interest charges and it is in the public interest to permit the borrower to pursue the project involved; and (2) the amount of such interest charges does not exceed an amount equal to the average prime interest rate for the preceding fiscal year, plus one-half of 1 percent.

Subsection (b) of section 202 provided that if a qualified borrower defaults on a guaranteed loan, the head of the designated agency may make payment in accordance with the terms of the guaranty. The Attorney General of the United States was required to take appropriate action to recover the amount of such payments from assets of the qualified borrower which are associated with the project involved.

Senate Amendments

Section 102 of the Senate amendments was the same as the House bill, except that section 102 assigned responsibilities to the Secretary, and not to an agency designated by the Chairman of the Project.

Conference Substitute

The conference substitute is the same as the House bill, except that the conference substitute provides that the Attorney General also may recover payments from surety contained in the loan guaranty agreement.

Period of guaranties and interest assistance

House Bill

Section 203 of the House bill provided that no loan guaranties or interest assistance contracts shall be made after the 10-calendar-year period following the date of the enactment of this legislation.

Senate Amendments

Section 103 of the Senate amendments was the same as the House bill.

Conference Substitute

The conference substitute is the same as the House bill.

Geothermal resources development fund

The conference substitute is the same as the House bill.

House Bill

Subsection (a) of section 204 of the House bill established in the Treasury of the United States a Geothermal Resources Development Fund (hereinafter in this statement referred to as the "fund"). The fund shall be available to the head of the designated agency for carrying out the loan guaranty and interest assistance program authorized by this legislation.

Such subsection also provided that moneys in the fund not needed for current operations shall be invested in bonds or other obligations of the United States.

Subsection (b) of section 204 provided that payments into the fund shall be made from amount appropriated by the Congress pursuant to section 304(c) and from amounts returned to the United States pursuant to section 202(b).

Such subsection also provided that amounts in the fund shall remain available until expended, except that amounts available in the fund after the 10-calendar-year period following the date of the enactment of this legislation shall be paid into the general fund of the Treasury.

Subsection (c) of section 204 required the head of the designated agency to submit annual reports to the Congress with respect to the operation of the fund.

Senate Amendments

The Senate amendments were the same as the House bill, except that the Senate amendments required the Secretary (and not the head of a designated agency) to submit annual reports to the Congress with respect to the operation of the fund.

Conference substitute

The conference substitute is the same as the House bill.

General Provisions

Protection of environment

House Bill

Section 301 of the House bill provided that activities under this legislation shall be designed to protect the environment and to assure the safety of persons and property. Such section also provided that the program developed by the Project under title I of this legislation shall include special research and development to assure environmental protection and the safety of persons and property.

Senate Amendments

Section 201 and section 207(a)(5) of the Senate amendments contained provisions similar to those of the House bill with respect to protection of the environment.

Conference substitute

The conference substitute is the same as the House bill.

Reporting requirements

House Bill

Subsection (a) of section 302 of the House bill required the Chairman of the Project to submit biannual reports to the President and to the Congress with respect to the activities of the Project.

Subsection (b) of section 302 required the Chairman of the Project to submit reports to the President and to the Congress with respect to each demonstration project conducted under section 106 of the House bill.

Senate Amendments

Section 206 of the Senate amendments required the Secretary to submit the exploration plan and schedule required by section 202 of the Senate amendments, to the President and to the Congress no later than one year after the date of the enactment of this legislation. Annual progress reports would be required thereafter.

Conference Substitute

The conference substitute is the same as the House bill, except that the conference substitute requires reports annually, and not semi-annually.

Transfer of functions

House Bill

Section 303 of the House bill provided that, upon the establishment of a permanent Federal organization or agency having jurisdiction over energy research and development, the functions of the Project shall be transferred to and vested in such organization or agency. Such section also provided that, after such transfer and vesting, members of the Project shall provide advice and counsel to the head of such organiation or agency.

Senate Amendments

No provision.

Conference Substitute

The conference substitute is the same as the House bill. It is the intent of the conferees that the transfer procedures established by this legislation will not involve the physical transfer of personnel, programs, or agencies which are not otherwise specifically designated for such transfer by legislation such as that creating the Energy Research and Development Administration. Accordingly, it is contemplated that such personnel, programs, or agencies which are engaged in the geothermal programs created by this legislation and which are not transferred to a new agency such as the Energy Research and Development Administration shall continue to engage in such existing programs following the creation of such new agency.

Authorization of appropriations

House Bill

Section 304 of the House bill provided that, for fiscal years 1976, 1977, 1978, 1979, and 1980, only such sums may be appropriated to carry out this legislation as the Congress may authorize by law after the date of the enactment of this legislation.

Such section also authorized to be appropriated $2,500,000 for fiscal year 1975 to the Administrator of NASA to prepare program definitions under section 103(c).

Such section also authorized to be appropriated $50,000,000 annually to carry out the loan guaranty program established by this legislation.

Senate Amendments

Section 106 of the Senate amendments authorized appropriations to the fund not to exceed $50,000,000 annually.

Section 209 of the Senate amendments authorized appropriations for fiscal years 1974, 1975, and 1976, as follows: (1) $10,000,000 annually to the Secretary; (2) $35,000,000 annually to AEC; and (3) such amounts as may be required to NASA.

Conference Substitute

The conference substitute is the same as the House bill.

OLIN E. TEAGUE,
MIKE MCCORMACK,
DON FUQUA,
JIM SYMINGTON,
CHARLES A. MOSHER,
BARRY M. GOLDWATER,
JOHN WYDLER,
Managers on the Part of the House.

HENRY M. JACKSON,
ALAN BIBLE,
FRANK CHURCH,
LEE METCALF,
FLOYD K. HASKELL,
PAUL FANNIN,
MARK O. HATFIELD,
JAMES A. MCCLURE,
Managers on the Part of the Senate.

NATIONAL GAS PIPELINE SAFETY ACT AMENDMENTS OF 1974

Mr. STAGGERS. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 15205) to amend the National Gas Pipeline Safety Act of 1968, as amended, to authorize additional appropriations, and for other purposes, as amended.

The Clerk read as follows:

H.R. 15205

A bill to amend the Natural Gas Pipeline Safety Act of 1968, as amended, to authorize additional appropriations, 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 "Natural Gas Pipeline Safety Act Amendments of 1974".

SEC. 2. Section 5(c) of the Natural Gas Pipeline Safety Act of 1968 (49 U.S.C. 1674 (c)) is amended by renumbering paragraphs (2) and (3) as paragraphs (3) and (4), respectively, and by inserting immediately after paragraph (1) the following new paragraph:

"(2) Funds authorized to be appropriated by section 15(b) of this Act shall be allocated among the several States for payments to aid in the conduct of pipeline safety programs in accordance with paragraph (1) of this section.".

SEC. 3. Section 15 of such Act (49 U.S.C. 1683) is amended to read as follows:

"APPROPRIATIONS AUTHORIZED

"SEC. 15. (a) There are authorized to be appropriated $2,000,000 for the fiscal year ending June 30, 1975, and $2,350,000 for the fiscal year ending June 30, 1976, for the purpose of carrying out the provisions of this Act, except that the funds appropriated pursuant to this subsection shall not be used for Federal grants-in-aid.

"(b) For the purpose of carrying out the provisions of section 5(c) of this Act, there are authorized to be appropriated for Federal grants-in-aid, $1,800,000 for the fiscal year ending June 30, 1975, and $2,500,000 for the fiscal year ending June 30, 1976.".

The SPEAKER. Is a second demanded?

Mr. BROWN of Ohio. Mr. Speaker, I demand a second.

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

There was no objection.

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

Mr. Speaker, H.R. 15205 is a simple extension of authorizations of appropriations for fiscal years 1975 and 1976 to carry out the Natural Gas Pipeline Safety Act of 1968. That act provides for the setting of Federal safety standards for those facilities in or affecting commerce used in the transportation by pipeline or storage of natural or other gases. This is a unique Federal-State cooperative program, Mr. Speaker. Under the program, State agencies may administer State standards equivalent to or stricter than Federal standards with respect to intrastate pipelines or may serve as the Federal agent for administering Federal standards with regard to such pipelines. In addition, States may serve as agents of the Federal Government for the purpose of enforcing the Federal standards with respect to interstate gas pipeline systems. At present, 22 States are serving as Federal agents with regard to interstate pipelines within their borders. Of the 52 jurisdictions covered by the legislation—the 50 States, the District of Columbia and Puerto Rico—only the State of New Jersey is not participating in the program under the act.

States which participate in the program under the act are entitled to receive up to 50 percent of their cost of personnel, equipment, and activities committed to carrying out the act.

Mr. Speaker, the importance of the gas pipeline safety program has been vividly demonstrated by two explosions which occurred in 1974.

In April, a gas explosion wrecked a 24-story office building in New York City. Only because it occurred before the beginning of the normal business day was a massive loss of life avoided. As it was, 70 persons were injured and $10 million in damage was done by the explosion.

In June, an interstate pipeline burst and exploded about 50 miles from Washington, in Fauquier County, Va. The explosion occurred at night and the flames which I understand shot up nearly 4,500 feet could be seen in the sky over Washington. Again we were fortunate. Because the explosion took place in a remote rural area, no injuries or fatalities resulted from it.

To prevent such gas explosions, H.R. 15205 would authorize $3,800,000 for fiscal year 1975, of which $1,800,000 would be for grants-in-aid to the States, and $5,350,000 for fiscal year 1976, of which amount $2,500,000 would be for State grants-in-aid.

Mr. Speaker, I urge the passage of H.R. 15205.

Mr. BROWN of Ohio. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I join the chairman in seeking your support of H.R. 15205, the bill providing a 2-year extension of authorizations for the DOT Office of Pipeline Safety. The act provides $2 million for fiscal year 1975 and $2.85 million for fiscal year 1976 for administrative and operational expenses of the Office. The legislation also authorizes Federal grants-in-aid for State pipeline safety programs in the amounts of $1.8 million for fiscal year 1975 and $2.5 million for fiscal year 1976. This bill passed both the subcommittee and full committee unanimously.

The Natural Gas Pipeline Safety Act, enacted in 1968, directs the DOT Office of Pipeline Safety to set and enforce safety standards for facilities used in transporting natural and other gases by pipeline, and in storing such gases.

This involves approximately 1.4 million miles of gas pipeline system, including some 70,000 miles of gathering lines, 260,000 miles of transmission pipelines, and 650,000 miles of distribution mains, plus an additional 400,000 miles of gas service lines. These pipeline facilities transport more than a third of the Nation's energy needs while serving approximately 43.7 million customers.

Federal safety standards under the act may apply to the design, installation, inspection, testing, construction, extension, operation, replacement and maintenance of gas pipeline facilities.

The act creates exclusive Federal safety authority over gas pipeline systems, generally described as interstate systems. In addition, the act gives the Office of Pipeline Safety overall responsibility for the safety regulation of intrastate gas pipeline systems.

A State may assume responsibility for enforcement of safety standards covering intrastate facilities through certain certification procedures with OPS or may enter into an agreement with the Office of Pipeline Safety to assist in the enforcement of the Federal safety standards. A certifying State agency may adopt additional, or more stringent, standards applicable to intrastate pipeline facilities, which are not incompatible with the Federal standards.

This law provides that OPS make grants-in-aid of up to 50 percent of the cost of personnel, equipment and activities of a State agency to help it in carrying out a safety program under the certification or agreement procedures or to aid a State as it acts as an agent for OPS in enforcing safety standards of interstate gas pipeline facilities. At present, 22 States act as agents of the Secretary for such purpose.

The repeated occurrence of gas pipeline accidents underscores the importance of supporting the pipeline safety program through those authorizations and through continuing scrutiny of the Office of Pipeline Safety. I ask your backing of H.R. 15205.

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

Mr. BROWN of Ohio. I yield to the gentleman from Iowa.

Mr. GROSS. I have not been able to get a report. Is there a report in existence on this bill?

Mr. BROWN of Ohio. There is a report, I would say to my friend, the gentleman from Iowa; I picked up one in the back of the Chamber, near the page desk.

Mr. GROSS. I was given a bill, H.R. 15205, for scrutiny over the weekend. That, evidently, is not the bill before the House.

Mr. BROWN of Ohio. The bill under consideration is as reported out of the committee on August 16, 1974.

Mr. GROSS. This bill was reported out on June 5, 1974.

Mr. BROWN of Ohio. I think that is the date, if I may say to the gentleman, on which the bill was introduced.

Mr. GROSS. That is the bill that was

made available to me by the document room.

Mr. BROWN of Ohio. As the gentleman certainly knows, I do not have any responsibility for the document room.

Mr. GROSS. I understand that perfectly, but in the absence of a report, where does the money for fiscal year 1975, the $3.8 million, go? To the States, or to whom does this money go?

Mr. BROWN of Ohio. Some of the money goes to the States, as indicated in my remarks, to finance the operation of the State inspection and administration of pipeline safety in those States which have contracts with the Federal Government permitting them to undertake the responsibility for pipeline safety in their State. That is one of the provisions of the Natural Gas Pipeline Safety Act enacted in 1968. The rest of the money provided by this authorization goes to the Federal Government or, rather, is used by the Federal administration, under the provisions of the 1968 pipeline safety legislation, to administer the national portion of this program under the Department of Transportation.

Mr. GROSS. The grants in aid to the States and the administrative expense money to the Federal Government; is that what the gentleman is saying?

Mr. BROWN of Ohio. That is correct.

Mr. GROSS. And the gentleman feels that the States must have this assistance?

Mr. BROWN of Ohio. The money is to finance the work done by the States rather than have the Federal Government bureaucracy expanded to the extent of adding personnel who would then have to go out into the States and do the actual work of administering the program. In other words, many of the States currently have, or already had when the bill was passed in 1968, personnel for existing State programs to provide for pipeline inspection and the setting of standards and so forth.

Many of those people were already on the local payroll at that time. Some, of course, have been added since in States which did not have pipeline safety programs at the time, but are supported by the grant-in-aid program from the Federal Government since those States undertook to establish programs to encourage pipeline safety in conformity with the 1968 Federal law.

The approach of the 1968 law is the old Hinshaw approach on regulatory activities, where the Federal Government assists with the costs of State regulatory activities, if the State activities will comply with the Federal law—thus saving the necessity of duplicating Federal and State regulatory activities.

Mr. GROSS. Mr. Speaker, if the gentleman will yield further, is this a new program with respect to pipelines?

Mr. BROWN of Ohio. Mr. Speaker, it is a program which was originally passed in 1968.

Mr. GROSS. So it is not a new program?

Mr. BROWN of Ohio. No; it is not now a new program, although it was new in 1968. At that time it provided for assistance to the States in administering new standards set by the Federal Government for pipeline safety.

Some States at that time already had such programs; some States did not. We now have 22 States which are cooperating with the Federal Government and receiving grants-in-aid and acting for the Federal Government in maintaining standards of pipeline safety.

Mr. GROSS. Mr. Speaker, do we do this for other utilities, or is it required for other utilities by the nature of their product?

Mr. BROWN of Ohio. Mr. Speaker, I would have to say, "Yes" and "No" in response to the gentleman's inquiry.

The pattern, as I indicated, is a pattern originally established legislatively by former Congressman Hinshaw, who, I think, served back in the thirties and forties—he was a Congressman from California, and he is no relation to the current Congressman from California—providing for the Federal Government to provide funds to assist with the administration of Federal standards by State agencies.

Mr. Speaker, this is done in other utility areas, but I am sorry to say I cannot identify all of the programs which the gentleman has inquired about.

Mr. STAGGERS. Mr. Speaker, I yield such time as he may consume to the gentleman from Florida (Mr. ROGERS).

Mr. STAGGERS. Mr. Speaker, I yield such time as as may consume to the gentleman from Massachusetts (Mr. MACDONALD).

Mr. MACDONALD. Mr. Speaker, the bill we are considering today, H.R. 15205, extends the authorization for the Office of Gas Pipeline Safety for 2 years, and also authorizes for 2 years the continuation and expansion of the program supervised by that office which provides grants-in-aid to the States. These grants-in-aid contribute up to 50 percent of the cost of the States' activities in pipeline safety, which are the backbone of the system.

The administration requested open-end authorizations for the administrative costs of the OPS, which your committee rejected. Instead, we have recommended that specific sums be authorized—$2 million for fiscal 1975, $2.8 million for fiscal 1976. The fiscal 1975 appropriations have already passed the House, provided for in the Department of Transportation funds.

We have also recommended the authorization of Federal grants-in-aid to the States of $1.8 million for fiscal 1975 and $2.5 million for fiscal 1976. These sums are in line with recommendations of the National Association of Regulatory Utility Commissioners.

Aside from the general policy of this committee against granting long term, open end authorizations, there is another basic reason that we have recommended extending the authorization for the Office of Pipeline Safety by only 2 years: During the hearings which our subcommittee held on June 13, we put a great many questions to the Director of OPS, Mr. Caldwell, and to the Deputy Assistant Secretary of Transportation, Mr. Sedan. The subcommittee intends to exercise its oversight authority and satisfy itself that the Office of Pipeline Safety is really doing the vitally important job the Congress has directed it to do, namely to insure that there will be no recurrence of the pipeline explosions that we have seen in the past year. Some of these tragic accidents have occurred within the local gas distribution systems which do not come under Federal control. The latest incident did occur in an interstate pipeline, but in a nonpopulated area in Virginia. There is, of course, no guarantee that we will be so lucky next time. It is the responsibility of Congress to see that the Office of Pipeline Safety is doing all that is humanly possible to prevent future accidents. We fully intend to assume that responsibility.

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

Mr. BROWN of Ohio. Mr. Speaker, I have no further requests for time.

The SPEAKER pro tempore (Mr. MCFALL). The question is on the motion offered by the gentleman from West Virginia (Mr. STAGGERS) that the House suspend the rules and pass the bill H.R. 15205, 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.

EXTENDING THE APPROPRIATION AUTHORIZATION FOR REPORTING OF WEATHER MODIFICATION ACTIVITIES

Mr. STAGGERS. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 15008) to extend the appropriation authorization for reporting of weather modification activities, as amended.

The Clerk read as follows:

H.R. 15008

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 6 of the Act entitled "An Act to provide for the reporting of weather modification activities to the Federal Government", approved December 18, 1971 (15 U.S.C. 330e), is amended by striking out "ending June 30, 1973, and June 30, 1974," and inserting in lieu thereof "1973, 1974, 1975, 1976, and 1977,".

The SPEAKER pro tempore. Is there a second demanded?

Mr. BROWN of Ohio. Mr. Speaker, I demand a second.

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

There was no objection.

Mr. STAGGERS. Mr. Speaker, I rise in support of H.R. 15008, a bill to extend the authorization of appropriations to the Secretary of Commerce to administer programs on the reporting of weather modification activities. This bill would extend the authorizations for 3 fiscal years. Each year $200,000 would be authorized to be appropriated, the same level as for fiscal year 1974.

The bill has the unanimous support of the Commerce Committee and is supported by the administration. By extending the authorizations, we will be able to keep track of the weather modification activities that are going on and to use this valuable information to protect the

health, safety, and property of the people of the Nation.

Mr. BROWN of Ohio. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I urge you to approve the weather modification reporting authorizations which both the subcommitee and the full committee unanimously approved.

This legislation extends the authorizations at their current level for the weather modification reporting program which is administered by the National Oceanic and Atmospheric Administration—NOAA—of the Department of Commerce. It authorizes $200,000 per year for fiscal year 1975 through fiscal year 1977.

"Weather modification" refers to artificially produced change in the weather; that is, cloud "seeding," hail suppression, tornado and hurricane modification, fog dissipation, lightning suppression, precipitation redistribution, and so forth. Such activities are carried out for research, experimental and other purposes by municipalities, educational institutions, scientific organizations, airports, airlines, and commercial firms. Presently the conduct of weather modification projects is not regulated by Federal law but is subject to State law in about two-thirds of the States.

In 1971, since such activities had a potentially significant impact and since there was then no central source of information on weather modification, the Congress passed the Weather Modification Reporting Act. This act required anyone engaging in non-Federal weather modification to submit reports to NOAA before and after undertaking a weather modification activity. And, since 1973, Federal agencies with weather modification projects also report such experimental activities to NOAA. NOAA maintains records of each and publishes periodic summaries of modification projects.

The most recent NOAA summary published shows that 67 weather modification activities were carried out in 19 States from November 1972 to December 1973.

This program provides the only central source of weather modification information in the country. Such a source of public information facilitates weather forecasting, avoids duplication of projects and more easily identifies potential hazards. It is a necessary program, and I urge you to support authorizations to support it.

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

Mr. STAGGERS. Mr. Speaker, I yield such time as he may consume to the distinguished gentleman from Massachusetts (Mr. MACDONALD), the chairman of the subcommittee.

Mr. MACDONALD. Mr. Speaker, this bill simply extends the authorizations, for 3 years, for the weather modification reporting program of the Department of Commerce. The authorizations for fiscal 1975, 1976, and 1977 are identical—$200,000 per year—and are at precisely the same level as the past 2 years.

As you know, this program is an information service that keeps track of all weather modification activities in the country. It is the only coordinated central source of this information.

Mr. Speaker, it is a service to the public to maintain this source of information on development in attempts to change the weather artificially. I urge your support of this legislation.

Mr. STAGGERS. Mr. Speaker, I yield such time as he may consume to the distinguished gentleman from Florida (Mr. ROGERS).

Mr. ROGERS. Mr. Speaker, I rise in support of H.R. 15008, the weather modification authorization. This program has been in existence for some time now and already we have some promising leads into one of mankind's most vexing problems—the weather.

We are seeing reports now that we are on the right track in developing methods of suppressing fog, which will be of great use to the navigation industry and to the American people who travel by air.

We have seen research which, if proven out, might help us in breaking up air pollution and of course, we are still working on the basic problem of actually modifying weather.

I saw just this past week interviews with farmers in the West and Midwest who are turning to individuals who claim that they can bring rain. These farmers, hard pressed by long periods of drought, are willing to spend large amounts of money in order to save their crops.

I am not aware of any private ventures which have brought such success, but in certain experiments in Florida, there have been promising results which need to be looked into.

In addition, the work of the National Oceanic and Atmospheric Administration in surveillance is vitally important to all Americans for economic as well as personal safety reasons. We in Florida are dependent on the National Hurricane Center's capabilities to forewarn us on tropical storms and hurricanes, And the more we can increase our capabilities in weather forecasting, the greater our guarantee that we will not be subject to surprise disasters such as we experienced in the 1938 hurricane disaster. I strongly urge the passage of this legislation.

The SPEAKER pro tempore (Mr. MCFALL). The question is on the motion offered by the gentleman from West Virginia (Mr. STAGGERS) that the House suspend the rules and pass the bill, H.R. 15008, 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. STAGGERS. Mr. Speaker, I ask unanimous consent that the Committee on Interstate and Foreign Commerce be discharged from further consideration of the Senate bill (S. 3320) to extend the appropriation authorization for reporting of weather modification activities, and ask for its immediate consideration.

The Clerk read the title of the Senate bill.

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

There was no objection.

The Clerk read the Senate bill as follows:

S. 3320

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 6 of the Act of December 18, 1971 (85 Stat. 736; 15 U.S.C. 330e), is amended by striking the word "and" after "June 30, 1973," and inserting after "June 30, 1974," the words "June 30, 1975, June 30, 1976, and June 30, 1977,".

MOTION OFFERED BY MR. STAGGERS

Mr. STAGGERS. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. STAGGERS moves to strike out all after the enacting clause of S. 3320 and to insert in lieu thereof the provisions of H.R. 15008, 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, and a motion to reconsider was laid on the table.

A similar House bill (H.R. 15008) was laid on the table.

YOUTH CONSERVATION CORPS

Mr. DOMINICK V. DANIELS. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 14897) to amend the Youth Conservation Corps Act of 1972 (Public Law 92-597, 86 Stat. 1319) to expand and make permanent the Youth Conservation Corps, and for other purposes.

The Clerk read as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act of August 13, 1970 (84 Stat. 794) is amended to read as follows:

"POLICY AND PURPOSE

"SECTION 1. The Congress finds that the Youth Conservation Corps has demonstrated a high degree of success as a pilot program wherein American youth, representing all segments of society, have benefited by gainful employment in the healthful outdoor atmosphere of the national park system, the national forest system, other public land and water areas of the United States and by their employment have developed, enhanced, and maintained the natural resources of the United States, and whereas in so doing the youth have gained an understanding and appreciation of the Nation's environment and heritage equal to one full academic year of study, it is accordingly the purpose of this Act to expand and make permanent the Youth Conservation Corps and thereby further the development and maintenance of the natural resources by America's youth, and in so doing to prepare them for the ultimate responsibility of maintaining and managing these resources for the American people.

"YOUTH CONSERVATION CORPS

"SEC. 2. (a) To carry out the purposes of this Act, there is established in the Department of the Interior and the Department of Agriculture a Youth Conservation Corps (hereinafter referred to as the 'Corps'). The Corps shall consist of young men and women who are permanent residents of the United States, its territories, possessions, trust territories, or Commonwealth of Puerto Rico who have attained age fifteen but have not attained age nineteen, and whom the Secre-

tary of the Interior or the Secretary of Agriculture may employ without regard to the civil service or classification laws, rules, or regulations, for the purpose of developing, preserving, or maintaining the lands and waters of the United States.

"(b) The Corps shall be open to youth from all parts of the country of both sexes and youth of all social, economic, and racial classifications with all Corps members receiving compensation consistent with work accomplished, and with no person being employed as a member of the Corps for a term in excess of ninety days during any single year.

"SECRETARIAL DUTIES AND FUNCTIONS

"SEC. 3. (a) In carrying out this Act, the Secretary of the Interior and the Secretary of Agriculture shall—

"(1) determine the areas under their administrative jurisdictions which are appropriate for carrying out the programs using employees of the Corps;

"(2) determine with other Federal agencies the areas under the administrative jurisdiction of these agencies which are appropriate for carrying out programs using members of the Corps, and determine and select appropriate work and education programs and projects for participation by members of the Corps;

"(3) determine the rates of pay, hours, and other conditions of employment in the Corps, except that all members of the Corps shall not be deemed to be Federal employees other than for the purpose of chapter 171 of title 28, United States Code, and chapter 81 of title 5, United States Code.

"(4) provide for such transportation, lodging, subsistence, and other services and equipment as they may deem necessary or appropriate for the needs of members of the Corps in their duties;

"(5) promulgate regulation to insure the safety, health, and welfare of the Corps members; and

"(6) provide to the extent possible, that permanent or semi-permanent facilities used as Corps camps be made available to local schools, school districts, State junior colleges and universities, and other educational institutions for use as environmental ecological education camps during periods of nonuse by the Corps program.

Costs for operations maintenance, and staffing of Corps camp facilities during periods of use by non-Corps programs as well as any liability for personal injury or property damage stemming from such use shall be the responsibility of the entity or organization using the facility and shall not be a responsibility of the Secretaries or the Corps.

"(b) Existing but unoccupied Federal facilities and surplus or unused equipment (or both), of all types including military facilities and equipment, shall be utilized for the purposes of the Corps, where appropriate and with the approval of the Federal agency involved. To minimize transportation costs, Corps members shall be employed on conservation projects as near to their places of residence as is feasible.

"(c) The Secretary of the Interior and the Secretary of Agriculture may contract with any public agency or organization or any private nonprofit agency or organization which has been in existence for at least five years for the operation of any Youth Conservation Corps project.

"GRANT PROGRAM FOR STATE PROJECTS

"SEC. 4. (a) The Secretary of the Interior and the Secretary of Agriculture shall jointly establish a program under which grants shall be made to States to assist them in meeting the cost of projects for the employment of young men and women to develop, preserve, and maintain non-Federal public lands and waters within the States. For purposes of this section, the term 'States' includes the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, Guam, the Trust Territory of the Pacific Islands, and American Samoa.

"(b)(1) No grant may be made under this section unless an application therefor has been submitted to, and approved by, the Secretary of the Interior and the Secretary of Agriculture. Such application shall be in such form, and submitted in such manner, as the Secretaries shall jointly by regulation prescribe, and shall contain—

"(A) assurances satisfactory to the Secretaries that individuals employed under the project for which the application is submitted shall (i) have attained the age of fifteen but not attained the age of nineteen, (ii) be permanent residents of the United States or its territories, possessions, or the Trust Territory of the Pacific Islands, (iii) be employed without regard to the personnel laws, rules, and regulations applicable to full-time employees of the applicant, (iv) be employed for a period of not more than ninety days in any calendar year, and (v) be employed without regard to their sex or social, economic, or racial classification; and

"(B) such other information as the Secretaries may jointly by regulation prescribe.

"(2) The Secretaries may approve applications which they determine (A) to meet the requirements of paragraph (1), and (B) are for projects which will further the development, preservation, or maintenance of non-Federal public lands or waters within the jurisdiction of the applicant.

"(c)(1) The amount of any grant under this section shall be determined jointly by the Secretaries, except that no grant for any project may exceed 80 per centum of the cost (as determined by the Secretaries) of such project.

"(2) Payments under grants under this section may be made in advance or by way of reimbursement and at such intervals and on such conditions as the Secretaries find necessary.

"(d) Thirty per centum of the sums appropriated under section 6 for any fiscal year shall be made available for grants under this section for such fiscal year.

"SECRETARIAL REPORTS

"SEC. 5. The Secretary of the Interior and Secretary of Agriculture shall annually prepare a joint report detailing the activities carried out under this Act and providing recommendations. Each report for a program year shall be submitted concurrently to the President and the Congress not later than April 1 following the close of that program year.

"AUTHORIZATION OF APPROPRIATIONS

"SEC. 6. There are authorized to be appropriated amounts not to exceed $60,000,000 for each fiscal year, which amounts shall be made available to the Secretary of the Interior and the Secretary of Agriculture to carry out the purposes of this Act. Notwithstanding any other provision of law, funds appropriated for any fiscal year to carry out this Act shall remain available for obligation and expenditure until the end of the fiscal year following the fiscal year for which appropriated.".

The SPEAKER pro tempore. Is a second demanded?

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

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

There was no objection.

CALL OF THE HOUSE

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

The SPEAKER pro tempore. Evidently a quorum is not present.

Mr. GRAY. 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. 498]

Alexander	Gunter	Rees
Anderson, Ill.	Hammer-schmidt	Reid
Arends	Hanna	Rhodes
Aspin	Harsha	Rodino
Badillo	Hastings	Roncallo, Wyo.
Baker	Hébert	Roncallo, N.Y.
Beard	Holifield	Rooney, N.Y.
Bolling	Ichord	Rosenthal
Brasco	Johnson, Colo.	Ruppe
Brotzman	Jones, Ala.	Ryan
Burton, John	Kastenmeier	Satterfield
Butler	Kluczynski	Shuster
Carey, N.Y.	Litton	Sikes
Clark	McClory	Stanton, James V.
Conyers	McKinney	Steele
Coughlin	McSpadden	Steiger, Ariz.
Culver	Madigan	Steiger, Wis.
Daniel, Dan	Mathis, Ga.	Stokes
Davis, Ga.	Mayne	Stuckey
de la Garza	Mink	Teague
Dickinson	Moakley	Udall
Diggs	Mollohan	Van Deerlin
Dorn	Murphy, N.Y.	Williams
Dulski	Nedzi	Wilson, Charles H., Calif.
Edwards, Calif.	O'Brien	Young, Alaska
Evans, Colo.	Pepper	Young, Ill.
Evins, Tenn.	Pike	Young, S.C.
Fisher	Preyer	
Frelinghuysen	Pritchard	
Gettys	Quie	
Giaimo	Rarick	
Gibbons		

The SPEAKER. On this rollcall 344 Members have recorded their presence by electronic device, a quorum.

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

YOUTH CONSERVATION CORPS

Mr. DOMINICK V. DANIELS. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I wholeheartedly support H.R. 14897, a bill to expand and make permanent the Youth Conservation Corps.

As chairman of the Select Subcommittee on Labor, I am pleased to report to all the Members of this House that we can be proud of the results and accomplishments of the Youth Conservation Corps pilot program authorized by Public Law 91-378. Like the Civil Conservation Corps—CCC—whose improvements and benefits can still be seen in the countryside, the Youth Conservation Corps has proved itself a success in accomplishing needed environmental work and in providing meaningful outdoor employment to 9,771 young people during the first 3 years of the pilot program.

The program provided young men and women with the experience of outdoor living and working, and intensifying their understanding of the ecological and environmental problems facing our country.

The Department of Agriculture reports the enrollees completed $4,464,000 worth of high priority conservation work on Federal lands during the first 2 years of the program. This represents an estimated return of 79 cents on every Federal dollar spent in the form of conservation work and improvements on public lands.

The testimony heard by the subcommittee concerning the extension and expansion of YCC was unanimous in its praise of the program, both in human and economic terms. The enrollees who came before the subcommittee reflected the enthusiasm and wealth of experience gained from participation in the YCC. It is also noteworthy that one of the directives included in the legislation is that participants are drawn from all socioeconomic and racial backgraunds. This directive assures that enrollees are provided an opportunity to work and socialize with young people who they would not ordinarily get to meet in their normal everyday life. It provides an experiment in social interaction in addition to the other benefits already described.

Because of this unsullied experience, the full Committee on Education and Labor decided that the continued success of the Youth Conservation Corps could best be guaranteed by making the program permanent at an annual authorization level of $60 million. This funding level would permit the program to accommodate 60,000 enrollees a summer and assure that continuing work would be performed on our high priority conservation programs.

At a time when employment of our young people during the summer months is a growing problem, and at a juncture in environmental history when our country has a reforestation backlog of 3.3 million acres, the YCC offers a means to cope with and alleviate, to a significant extent, both concerns. I strongly urge my colleagues to vote in favor of this investment in the well-being of our young Americans, and the preservation of our national beauty.

This is a highly successful conservation work program and I am pleased to commend the gentlemen from Washington (Mr. MEEDS), the chief architect of this legislation, who will explain more fully the details of H.R. 14897.

Mr. MEEDS. Mr. Speaker and Members of the House, the purpose of H.R. 14897 is to expand and to make permanent the highly successful Youth Conservation Corps pilot program, which is now in its fourth year of operation.

In the summer of 1971 we had a program of $2.5 million, which provided healthful outdoor experience for 2,676 young people; in 1972, a $3.5 million program, which provided this type of work for 3,495 young people; in 1973, a $3.5 million program, which provided this type of work for 3,500 young people; and this summer, a program established at $10 million, which has in it approximately 10,000 young enrollees.

The legislation before us today will authorize permanently $60 million which will provide funding for approximately 60,000 young people. Indeed, it will be more than that because of the State-Federal cost-sharing program, about which I shall speak a little later.

This legislation is cosponsored by over 60 Members of this body, and it was passed in the other body unanimously not too long ago. It has been praised by everyone who has had contact with the program.

The program we are talking about, Mr. Speaker, was copied from the Civilian Conservation Corps program of the 1930's, the CCC's. Its concept is to combine the high unemployment rate of young people with the backlog of needed work on our Federal lands and to provide involvement of young people who ultimately will inherit the management of the natural resources of this country.

It has been a highly successful program. The concept with which we commenced initially has been thoroughly tested. Approximately 20,000 young people from all geographic areas, all social, economic, ethnic, and racial groups, and both sexes in this country have served in the program. It is a program which boasts a retention rate of 96 percent across the 4-year period it has been in operation. In other words, there is only a 4-percent dropout during the entire four summers of operation of this program.

Talking strictly in material terms, for every dollar that has been paid into the Youth Conservation Corps program, we have received back in improvement of our Federal lands 79 cents, and in addition some 20,000 young people have gotten approximately $300 for each of their summer's work.

The program has contributed in 2 years alone $4½ million of priority conservation work on the Federal lands. A University of Michigan study indicated that the Youth Corps enrollees had each achieved an average of 1 year's schooling in environmental studies, what it would have taken them 1 year in the regular school term to achieve.

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

Mr. MEEDS. I am delighted to yield to the gentleman from Florida.

Mr. HALEY. Mr. Speaker, I note, of course, that the previous bill provided for $10 million, and this calls for $60 million.

I would like to say this: I believe that the old Civilian Conservation Corps provided for some of the finest returns for the moneys that we spent. But I am wondering here about the ages of those in the program.

As I remember, the old Civilian Conservation Corps was made up of men above 18 years of age.

Mr. Speaker, will the gentleman give us some further explanation of this?

Mr. MEEDS. Yes. Mr. Speaker, I would be delighted to respond to the gentleman.

This is a summer program. It operates during the summer season only. The CCC's operated the year around.

This is not intended to replace the educational experiences that young people of this age should be accomplishing, and, therefore, most of the programs are only for a period of 8 weeks during the summer. The wages may differ in varying programs, but the average across the Nation has been $300 for each summer worked. The ages covered are 15 through 18.

Now, the gentleman mentioned an increase. This is not an increase. We authorized in the bill which this will amend and replace $60 million for fiscal year 1975, as we do in this legislation. It is true that the money was never appropriated. We are not here acting on appropriation either.

So in terms of money authorization, this is exactly the same as it was in the last bill that this one amends.

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

Mr. MEEDS. I yield to the gentleman from Indiana.

Mr. ROUSH. Mr. Speaker, it is my understanding that we have Federal laws which prohibit the requirement of the signing of a "pledge of allegiance" to any political party as a condition of Federal employment, and that we do have laws which do prohibit "kickbacks" as a result of Federal employment.

Now, my understanding of this bill is that 30 percent of the moneys to be used for these grant programs would go to the States for projects within the State, in other words, State land and water conservation projects; is that correct?

Mr. MEEDS. That is correct, including municipalities.

Mr. ROUSH. What would happen, I would ask the gentleman, in the instance of a State which leases projects which have been constructed with Federal funds, and the State desires to use a portion of their money to conduct conservation programs on those projects? Would it be the gentleman's contention and belief that the Federal laws would prohibit these requirements of "allegiance to a political party," or the so-called kickbacks? Would they apply in such an instance wherein the youth employed would be employed on a project built with Federal funds but is leased to the State?

Mr. MEEDS. It is my feeling that where the funds are mainly Federal that the Federal law with respect to kickbacks and pledge of allegiance would have to apply.

I would have to look into it more carefully, because the gentleman has mentioned this, and it is the first I have heard of it.

I might also say that every State in the Union has an antikickback law, and probably most honor the other law too.

Mr. ROUSH. The gentleman is not acquainted with certain political practices in the State of Indiana. I have deplored the fact that on projects that have been constructed with Federal funds but which are being leased by the State, a political party can require a lifeguard or a young college man, woman, or teacher who is in summer employment to contribute 2 percent of his or her salary to a political party in my State and require political clearance as a condition of employment.

I do not want to see money dedicated to the very worthy things which the gentleman has set out in his bill used in such a manner in my State or in any other State for such purposes. I would hope that some time a committee of this Congress might direct its attention to what I consider to be a very deplorable and disgraceful practice.

Mr. MEEDS. I would certainly join the gentleman from Indiana in condemning that type of practice, and I will say to the gentleman that I would personally work with the gentleman to see that it is prevented.

Mr. ROUSH. I thank the gentleman.

Mr. MEEDS. Mr. Speaker, the question has been asked why we should make this program permanent. It should be made permanent, and it should be fully funded at $60 million, because of the following factors. First of all, unemployment among young people in this country is three times the national average of adults. It is 15.6 percent.

As a group, some of the highest unemployment in this entire Nation exists with young people, and young people who are actively seeking employment. This is not some figure that one pulls out of the sky and says that that is how many young people are unemployed, but these are the hard figures that are gathered through unemployment compensation, and other measures of unemployment in this Nation.

The applications for this program—and I think this is significant both in terms of merit and in terms of how good a program this really is—we have had an average of 30 applications for every one of the positions we have been able to fill with the funds available.

Indeed, in the first year of this program for about 2,500 job positions we had 130,000 applications. We have had an average of 100,000 applications for each 3,000 job positions every year that the program has been in existence and yet we have been able to fill only one out of 30 of those.

There is a vast backlog of conservation work needed in this country. Trails need to be repaired, or built, and also camp grounds. As the gentleman from New Jersey indicated earlier, we are still using today some of the camp grounds, trails and roads that were built by the CCC in the 1930's. Many of these are in disrepair, and need to be repaired.

The Forest Service alone tells us that 3.5 million acres of Federal forest lands have been cut over and never replanted. These people can be utilized to work on these kinds of programs.

We found in this legislation something that we should have and did suspect from the very beginning, that we needed a different kind of a program to really make it available to all American youths. If we look at a map that shows the location of the Federal lands, we find that they are located, by and large, away from the urban population centers, in other words, where the majority of young people are now. So we inaugurated this year for the first time the Federal-State cost-sharing program. Under that, 30 percent of the funds appropriated will be utilized in State-Federal cost-sharing with the Conservation Corps-type programs.

This year for the first year a Youth Conservation Corps program, either Federal or Federal-State cost-sharing program, is operating in every State of this Union. The Federal Government will contribute up to 80 percent, and all States are participating.

Mr. Speaker, this has been a highly successful program which has combined young people who need jobs with jobs that need doing. It has been carefully tested for 4 years now and has shown great promise and should be expanded and made permanent. Both in material terms and in human terms, it deserves our support.

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

Mr. ESCH. Mr. Speaker, I would like to ask my colleagues whether they think it is good public policy that the Government get a significant return on every dollar it invests. I am sure the obvious answer is yes.

Unfortunately, quite often legislation is passed which has good intentions designed to provide services to specific areas or groups but does not benefit all Americans. That is certainly not to say specific or directed legislation is bad or even unnecessary, but when legislation does come before the House which provides tangible results which can be seen and documented, then I believe it is worthy of note. The legislation before us today does just that. The Youth Conservation Corps provides employment for men and women, age 15 through 18, and puts them to work on national and State parklands to provide needed conservation and improvement work on these public lands.

The work is hard and the hours are generally long, yet last year over 100,000 applications were received for the YCC jobs. Now you might ask why would 100,000 young people want to work very hard for relatively few dollars. Someone might say, "It just doesn't make sense," and the more suspicious among you might even say, "There has got to be some sort of 'boondoggle' involved in this program." Well, the simple facts are that the youth of this Nation are often improperly stereotyped. Young people want to and are willing to work very hard, particularly when they can see that their efforts are benefiting society. They are concerned about the environment. Working in this program gives them an opportunity to contribute to improving the environment. Young people want to learn more about nature and the wilderness. This program gives them an opportunity not only to learn but to actually work to preserve it. Young people want to be contributing and productive members of society. The experiences that they receive while working in this program, the personal growth and values which they derive from participating in it become the basis upon which they will, as they get older, help them as they become the future leaders of this Nation. I think that I would be reassured with the knowledge that tomorrow's leaders have a foundation made in part out of sweat and hard work. This program, it is fair to say, is in the best traditions of all of the values that we Americans hold dear.

Mr. Speaker, the legislation before us today did not emerge from our committee overnight but was the result of almost two years of considerable thought and consideration. This legislation is the result of the efforts of many individuals and I extend my particular praise and thanks to the gentleman from Washington, LLOYD MEEDS, the gentleman from New Jersey, DOMINICK DANIELS, and the gentleman from Minnesota, AL QUIE, for their untiring efforts on behalf of this legislation. I can say to my colleagues with a clear conscience that this bill is one which could and should be supported by everyone and I hope that it is passed unanimously.

Mr. Speaker, at this time I yield 3 minutes to the gentleman from Indiana (Mr. LANDGREBE), a member of the committee.

Mr. LANDGREBE. Mr. Speaker, I thank the gentleman for yielding me this 3 minutes. I could not possibly start to tell and say all the things I dislike about this proposal in the 3 minutes but I will do the best I can.

I happen to have lived during the days of the original CCC camps. I know about some of the evils of those camps and of course some of the good. There is one major difference between the CCC camps of the early 1930's and those proposed today under this legislation. The difference is that there are tens of thousands of jobs awaiting the youth of today. I suggest the Members drive in any direction all over America and they will see "Help Wanted" signs. The restaurants look like employment agencies rather than places where one can purchase food and drink.

I feel today the youth of America would be much better served and would better serve others by accepting jobs in the marketplace where they could not only earn decent salaries but also learn a craft or a trade or a business, rather than go out into the forest to learn how to use a shovel. They can learn that any place.

There are jobs just waiting for willing hands. We need people to do those jobs and we also need the tax money that they would produce. The backlog of unfilled orders in industry is getting longer and longer and there are decent respectable people in America today who are working two or three jobs trying to meet the demands and many are working six and seven days per week while literally thousands of our young people wander around aimlessly in search of ways to avoid taking a respectable job.

Worst of all, our national debt is at the half trillion dollar mark. It is amazing how few Americans realize that the interest bill on that national debt for this fiscal year is in excess of $30 billion. That figure for interest on our debt makes the $84 billion outlay for national defense look rather modest, by comparison.

Mr. Speaker, I urge that this bill certainly be laid to rest, and if the time ever comes again when there are no jobs and our young people really need to be gathered up off the streets and given something to do, that will be plenty of time to enact this type legislation. Today we have jobs and prosperity and from this businessman Congressman's standpoint I see absolutely no need for this legislation.

Mr. ESCH. Mr. Speaker, I yield 3 minutes to the gentleman from New York (Mr. PEYSER).

Mr. PEYSER. Mr. Speaker, I find it equally difficult in 3 minutes to give the number of reasons why the Members hopefully will overwhelmingly support this bill.

I would rather not speak at all at this point to the many wonderful things that this bill has done for young people

but rather look for a moment at some of the problems the young people are facing around this country today and see what this legislation offers as an alternative.

We have juvenile crime with the statistics showing an ever-increasing number of crimes taking place. We have youthful unemployment at triple the rate of our regular unemployment.

We have alcohol usage on the rise this year. It is becoming a real crisis in our national life today for our young people. We have all these things at work.

On the other side of the coin one of the bright lights we have is the Youth Conservation Corps.

My only objection to this bill is that under the present amount we have allocated in this program it can only reach 60,000 young people aged 15 to 18 a year. My objection is that I wish it could reach at least three times that number, because if we had three times that number of openings, we would have every one of those jobs filled with young people who are anxious and willing to get the opportunity.

Someone said that you can learn to dig or live in the woods anywhere. Well, that is not true. The opportunity is not there anywhere. To do something constructive and something good and to give us the opportunity in Congress to make this possible on a permanent basis, I just cannot think of anything more worthwhile than to overwhelmingly vote for this bill, show our young people in this country that we care and that we are willing to give them the opportunity to do something constructive and to learn.

Mr. ESCH. Mr. Speaker, I yield 3 minutes to the gentleman from Iowa (Mr. GROSS).

Mr. GROSS. Mr. Speaker, make no mistake about it, slice it thick or thin, we are right back to the good old leaf-raking days of the Civilian Conservation Corps. This bill costs, we are told, $60 million. With 60,000 people a year to be benefited for a summer's employment, that amounts to $1,000 each for 3 months or less.

Why not just give them the $1,000 each? Why not just give them the $1,000 and hope that they will get some benefit. Where are the departmental reports in connection with this bill? The Office of Management and Budget and other departments ought to be interested in it, yet there is no word in the report from any department or agency.

Mr. DOMINICK V. DANIELS. Mr. Speaker, will the gentleman yield?

Mr. GROSS. Of course, I yield.

Mr. DOMINICK V. DANIELS. I would like to say that the Secretary of Agriculture and the Secretary of the Interior appeared before the subcommittee when the hearings were held and were high in their praise for the program. So I conclude from that that this program had the approval and met with the satisfaction of the Federal agencies involved.

Mr. GROSS. But the report is completely silent as to their positions. The Department of the Interior and the Department of Agriculture and others have made no reports in connection with this bill. You are asking the taxpayers to put up $60 million, although some of the proponents appear to be saying that we are asking for $60 million and hope to get $10 million from the Appropriations Committee. Now, which is it?

Mr. DOMINICK V. DANIELS. I might say in last year's extension, we asked for an authorization of $60 million, but the committee only allowed $3,500,000 for 3,500 enrollees of the program; so we are asking for the same authorization that was approved by this Congress for the fiscal year 1974.

Mr. GROSS. So you do not anticipate getting $60 million?

Mr. DOMINICK V. DANIELS. No. I do not anticipate getting it.

Mr. GROSS. Then why in the world are you asking for it?

Mr. DOMINICK V. DANIELS. However, the Department has asked for at least 40,000 enrollees. More than 100,000 applications are on file.

Mr. GROSS. Mr. Speaker, this Government continues to try to be all things to all people around the world yet here we are today in a throwback to the old CCC days of the depression of the thirties with a program to provide $60 million for another leaf-raking operation.

It seems to me that before Congress approves this made-work program there ought to be the declaration of an emergency by the President. In the absence of such a declaration I am not going to support this program.

Mr. ESCH. Mr. Speaker, I would want to emphasize to the Members that of the $60 million authorized—if it were ever appropriated to the fullest extent, the experience of the first 4 years indicates that for every dollar spent on this program, we get a direct return in benefit, in work projects in our national forests and in our parks, of 79 cents. In other words, in building campsites, building trails and developing other projects which contribute to all of us in our national parks and in our national forests, we get a return of 79 cents for every dollar spent in the program.

Mr. Speaker, I would challenge the other Members of the House to find another program anywhere in our great bureaucracy which gives us that much return for the dollar.

Another point that should be emphasized is that indeed, the indications are from the Department of the Interior that although it is not listed in the report, they do support the bill. According to the information which we have, the administration has no objection to this bill.

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

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

Mr. GROSS. By whose evaluation does the gentleman make the statement?

Mr ESCH. In testimony before our committee, both from the Department of Agriculture and Department of the Interior, they explicitly stated that the valuation has been made that 79 cents per dollar is returned.

Mr. GROSS. Well, that is just lovely. Then, why not just give them $1,000 and the return probably would be better, would it not?

Mr. ESCH. I would say to the gentleman from Iowa that the only additional cost, because it is overlaid on the present programs we have, is an additional cost involving travel, food, and lodging expenses in addition to what they are paid directly.

So, I think the gentleman will find there is a minimum amount of bureaucracy and a maximum amount of return for the dollar.

Mr. Speaker, I yield 2 minutes to a member of the committee, the gentleman from Oregon (Mr. DELLENBACK).

Mr. DELLENBACK. Mr. Speaker, I would like to speak directly to the comment of my friend from Iowa, as to why we should not just give the participants in this program the $1,000. That would basically miss much of the fundamental points of this program. The testimony before the committee, the testimony on the floor today from members of the committee, has been that two great advantages come from this program.

First of all, the young people involved are not just handed something for doing nothing. What they get is meaningful and educational employment. They end up with a program which is enjoyable, but they end up with a program which is also, from their standpoint, extremely valuable. That is one reason why they should not be given the dollars. I would say to my colleague and friend that they should be made—as this program makes them—to earn the dollars.

Then second, the point that was alluded to just a moment ago by my friend from Michigan (Mr. ESCH). There is very considerable value of a direct, tangible nature, to the projects and to the areas where this work is done. The gentleman from Michigan gave some estimate of the dollar return. Those of us who come from the areas of the West, where we see some of this work actually accomplished, realize the value that has been yielded to the national forests and to the other areas where this work has been accomplished. There is a very considerable, tangible benefit that flows from it.

Mr. Speaker, I could go on at greater length—2 minutes is far too short—but I would close by rising in support of this legislation; by commending the gentleman from Washington (Mr. MEEDS), the gentleman from New Jersey (Mr. DANIELS), and the gentleman from Michigan (Mr. ESCH), for having steered this through the subcommittee and through the committee.

I started out, when this program first began, as something less than completely supportive and strong in my support of this program. As I have watched it, however, I have become convinced that it is excellent, and I urge adoption today of this bill by an overwhelming vote of this House.

Mr. ESCH. Mr. Speaker, I yield 1 minute to the gentleman from Ohio (Mr. MILLER).

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

I take this time to ask if someone on the committee can answer the question as to why the bill states that individuals employed under the project for which an application is submitted shall be employed without regard to the personnel

laws, rules, and regulations applicable to full-time employees of the applicant.

Mr. MEEDS. Mr. Speaker, if the gentleman will yield, there are matters of retirement and unemployment compensation and other matters as to which these people are not intended to be covered. They are intended to be covered, however, for accidental injury, and they are intended to be covered by workmen's compensation and to be covered by the Federal Court of Claims.

Mr. MILLER. Is the language in the bill in any way intended to sidestep the minimum wage law in the employment of the youths?

Mr. MEEDS. No; it is not.

Mr. DOMINICK V. DANIELS. Mr. Speaker, I now yield 2 minutes to the distinguished chairman of the Committee on Education and Labor, the gentleman from Kentucky (Mr. PERKINS).

Mrs. GRASSO. Mr. Speaker, will the gentleman yield?

Mr. PERKINS. I yield to the distinguished gentlewoman from Connecticut.

Mrs. GRASSO. Mr. Speaker, let me first take the opportunity to thank the distinguished chairman of the Select Labor Subcommittee and my friend, the gentleman from New Jersey (Mr. DANIELS), and my colleague and friend, the gentleman from Washington (Mr. MEEDS), for their efforts on behalf of H.R. 14897, a bill to amend the Youth Conservation Corps Act. As a member of the subcommittee and a cosponsor of the bill, I know the time and labor which were devoted to getting this legislation to the floor.

In a relatively short period of time the Youth Conservation Corps—YCC—has proven itself to be an excellent program which not only provides needed summer employment for our Nation's young people but also enables them to help improve and maintain the quality of their environment.

In 1970, the Congress created a 3-year pilot Youth Conservation Corps to allow young people to perform important environmental and conservation work on Federal parks and forest lands. The programs proved so successful in its first 2 years that the 92d Congress extended the pilot program for an additional year with an increased authorization.

The bill under consideration today, H.R. 14897, would make two significant changes in the present YCC law. First, it would provide permanent authority for the program and authorize $60 million for each fiscal year. Second, it would change the present pilot program for State YCC programs into a permanent feature of the bill.

I am particularly satisfied with the continuation of the State-operated YCC provision of the present law. During subcommittee consideration of similar legislation in 1972, I introduced and strongly supported this requirement that 30 percent of the funds appropriated each year for the program be spent on YCC operations on State-owned park and forest land. Because of this section of Public Law 92-597, my State of Connecticut—which has no Federal park or forest land—was allocated $72,000 to employ 84 young people in its first YCC program in 1974.

If the YCC is established on a permanent basis, Connecticut youngsters will have continued opportunities for work in the fresh air of our beautiful State parks and forests for many summers to come. Through this experience they will learn to appreciate more deeply the natural beauty of our State, while contributing to the preservation of that beauty.

For these reasons, prompt passage of this vital measure is essential. I am confident that my colleagues will join me in supporting this bill.

Mr. PERKINS. Mr. Speaker, I rise in spport of the legislation.

Mr. Speaker, the time has come to make a decision about the factors of one of the most effective programs for youth in which the Federal Government is involved.

The fact that we can bring the Youth Conservation Corps bill to the floor under suspension of the rules is a clear indication that the decision is an easy one.

Since its creation by Public Law 91-378 in 1970, the Youth Conservation Corps has been a most successful program.

It began small, as a pilot program to provide summer employment for some 3,000 young people on our national lands. The age bracket was 15 through 18—the bracket in which overall unemployment in this country reaches upward past 15 percent.

Last year, there were approximately 100,000 applications for the 3,500 slots, the figure to which enrollment was raised under increased authorizations.

In all nearly 10,000 young people have been employed during the 8-week summer period in national forests and on public lands.

As the Members know, this program is the lineal descendant of the old Civilian Conservation Corps established back in the 1930's. This was one of the most successful New Deal programs, for it took young unemployed youngsters and put them to work on a variety of outdoor programs—building trails, planting new forests, culling timber, building drainage structuers in small watersheds, and the like. In our national parks and national forests today, you can still find the evidence of this good program of 40 years ago.

The Youth Conservation Corps is, I suppose, a sort of cousin of the program established nearly a decade ago in the Job Corps under the Economic Opportunity Act. A number of Job Corps conservation centers were established around the country with many features of the old CCC.

We had one of these conservation centers in Menifee County, in my Congressional district, in the Daniel Boone National Forest. In this, hundreds of young men were taken from the ranks of the jobless and taught job skills relating to conservation, the environment and land management.

This particular center was closed by the former Administration about 5 years ago when former Labor Secretay Schultz undertook to "improve" the Job Corps by reducing the training opportunities available to young Americans.

In hindsight, we all recognize that was the kind of "improvement" the undertaker has in mind.

Be that as it may, the Job Corps center in my area was closed, but I hope to see some kind of conservation center established there again some day.

A few days ago, the House completed action on the public works appropriation bill, providing funds to commence construction of the Red River Lake in a beautiful area of the Daniel Boone National Forest at the edge of the vast Cumberland Plateau.

This lake will be one of the most scenic, and one of the best sources of pure water in America. I anticipate that within a short time the upper Red River gorge and the tributaries of the Red River in that area will be taken over and preserved in their native state for our posterity.

The Youth Conservation Corps could play a major role in that work in that area—removing litter, keeping the areas clean, helping with the selective harvesting of timber, and providing paths and trails to make that beautiful area more accessible to all Americans. That work will pay for itself.

But paying for itself has already become a tradition in the 3-year history of the present Youth Conservation Corps. Testimony gathered by the Committee on Education and Labor indicates that an estimated 79 cents was returned to the Government for every dollar spent. This return was in the form of conservation work and improvement on public lands.

The legislation before us today makes the Youth Conservation Corps a permanent, rather than a pilot, program. The committee unhesitatingly recommends your approval of it as a contribution to improving the quality of American life.

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

Mr. DOMINICK V. DANIELS. Mr. Speaker, I would like to call the attention of the Members of this House to page 8 of the hearings conducted on this bill.

I refer to the testimony of Paul Vander Myde, Deputy Assistant Secretary of Conservation, Research and Education, U.S. Department of Agriculture. In the third paragraph from the bottom, I quote as follows:

> In determining future programs levels, we believe it is most desirable to have adequate flexibility for funding—

And after a statement containing a few more words, he goes on to say as follows:

> If the committee feels that this program should be continued at the current level of $60 million as authorized by Public Law 92-597, the Department of Agriculture would have no objection.

Mrs. MINK. Mr. Speaker, I rise in support of H.R. 14897 which makes permanent the Youth Conservation Corps program.

The YCC program was originally enacted by Congress in 1970 as a pilot demonstration project to provide employment during the summer months for young men and women for conservation work in Federal forests and parks. Ten million dollars were made available this summer for the program, an increase of $6.5 million over the previous year. In

addition, the YCC program was expanded this summer to include State participation for the first time since its inception. Of the total amounts available, $3 million in matching grant funds were awarded to 46 States for cost-share projects on non-Federal public lands and water.

I believe there is no disagreement that the YCC program has proven itself a success. Since the program began in 1970, young men and women between the ages of 15 and 18 from varied socioeconomic and racial backgrounds have been able to find meaningful outdoor employment by accomplishing needed environmental work while at the same time developing an understanding and appreciation of our Nation's environmental heritage.

The committee has found that the proven success of the YCC program can best be assured by making it permanent at an annual authorization level of $60 million. Because the need for conservation work is as great on State lands as the need on federally owned lands, the committee bill also establishes a grant program to States to assist them in providing conservation programs for non-Federal public lands and waters within the States. The Federal share of the cost of State-operated camps cannot exceed 80 percent.

As a cosponsor of this bill, I urge my colleagues to join me in supporting H.R. 14897.

Mr. QUIE. Mr. Speaker, the legislation before the House today is one that I can say with all confidence can be supported by all Members. This is rare legislation because, in addition to its great purposes, the Youth Conservation Corps program actually brings a measurable return to government. Federal or State. It has been documented that almost 80 cents out of every dollar the Federal Government spends in this program is returned in the form of actual and needed improvements to public lands.

This legislation is significant in that it provides an opportunity for young people to work, and I might add work very hard, at improving the Nation's environment. Youth corpsmen and women, receiving minimal pay, work on national and State parks, national forests, national wildlife refuges, and other Federal land and water areas administered by the Secretary of Agriculture and the Secretary of the Interior, and use their talents and skills to improve those lands for all Americans to use.

The benefits of this program go beyond just hard work. It affords our young citizens an opportunity to get out, see nature, and become part of it. By working in the outdoors they gain an appreciation of and a love for nature and the magnificent wilderness. They become in a real sense part of nature as they gain more understanding while they help to preserve and improve it.

Over the years I have been on trips into wilderness and parkland areas where young people have participated. I have watched them grow and develop as a result of their interaction with nature. I have found that by spending time in the wilderness young people develop a capacity for independence and self-sufficiency and this quite often in my judgment helps them to become better citizens.

I am proud of this legislation and think it is very significant. I extend the highest praise to my colleagues, MARVIN ESCH of Michigan, LLOYD MEEDS of Washington, DOMINICK DANIELS of New Jersey, and JOHN DELLENBACK of Oregon, with whom I have worked to develop this bill to which we can all point with pride.

I ask all of my colleagues to support this legislation.

Mr. BIAGGI. Mr. Speaker, I rise in support of the bill H.R. 14897, legislation which will expand and make permanent, the Youth Conservation Corps. This program is a proven success. I was pleased to cosponsor the legislation 4 years ago which created the YCC, and I am pleased today to cosponsor this legislation which will make the YCC a permanent Federal program.

In 1970 the Youth Conservation Corps was created. It was to be modeled after the famous Civilian Conservation Corps of the 1930's which provided tens of thousands of persons with employment, while making great advances in conservation efforts. The new YCC program was hailed by many in this Nation, and now 4 years later, it appears to have exceeded everyone's expectations both in terms of providing employment for young Americans and tending to some key conservation projects.

For the first 3 years, the YCC provided over 10,000 Americans between the ages of 16 and 19 with gainful employment. In addition, it has been estimated that the YCC accomplished some $4.5 million worth of high-priority conservation work on Federal lands.

Yet despite these glowing statistics, the YCC since the outset has been hampered by inadequate funding. While Congress raised the authorization levels for fiscal years 1973 and 1974, the administration requested only enough appropriations to employ 10,000 persons for the current summer, far below the number who were seeking these jobs.

This legislation today seeks to provide the YCC with a more viable and realistic budget so as to continue their work. The program will now become permanent with an annual authorization level of $60 million. If this full amount is appropriated, it is expected that some 60,000 persons a year can be employed by this program.

This program takes on added significance when measured against the fact that traditionally young people between the ages of 16 and 19 suffer one of the highest levels of unemployment of any group in this Nation. This is particularly true in the nonschool months of summer when the demand for jobs is especially high. In June of 1974 the unemployment rate for this group of Americans reached 15.6 percent, some 10 percent higher than the national average.

We as a nation are more concerned about the consequences of unemployment among our youth, because in the long idle hours of the summer, many well-intentioned young men or women have found themselves engaging in nonconstructive activities instead of enjoying the virtues of hard work which many of them would prefer.

Not only does the YCC provide jobs for young people, it also provides them with an education. Their education consists of having an opportunity to work directly with nature, and gaining a lasting respect for our Nation's environment. It educates them to work closely with young people their own age. And above all, it provides them with an education on the value of a dollar.

Throughout the hearings which were conducted on this bill glowing testimony was received by beneficiaries of the YCC program, who recounted their own personal observations on the unique experience of working for the protection of our Nation's environment.

In a time when this Nation is concerned about inflation and wasteful Government spending, it should be pointed out that for each dollar spent on YCC, an estimated 79 cents was returned to the Government in the form of conservation work and improvements on public lands. Further, by providing jobs, it reduces unemployment, which is an integral cause for the unprecedented levels of inflation we have today.

Mr. Speaker, all of my colleagues should relish the opportunity to pass legislation as worthwhile as this. We have a stake in the future of the youth of this Nation as well as a stake in preserving and protecting our environment, both for ourselves and our children. The YCC is a program designed to assist both these concerns. It deserves your support and I am confident that it will receive it.

Mr. GAYDOS. Mr. Speaker, I rise in support of this legislation.

The purpose of this legislation is to expand and make permanent the Youth Conservation Corps which was established in 1970.

After several unsuccessful attempts, Congress finally passed the Youth Conservation Corps Act in 1970. This was a pilot program which provided summer employment for 2,600 youths, age 14 to 18, in 1971, and 3,500 youths of that age in 1972. The act was amended in 1972 to expand the scope of the program both in the number of youths employed as well as to provide for a Federal-State cost-sharing program. In 1973, 3,500 youths were employed for the 8-week program, out of 100,000 applicants. In 1974, there were 10,000 participants in the program, with States participating for the first time in this program, with 3,500 of the 10,000 engaged in the State program.

This program has been highly successful. It has a twofold effect in that it provides summer employment for youths representing all segments of society, while at the same time, many conservation projects have been undertaken. In the first 2 years of the program, $4,464,000 worth of high priority conservation work was performed on Federal lands. It is estimated that out of every dollar spent in the program, 79 cents has been returned to the Government in the form of improvements on Federal lands. This, of course, is the most obvious financial return on the investment. But the other

return in the form of educational value to the participants as well as providing meaningful employment to youths who otherwise might well have spent a summer of indolance is immeasurable. Furthermore, the majority of the participants have used their earnings from the program to help finance their education.

The Departments of Interior and Agriculture have indicated that 40,000 youths could be employed in the program. What better way to conserve our natural resources for future generations than to use our most valuable asset, our youth, who can take personal pride in their participation in reclaiming and preserving our natural heritage.

I urge my colleagues to give strong support to this legislation.

The SPEAKER pro tempore (Mr. NATCHER). The question is on the motion offered by the gentleman from New Jersey (Mr. DOMINICK V. DANIELS), that the House suspend the rules and pass the bill H.R. 14897.

The question was taken.

Mr. SYMMS. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 3 of rule XXVII and the Chair's prior announcement, further proceedings on this motion will be postponed.

EXTENSION OF THE MARINE PROTECTION, RESEARCH, AND SANCTUARIES ACT OF 1972

Mr. DINGELL. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 15540) to extend for 2 years the authorization for appropriations to implement title I of the Marine Protection, Research, and Sanctuaries Act of 1972, as amended.

The Clerk read as follows:

H.R. 15540

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 111 of the Marine Protection, Research, and Sanctuaries Act of 1972 (Public Law 92-532; 86 Stat. 1052) is amended by striking "fiscal year 1974," and inserting in lieu thereof "fiscal years 1974 and 1975,".

The SPEAKER pro tempore. Is a second demanded?

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

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

There was no objection.

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

Mr. Speaker, the bill before the House today would extend for 1 year, and at present levels of expenditure, the authorization available to the Environmental Protection Agency to carry out its responsibilities under the so-called Ocean Dumping Act. It is a simple bill, designed to meet a simple and unobjectionable objective.

In enacting the basic law 2 years ago, the Congress participated in the making of an important commitment: The protection of the ocean and U.S. coastal waters from unregulated dumping of all materials. The range of ocean dumping activities which had taken place prior to that time was extensive: It included radioactive materials, nerve gas, a bewildering array of industrial chemicals and much other miscellaneous and unknown debris, from various sources and of varying composition. Indeed, a large part of the problem arose from the fact that no one was quite sure just what was being dumped at all.

Accordingly, we enacted in 1972 the Marine Protection, Research and Sanctuaries Act, in order to give us a handle on these activities, and to provide some measure of protection to the world's oceans, which were rapidly becoming perceived as far from immune from deterioration as a result of man's activities. That act gives to the Administrator of EPA the power to review proposed dumping activities, to permit those activities which will be harmless, to phase out those which cannot much longer be tolerated, and to prohibit absolutely those which should not be permitted in any case. It does a great many other things as well, which need not be detailed at this time, but it is clear that there is no controversy whatever as to the importance of keeping the program going at this time.

Enactment of the legislation before the House today will also enable the United States to meet its international obligations, in accordance with the Convention on the Prevention of Marine Pollution by Dumping of Wastes and Other Matter. That convention has been ratified by the United States, and we have already taken action to conform the existing law to its requirements. As principal sponsor of this convention, the United States has a commitment to see that we are in a position to carry out our own responsibilities under it.

The authorization for funding under title I of the act expired over a month ago, on June 30; I understand that the administration is continuing its activities, on a temporary basis, under authorizations contained in other legislation, but that the need for prompt and favorable action on this legislation is urgent.

Accordingly, and because I believe that this is important and necessary legislation, if we are to succeed in our goal of protecting the oceans and U.S. coastal waters, I ask for approval of H.R. 15540.

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

Mr. MOSHER. Mr. Speaker, I strongly support H.R. 15540, which would amend the Marine Protection, Research, and Sanctuaries Act of 1972 by extending for 1 year the authorization for appropriations to implement title I of the act at its present level.

The Marine Protection, Research, and Sanctuaries Act of 1972 became effective on April 23, 1973. It represents a national commitment to protect ocean waters which are recognized to be essential to the very survival of mankind.

There is a crucial need for research to fill in the great gaps in our knowledge of the oceans, necessary for proper management of a dumping permit program. Progress is being made, but the present authorization for funding under the act expired on June 30, 1974. It is essential that the continuity of this important environmental effort be maintained during fiscal year 1975.

The legislation calls for a 1 year extension of the authorization for appropriations. It is estimated that the cost of this extension would be no more than $5.5 million.

The passage of H.R. 15540 was endorsed by the Environmental Protection Agency, the Department of Commerce, and the Department of Transportation. I urge that all Members join with me in voting for the passage of H.R. 15540.

Mrs. SULLIVAN. Mr. Speaker, passage of the legislation before the House today is both noncontroversial and essential. The purpose of the bill is to extend, for a period of 1 year, and at existing levels, the authorizations available to the Environmental Protection Agency under title I of the Marine Protection, Research, and Sanctuaries Act of 1972, also known as the Ocean Dumping Act.

That legislation was enacted 2 years ago; its purpose was to provide a system whereby it would be possible to regulate the hitherto uncontrolled dumping of waste materials into the oceans and the coastal waters of the United States. Enactment of this legislation is necessary in order to permit EPA to carry on with the job to which we have assigned it: the regulation of ocean dumping by U.S. citizens and ships, or in U.S. waters.

There is also in existence an international treaty, covering the same general subject, of which this country was a principal sponsor. If we are to live up to our obligations, both under the statute and under the treaty, we must act favorably upon this legislation immediately.

Our committee has held a series of overnight hearings on agency progress under the Ocean Dumping Act—a practice which we have undertaken with respect to much of the legislation over which our committee has jurisdiction. We anticipate further oversight hearings in the next Congress as well, including sessions to consider activities undertaken by the Department of Commerce with respect to its obligations under titles II and III of this act. It will be in order, next year, to consider extending the authorizations for every title of the act.

Mr. Speaker, if we are serious about the goals to which the administration and the country have committed themselves, we must provide adequate authority for the responsible agency to take the necessary steps to that end. Enactment of H.R. 15540 is a necessary step in this direction.

I urge its favorable consideration.

GENERAL LEAVE

Mr. DINGELL. Mr. Speaker, I ask unanimous consent that all Members may be permitted to revise and extend their remarks on the subject of this legislation.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. DOWNING. I rise to endorse and urge all Members to support H.R. 15540, which will provide for fiscal year 1975 authorization for appropriations under title I of the Marine Protection, Research, and Sanctuaries Act of 1972.

In 1971, this House took a significant step forward in passing H.R. 9727, which

was designed to restore a proper balance between the economic and environmental needs related to disposal of waste into the oceans. That bill, after a long and difficult conference with the other body, resulted in Public Law 92-532, the act which we propose to amend today. Title I of that act provided for a permit system under which careful consideration could be given to the utilization of the ocean as a place for disposal of wastes originating from the land. We made it clear that we intended that the abuse of the ocean from toxic materials should cease and at the same time we recognized that certain materials might continue to be dumped into the ocean, so long as they were properly regulated to insure the minimum of impact on ocean waters. The permit system established by the act has been in effect for a period of more than 1 year, and while the implementation has been sometime slower than we had hoped, its apparent that its continuation is mandatory if we are to continue to use the ocean rationally, and thereby to protect it from the deterioration which could occur without our constant attention.

One of the major problems facing this country and the world today relates to the maximum feasible utilization of the fisheries resources of the sea. Unless we continue to protect the ocean waters from the threat of unlimited pollution, those resources will rapidly disappear from the scene. Another threat to the fisheries resources off our coast is, of course, the massive activity of foreign fleets and that is another issue which we must face shortly. But equally dangerous is the pollution threat and the Marine Protection, Research, and Sanctuaries Act give promise of going a long way toward the solution of the problem.

In this area, the United States once again has demonstrated its leadership in facing up to what is a worldwide problem. Subsequent to the passage of the act, an international convention addressing the same subject was signed in London, and this Nation has ratified that convention.

Both for the value of the program itself, and our international commitment, we must continue the ocean dumping permit program. The Committee on Merchant Marine and Fisheries, through its responsible subcommittees, is now engaged in the review of the basic act and the effectiveness of its implementation. I believe that, early in the next Congress, we may recommend certain amendments to the act to make it even more effective. In the meantime, the bill before us today will authorize the continuation of the ocean dumping permit system for the balance of the present fiscal year at the same level as was authorized in fiscal year 1974. I urge the support of all Members for the bill.

Mr. BIAGGI. Mr. Speaker, as cosponsor of this bill to extend the Marine Protection, Research, and Sanctuaries Act of 1972, I would like to give my wholehearted support to its passage. The protection of our marine resources is a crucial part of any meaningful national commitment to the preservation of our environment.

Too often in recent years it has taken an imminent shortage of consumer commodities or the existence of dangerous health conditions to awaken us to the need for a rational policy of resource management and environmental protection. But with the realization that the resources of our planet are limited has come the realization that reactive measures in times of crises are not enough. If we neglect our marine resources until the day that pollution leaves our beaches cluttered with refuse and dead marine life, it will be too late to do anything about it.

The passage of this act initially established a national commitment for the protection of a part of the environment which had not previously been the subject of any protective regulatory activities. It established a regulatory scheme to control materials from the United States, as well as certain materials originating outside of the United States, that are being transported for the purpose of being dumped into the ocean waters. Only with our continued support can this commitment to the preservation of our marine environment be implemented properly.

The bill before us today would extend the existing act. I would like to see those responsible for the act's administration deal with the serious dumping problems that are threatening our beaches and shores. In the New York City area, the dumping of sludge in the ocean has become a serious threat to the coastal beaches as the accumulations gradually move closer to the shores. This type of dumping must be brought under control.

Efforts to protect the marine environment must cut across political boundaries. Human disturbances of nature's highly sensitive ecological balance do not stop at artifically drawn State and national borders. The need for international cooperation was recognized with the Convention on the Prevention of Marine Pollution by Dumping of Wastes and Other Matter. The ratification of that convention and the incorporation of its provisions into law established the cooperation of the United States in this international effort. Surely its continued success depends on the cooperation of major powers such as the United States.

Rather than a reactive effort, the act of 1972 anticipated national needs to protect ocean waters, which are vital to the continued existence of mankind. It works toward this end by establishing a permit program of ocean waste disposal. It has also imposed specific research requirements to add to the great dearth of the knowledge required for the management of a rational and effective program.

Conditions prior to the passage of the act provide alarming evidence of this lack of knowledge. Of the 200 dumping sites then in use for disposal of wastes at sea, only 10 had ever been studied to determine the potential impact on the ocean environment. There is still a great deal to be learned about the extent of the effects of human interference with ecological balances. Vigorous research activity is therefore a vital corequisite to any effective policy of environmental protection.

We must have a sophisticated understanding of exactly how we are affecting our environment so that we can prevent what may eventually become irreversible damage. Surely we cannot falter in our commitment to the protection of our marine resources, by failing to extend this vital act.

Mr. ROGERS. Mr. Speaker, I rise in support of H.R. 15540, a bill to extend the authorizations for appropriations to implement title I of the Marine Protection, Research, and Sanctuaries Act of 1972. As a member of both the Subcommittee on Oceanography and the Subcommittee on Fisheries and Wildlife Conservation and the Environment of the House Merchant Marine and Fisheries Committee, I have been concerned about the lack of effective legal controls on the dumping of wastes at sea over the years. In 1969 and 1970 this concern was accentuated by incidents involving the dumping of nerve gas and other warfare agents into the ocean by the Department of Defense. Because of this concern on September 9, 1970, I introduced H.R. 19088, a bill to prohibit the future dumping of chemical, biological, radiological, and other warfare wastes into the ocean. Also, on September 21, 1970, I introduced H.R. 19359, a bill which directed the designation of areas where dumping of all wastes would be prohibited and the designation of standards for dumping in other areas so as to eliminate or minimize detrimental impact on health and environment.

Subsequenily, I was pleased to join several of my colleagues on the committee in sponsoring the Marine Protection, Research, and Sanctuaries Act of 1972 which contained some of the provisions of my prior bills. This act establishes a procedure for sound environmental regulation of the dumping of all wastes into the ocean, except dredged spoil under the jurisdiction of the Corps of Engineers and discharge through outfalls under the Federal Water Pollution Control Administration.

Interim regulations for the permit program mandated under title I of the act were issued in April 1973 and permanent regulations were issued on October 2, 1973. Since the time the program was initiated, 90 permits for ocean disposal have been issued. The bill before the House today would extend the authorizations for the continued administration of the title I permit program for 1 year at last year's authorization level. The committee estimates that the total cost of the program extension is $5.5 million for EPA, the Army Corps of Engineers, and the Coast Guard—the agencies sharing the administration and enforcement responsibilities under title I of the act.

It is the intent of the committee to continue its oversight hearings on the administration and research portions of the program during this session of Congress.

Mr. Speaker, I wish to commend Chairman SULLIVAN, and Subcommittee Chairmen DINGELL and DOWNING and my other colleagues' fine work on this legislation and in overseeing the implementation of the existing act. I wish to urge all

House Members in joining me in support of the bill on the floor today.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Michigan (Mr. DINGELL) that the House suspend the rules and pass the bill H.R. 15540, as amended.

The question was taken and (two-thirds have voted in favor thereof) the rules were suspended and the bill, as amended, was passed.

The title was amended so as to read: "To extend for one year the authorization for appropriations to implement Title I of the Marine Protection, Research, and Sanctuaries Act of 1972."

A motion to reconsider was laid on the table.

INCREASING THE BORROWING AUTHORITY OF THE PANAMA CANAL COMPANY

Mr. LEGGETT. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 14600) to increase the borrowing authority of the Panama Canal Company and revise the method of computing interest thereon.

The Clerk read as follows:

H.R. 14600

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 71 of title 2 of the Canal Zone Code is amended as follows:

(1) By striking out from the first sentence "$10,000,000" and inserting in lieu thereof "$40,000,000".

(2) By striking out the third sentence and inserting in lieu thereof "Such notes or other obligations shall bear interest at a rate determined by the Secretary of the Treasury, taking into consideration the average market yield on outstanding marketable obligations of the United States of comparable maturities during the month preceding the issuance of the notes or other obligations.".

The SPEAKER pro tempore. Is a second demanded?

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

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

There was no objection.

The SPEAKER pro tempore. The Chair recognizes the gentleman from California (Mr. LEGGETT).

GENERAL LEAVE

Mr. LEGGETT. Mr. Speaker, I ask unanimous consent that all Members may be permitted to revise and extend their remarks on this legislation at this time.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mrs. SULLIVAN. Mr. Speaker, this past Thursday the Panama Canal celebrated some 60 years of operational existence. Since August 15, 1914, when the SS *Ancon* made passage through the interoceanic waterway, over 400,000 vessels have likewise transited the Canal. The Panama Canal has been a successful enterprise, bringing great benefits for world commerce and for our Nation's national security since its construction. And not only has the Canal been a great asset to the international oceanic commerce of the world, it has been a project which has paid into the Treasury many of the costs incurred in its construction and operation. As you know, the Canal now operates on a cost-recovery basis and it is required that its revenues, derived chiefly from tolls on vessels which transit the Canal, be equal to or greater than the costs incurred in operating that enterprise. The legislation which we have before us today is a measure to insure that the Panama Canal has adequate financial protection in the event that for any reason a serious disruption should halt the flow of those revenues.

H.R. 14600 is simply designed to increase the borrowing authority of the Panama Canal Company so that it can continue to operate and meet its various financial obligations during those times when it is beset by an emergency or a constraining situation of any type.

Proceeding on the basis of reasonable assumptions is the best we can do in any situation. And though the borrowing authority has never been utilized before, the nearly 15,000 transits of the canal per year, and incidentally, about a quarter of those are ships whose navigation allows little room for error in the canal, make it possible that a situation could develop in which the flow of revenues would be interrupted and a borrowing authority needed. On the other hand, though it is possible to imagine some circumstances in which proposed borrowing authority might be inadequate to sustain operations, let us say, when some catastrophe might occur, and that consequently the Panama Canal Company would have to come to Congress for funds anyway, despite this I believe the proposed $40 million limit of borrowing authority is a sum which should cover most of the potential interruptions of canal revenue.

This legislation for our consideration today, H.R. 14600, is part of the detailed nuts-and-bolts statutes which together make the grand operation of the Panama Canal a reality. H.R. 14600 is, in my opinion, clearly needed at this time and I would ask those who wish to assure an adequate amount of financial protection for the canal to favorably consider it.

Thank you.

Mr. LEGGETT. Mr. Speaker, I rise in support of H.R. 14600, which increases the limit of the amount the Panama Canal Company may borrow from the U.S. Treasury from $10 million to $40 million, and also makes a technical change in the method by which the rate of interest on any sum borrowed by the Company would be computed.

This bill passed in our subcommittee and in the full committee without contest.

Essentially what the bill does is recognize that occasionally the Panama Canal Company's operations may run into difficulty due to blockage of the canal, labor strife, political problems, et cetera, and that we need to have a method to continue the operations of the canal when the Company's income is arrested.

Since 1951 when the Panama Canal Company was reorganized, it has been required by status to operate on a cost-recovery basis. The Company sustains the great majority of its revenues from tolls on vessels which transit the canal, and these revenues and others provide the funds from which the expenditures of the Company are made. The sister organization of the Panama Canal Company, the Canal Zone Government, receives appropriations each fiscal year but is required to pay back these appropriations into the U.S. Treasury by the end of the fiscal year from Company revenues. The self-sustaining arrangement for this Government corporation has worked well for over a generation, a fact which I believe shows the wisdom of that arrangement and the great importance of the canal.

Considering that the Panama Canal has been a successful Government venture for some 60 years and 4 days and considering that the canal's importance to international commerce and national security is generally acknowledged, it would be preposterous to think that the U.S. Government would not provide some adequate financial protection, some kind of good insurance, for that waterway. And Congress did provide that protection many years ago. The question today is whether it is adequate.

We established many years ago a borrowing fund of $10 million at a time when the tolls income from the canal was in the order of $30 million.

The 1948 special $10 million fund was set up in the U.S. Treasury and the Panama Canal Company could borrow from it when an emergency such as a blockage of the canal from a rockslide or vessel accident or political problems or otherwise might put a stop to the flow of canal revenues. That $10 million fund was not needed, and was not utilized.

In 1959 we had found it prudent to eliminate the fund since by earmarking this money and setting it aside the Company lost interest on the money in the fund, and this was not in accordance with the best interests of the operations of the Panama Canal Company.

In 1959, Public Law 86-200 abolished the borrowing fund on grounds that the $10 million in revenues could be better assisting the financial position of the Panama Canal Company. The new law gave the Company the authority to borrow up to $10 million without any special fund. Perhaps as much by good fortune as well as skill, that authority has never been needed, and never utilized.

Hopefully, the borrowing authority will never be needed. But vigilance requires us to anticipate otherwise. The longest the canal has been closed in recent years was 27 hours due to an accident with a vessel transiting the canal. Early in its existence the canal was closed for a long period due to rock slides in one of its most vulnerable areas. Those slides continue to be a danger but engineering work on the hills adjacent to the canal and the use of seismic devices to monitor earth movements have greatly reduced this danger.

The major hazard to canal traffic today is the transiting of large vessels, many of which are designed for maximum tonnage that can transit the canal, and whose dimensions demand the most careful handling and good conditions in going through that waterway. Since the

most critical as well as the most vulnerable locations in the Panama Canal are the locks and the facilities adjacent thereto, a single mistake, unfortunate occurence, or anything begetting a shearing, breakage, explosion, or collision in or near the locks could very well knock out the canal for a lengthy period of time.

These potentialities are the reason for establishment of a borrowing authority. But $10 million today does not provide adequate financial backstop authority. In fiscal year 1952 the annual sum of canal tolls revenues was $30.4 million. In fiscal year 1973, it was $113 million, and the projected tolls revenue since the tolls increase is a great deal higher than that figure. In short, whereas $10 million in the early 1950's represented 3 or 4 months revenue, it represents only about one-quarter of that today. And so, I believe the new proposed limit for the borrowing authority is wise and not extravagant.

Concurrent with this change, we thought that since the general policy of the Federal Government on the interest rate on borrowing had changed from the older method of doing it, that is what we called the coupon plan, we thought it might be well to upgrade the method of determining interest by which any borrowings of the Panama Canal Company might take place under the current borrowing authority. The Company may have to borrow from the U.S. Treasury.

So the bill, then, does two things. It increases the borrowing rate for the Panama Canal Company from $10 million to $40 million and also has the effect of changing the interest rate from the coupon rate of current Government marketable obligations of comparable maturities to the current borrowing rate of the Government. I think it is proper and frugal and in the interest of good canal administration that this particular bill be enacted.

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

Mr. LEGGETT. I yield to the gentleman from Florida.

Mr. HALEY. I thank the gentleman for yielding.

I think the gentleman has very well answered the question I had in mind as to why the necessity of raising the limits from $10 million to $40 million. Does the gentleman, or anyone, anticipate any situation that might arise that would require this amount of money?

Mr. LEGGETT. I do not really believe that any particular incident precipitated the current reanalysis. We could all speculate as to what may have happened, as a practical matter, had we had to use the old borrowing fund or had we been required to use the present borrowing authority, but we do think today if we are required to use the borrowing authority what would be required would be larger than $10 million, and therefore this is the reason for this action.

Mr. HALEY. Will the gentleman yield further?

Mr. LEGGETT. I yield to the gentleman.

Mr. HALEY. I understand our Secretary of State has been down talking to the people in Panama. If it came to the proposition of his turning this canal over to Panama—which I hope never happens—in that case if it were turned over, what would happen to this authority? Would it remain in the Government here or would it remain and would it be in the possession or the authorization of something we would furnish to Panama?

Mr. LEGGETT. To answer the gentleman, this is merely one of perhaps a thousand laws that affect the Panama Canal Zone at the present time, and were any treaty negotiated that were to affect these thousand laws, I believe that everybody with whom I have talked in the Department of State, plus the Members of Congress with whom I have talked, all concede that the Congress would have to review the matter and determine our new laws in these particulars.

So this will be law while the United States is running the Canal and until further action of the U.S. Congress.

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

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

Mr. GROSS. For the purposes of the record, may we have the assurance of the gentleman from California that this borrowing authority would be used only very sparingly, perhaps in the event of an emergency of some nature?

Mr. LEGGETT. I think I can clearly give that guarantee based on the experience to date, in that we have not used the borrowing authority to date. The Governor down there in this respect has been very frugal and very fortunately we have had enough business going through the canal that we have not needed to resort to the borrowing authority.

I think the track record is really the best answer, and we just have not had to borrow up to date.

Mr. GROSS. I thank the gentleman.

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

Mr. SNYDER. Mr. Speaker, I wholeheartedly endorse the statements that have been made by the chairman of the subcommittee.

Mr. Speaker, I rise in support of H.R. 14600, a bill to increase the borrowing authority of the Panama Canal Company and to revise the method of computing interest thereon.

This legislation is intended to increase the long-established authority of the Panama Canal Company to borrow from the U.S. Treasury. The form of the present borrowing authority dates from 1959 when Public Law 86–200 came into being. The present borrowing limit was set at $10 million because that was the amount of a special Treasury fund set up in 1948 to provide emergency capital for the Company.

Due to efficient management and the fact that there have been no major accidents or incidents affecting the flow of traffic through the canal, the Company has never found it necessary to exercise its borrowing authority. However, the world has not stood still since 1958 when the $10 million limit was set.

The volatile situation in the Republic of Panama and inflation have raised questions as to the adequacy of the amount of money available to the Company. Both the volume and size of ships have significantly increased. No one in this Chamber needs to be lectured on the effects of inflation nor reminded that it is rampant throughout the world. The Panama Canal Company, dependent as it is on both United States and Panamanian sources for planning, materials, and labor, is certainly not immune from inflation's ravages. The volume of shipping has doubled since the early fifties. This new workload of canal pilots and other workers increases the mathematical probability of a major accident. Ship size has increased to the point where nearly one-fourth of the ships transiting the canal have a beam width of 80 feet or more. Given a lock width of only 110 feet, the risk of a significant blockage is further heightened.

The emphasis on the risk of blockage of the canal is derived from the fact that the Company operations are financed from tolls revenue. Serious problems could arise if the canal had to be shut down for any length of time. The $10 million borrowing authority as established in Public Law 86–200 gave the Company the ability to borrow nearly 78 days, tolls revenue in 1959.

In 1948, when the $10 million figure was first used, it represented over four months' revenues. Today, it is equivalent to less than 1 month's tolls.

There will be no "cost" to the taxpayers as a result of this legislation. If the borrowing authority is ever used, the money borrowed will be repaid to the Treasury at the market rate of interest.

I urge the passage of H.R. 14600 as a sound planning measure taken to insure the security of operation of a canal, the maintenance and operation of which are vital to the interests of the United States of America.

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

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

The SPEAKER pro tempore (Mr. NATCHER). The question is on the motion offered by the gentleman from California (Mr. LEGGETT) that the House suspend the rules and pass the bill H.R. 14600.

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. LEGGETT. 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. 14600.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

NATIONAL HISTORIC SITES

Mr. TAYLOR of North Carolina. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 13157) to provide for the establishment of the Clara Barton

National Historic Site, Md.; John Day Fossil Beds National Monument, Oreg.; Knife River Indian Villages National Historic Site, N. Dak.; Springfield Armory National Historic Site, Mass.; Tuskegee Institute National Historic Site, Ala.; and Martin Van Buren National Historic Site, N.Y.; and for other purposes, as amended.

The Clerk read as follows:

H.R. 13157

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) unless otherwise provided hereafter, the Secretary of the Interior (hereinafter referred to as the "Secretary") is authorized to acquire by purchase with donated or appropriated funds, donation, exchange, or by transfer from another Federal agency such lands and interests in lands as hereafter provided for establishment as units of the national park system, as follows:

(1) for establishment as the Clara Barton National Historic Site, Maryland, those lands depicted on the map entitled "Boundary Map, Clara Barton National Historic Site, Maryland", numbered NHS-CLBA 90.001 and dated February 1974, which shall include the land and improvements occupied by Clara Barton founder of the American Red Cross, located at 5801 Oxford Road, Glen Echo, Maryland: *Provided,* That the above mentioned land and improvements may be acquired only by donation: *And provided further,* That the donation of any privately owned lands within the historic site may not be accepted unless and until the property is vacant;

(2) for establishment as the John Day Fossil Beds National Monument, Oregon, those lands depicted on the map entitled "Boundary Map, John Day Fossil Beds National Monument", numbered NM-JDFB-20,014-A and dated June 1971: *Provided,* That the national monument shall not be established unless and until the State of Oregon donates or agrees to donate the Thomas Condon-John Day Fossil Beds, Clarno, and Painted Hills State Parks: *Provided further,* That the Secretary shall not acquire a fee title interest to more than one thousand acres of privately owned lands except by donation or exchange: *Provided further,* That the Secretary shall designate the principal visitor center as the "Thomas Condon Visitor Center";

(3) for establishment as the Knife River Indian Villages National Historic Site, North Dakota, those lands depicted on the map entitled "Boundary Map, Knife River Indian Villages National Historic Site, North Dakota", numbered 468-20,012 and dated July 1970;

(4) for establishment as the Springfield Armory National Historic Site, Massachusetts, those lands depicted on the map entitled "Boundary Map, Springfield Armory National Historic Site, Massachusetts", numbered NHS-SPAR-91,003 and dated January 1974, the oldest manufacturing arsenal in the United States: *Provided,* That the historic site shall not be established unless an agreement is executed which will assure the historical integrity of the site and until such lands as are needed for the historic site are donated for this purpose;

(5) for establishment as the Tuskegee Institute National Historic Site, Alabama, those lands depicted on the map entitled "Boundary Map, Tuskegee Institute National Historic Site, Alabama", numbered NHS-TI-20,000-C and dated September 1973, which shall include the home of Booker T. Washington, the Carver Museum, and an antebellum property adjacent to the campus of Tuskegee Institute, known as Grey Columns; and

(6) for establishment as the Martin Van Buren National Historic Site, New York, those lands depicted on the map entitled "Boundary Map, Martin Van Buren National Historic Site, New York", numbered NHS-MAVA-91,001 and dated January 1974, which shall include the home of Martin Van Buren, eighth President of the United States.

(b) The Secretary may also acquire personal property associated with the areas referred to in subsection (a) of this section. Lands and interests therein owned by a State or any political subdivision thereof which are acquired for the purposes of subsection (a) of this section may be acquired only by donation.

SEC. 2. (a) When the Secretary determines that an adequate interest in lands has been acquired to constitute an administrable unit for each of the areas described in section 1 of this Act, he may, after notifying the Committee on Interior and Insular Affairs of the United States Congress of his intention to do so at least fourteen days in advance, declare the establishment of such unit by publication of a notice to that effect in the Federal Register. Such notice shall contain a map or other description of the boundaries of the unit, together with an explanation of the interests acquired and the costs incident thereto. The Secretary may refrain from acquiring property for establishment of any unit authorized by this Act where, in his judgment, satisfactory agreements or donations with respect to properties which are needed for the protection and administration of a particular unit have not been consummated with the owners of such properties.

(b) Pending the establishment of each unit and thereafter, the Secretary shall administer the property acquired pursuant to this Act in accordance with the provisions of the Act of August 25, 1916 (39 Stat. 535), as amended and supplemented, and, to the extent applicable, the provisions of the Act of August 21, 1935 (49 Stat. 666), as amended.

SEC. 3. Notwithstanding any other provision of law, the Secretary is authorized to construct roads on real property in non-Federal ownership within the boundaries of the Tuskegee Institute National Historic Site. Any roads so constructed shall be controlled and maintained by the owners of the real property.

SEC. 4. There are authorized to be appropriated such sums as may be necessary to carry out the provisions of this Act, not to exceed, however, the following:

(a) Clara Barton, National Historic Site, $812,000 for development;

(b) John Day Fossil Beds National Monument, $400,000 for the acquistion of lands and interests in lands and $4,435,200 for development;

(c) Knife River Indian Villages National Historic Site, $600,000 for the acquisition of lands and interest in lands and $1,130,000 for development;

(d) Springfield Armory National Historic Site, $5,300,000 for development;

(e) Tuskegee Institute National Historic Site, $185,000 for the acquisition of lands and interests in lands and $2,722,000 for development; and

(f) Martin Van Buren National Historic Site, $213,000 for acquisition of lands and interests in lands and $2,737,000 for development.

The SPEAKER pro tempore. Is a second demanded?

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

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

There was no objection.

Mr. TAYLOR of North Carolina. Mr. Speaker, H.R. 13157 is an omnibus bill authorizing the establishment of six new units of the National Park System. It is the end product of the constructive efforts of not only the members of the Subcommittee on National Parks and Recreation and the Committee on Interior and Insular Affairs, but of almost 20 other Members of this House who sponsored or cosponsored proposals dealing with individual components of this bill.

BRIEF BACKGROUND OF COMPONENTS OF H.R. 13157

Without consuming too much time, Mr. Speaker, I want to briefly describe the six units which H.R. 13157 proposes to add to the National Park System.

First, the bill would create the Clara Barton National Historic Site. Located in Glen Echo, Md., this site includes the home of Clara Barton, the founder of the American Red Cross. It is an interesting structure, but, more importantly, it can tell the story of this great humanitarian and it can interpret the early evolution of one of this Nation's outstanding charitable organizations—the American Red Cross.

Second, the bill authorizes the establishment of the John Day Fossil Beds National Monument. This important fossil field is located in north-central Oregon. While there are other units of the national park system which protect the scientific values of certain fossil fields, the John Day area possesses a great diversity of life history which is not represented at any of the other areas.

The third component of H.R. 13157 is the Knife River Indian Villages National Historic Site located in the State of North Dakota. The new unit will add to the national park system several important archeological sites where the life of the Plains Indians can be studied and interpreted. At one time, it was a hub for trading between tribes, as well as with white fur traders. In addition, it is important as a place where Indian culture and agricultural adaptation developed. Protection of the archeological sites in this area is needed, but equally important is the need to properly study, develop, and interpret the area for the visiting public.

The fourth component is the proposed Springfield Armory National Historic Site in Springfield, Mass. Few places in the national park system demonstrate and interpret the role of manufacturing in the early history of the Nation. The Springfield Armory can help to present this phase of our history, because it was at this location that the mass production of small arms, with interchangeable parts, began. In addition to its intrinsic historical significance, it will interest many Members to note that it houses the largest collection of small arms in the world. Not only does it contain examples of every weapon produced at the Springfield Armory, but it includes weapons produced by other American manufacturers, as well as weapons from around the world. For my southern colleagues, I should also note that its collection of Confederate weapons is said to be the most comprehensive in existence.

The fifth unit included in H.R. 13157 is the Tuskegee Institute National Historic Site in the State of Alabama. This site tells a different part of America's

cultural story. It tells of a struggle of black people to help themselves through hard work, dedication, and education. Tuskegee Institute was founded in 1881 by Booker T. Washington—a man who was valued as a boy at $400, but whose value to his people and to the Nation could never be measured in dollars. The historic site will include his home and will be used to interpret his life and times to the visiting public. It will also feature the museum and laboratory established by George Washington Carver—the man whose practical experiments were so important for many common products of the southern farmlands—including the development of hundreds of uses for the peanut, sweet potato, soybean, and cotton. This historic site will represent living history, because it will be closely associated with the continuing functions of Tuskegee Institute.

The sixth, and last, unit is the Martin Van Buren National Historic Site near Kinderhook, N.Y. This feature of the bill will assure the preservation and interpretation of the life of the eighth President of the United States. The key property of the site is the mansion, known as "Lindenwald," which was the home of Martin Van Buren for the last 20 years of his life. It is presently being held by the National Park Foundation and will be conveyed to the United States at cost.

Mr. Speaker, all six of these areas represent important additions to the National Park System. They will each tell their own important story for the American public. They certainly constitute places of recognized national significance.

LEGISLATIVE CONSIDERATION

I want to emphasize that even though there is very little, if any, controversy concerning these proposals, they received careful consideration by the committee. Before developing the omnibus bill which is now before the House, separate public hearings were held on each component.

While the departmental recommendations, in some cases, stop short of an administration endorsement, it is clear from the record and from the recommendations of the Secretary's Advisory Board on National Parks, Historic Sites, Buildings, and Monuments, that all of them merit the recognition which H.R. 13157 will extend to them. I hasten to add that it is the function of the Congress—and not the executive branch—to make this final determination.

COST

Mr. Speaker, the land acquisition costs in these six units will be relatively nominal since much of the real estate is to be donated. H.R. 13157 contains the usual limitation on appropriations for these purposes for each unit. Altogether, the land acquisition authorization totals $1,398,000.

Development costs must necessarily take into account the facilities which are required to accommodate large numbers of people. Sanitation facilities, heat and light needs, administrative and maintenance facilities, access roads and trails, signs, parking areas, and a host of interpretive devices must all be taken into account when the master plan is made. These costs sometimes seem high, but everyone who visits a park unit recognizes their importance for a meaningful and pleasant experience. As with land acquisition costs, H.R. 13157 includes a development appropriation ceiling for each unit. Taken together, development costs at these six units over a period of 5 or more years is expected to total about $17,136,000.

CONCLUSION AND RECOMMENDATION

Mr. Speaker, I am pleased to bring H.R. 13157 to the House floor for the consideration of the Members and I urge its adoption, as amended by the committee.

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

Mr. TAYLOR of North Carolina. I will be glad to yield to the chairman of the Committee on Interior and Insular Affairs (Mr. HALEY).

Mr. HALEY. Mr. Speaker, I thank the genteman for yielding.

I am happy to rise in support of this legislation. Especially do I want to call attention to the Tuskegee Institute, the National Historic Site in Alabama. This pays honor to one of the great black educators of this Nation, one of the great outstanding Americans, in my opinion.

Also, I am glad to see some recognition being given to George Washington Carver, who is a gentleman from North Carolina. Many of us in the South realize what a tremendous job he did to bring about the economic development of the southern States.

Mr. TAYLOR of North Carolina. Mr. Speaker, let me state to the gentleman that while visiting Tuskegee I was impressed by the many quotations from the great American, Booker T. Washington. Let me quote a few:

There is as much dignity in tilling a field as in writing a book.

No man who has the privilege of rendering service to his fellows ever makes a sacrifice.

At Hampton, I not only learned that it was not a disgrace to labour, but learned to love labour not alone for its financial value but for labour's own sake and for the independence and self-reliance which the ability to do something which the world wants done brings.

I will not permit any person to debase my soul by making me hate him.

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

Mr. TAYLOR of North Carolina. I yield to the gentleman from Iowa.

Mr. GROSS. What is the total cost of this bill for all the projects set forth?

Mr. TAYLOR of North Carolina. The land acquisition, the cost is relatively low because many of the properties will be donated. In fact, most of them will be donated. The total land acquisition for all six areas is $1,398,000. The development cost, which is subject to the annual appropriation process for the six areas would have a total cost of $17,136,200.

Mr. GROSS. So the total bill is approximately $18 million to $20 million?

Mr. TAYLOR of North Carolina. About $18½ million.

Mr. GROSS. The total land acquisition and development?

Mr. TAYLOR of North Carolina. The gentleman is correct, for the six areas.

Mr. Speaker, I yield such time as he may consume to the gentleman from Massachusetts (Mr. BOLAND).

Mr. BOLAND. Mr. Speaker, I rise in support of H.R. 13157, an omnibus bill to provide for the establishment of six national historic sites, including the Springfield Armory National Historic Site in my home city in Massachusetts.

My colleague from western Massachusetts, Congressman SILVIO O. CONTE, and I are cosponsors of the original bill in this Congress, H.R. 329, to authorize the establishment of the Springfield Armory National Historic Site, now included in the legislation before us today.

This legislation would authorize the Secretary of the Interior to accept from the city of Springfield portions of the historic Springfield Armory property, together with a donation of improvements and personal property on such lands. Specifically, they are the major arsenal buildings: the commanding officer's quarters, the master armorer's quarters, and the main arsenal. The main arsenal houses the Springfield Armory Museum, which contains the outstanding Benton arms collection.

For nearly two centuries the armory has been the heart of the Springfield area. From the beginning, the operating center of the Springfield Armory has been Armory Square, where these three buildings are located on a magnificent bluff overlooking the center city and the picturesque Connecticut River.

The Armory Square complex contains a tree-covered parade and various historic buildings once used for housing, administration, manufacturing, and storage at the armory. Since 1968, when the armory was deactivated, many of these buildings have been converted to educational use by the Commonwealth of Massachusetts which operates the recently established and highly successful Springfield Technical Community College. The State has agreed that the college will assure the historical integrity of the site and the nearby buildings.

The Armory Square complex, surrounded by a majestic iron fence, is on a commanding site overlooking the original town and is notable for the spacious surroundings allotted its buildings. The consistent scale and restrained, dignified character of the structures, and the uniform use of sturdy brick construction, white trim, and slate roof, all contribute to a harmonious totality in which the sum is greater than any single part.

Armory Square has retained its identity and overall architectural composition for the past 100 years. The square's size and distinction, provided in part by its elevation and the iron fence enclosing it, provide a degree of isolation from the adjacent urban environment. Within walking distance is the famous quadrangle that is considered the cultural heart of Springfield.

The proposed Springfield Armory national site would commemorate the im-

portant role of the Springfield Armory in the Nation's military and industrial history. For nearly 200 years, the armory was a center for manufacturing and development of small arms, producing weapons which achieved a justified reputation for quality, accuracy, and dependability. For a substantial portion of this time, the armory made Springfield the small arms center of the world.

Springfield Armory played an important role in the development of the principle of interchangeability of parts, a necessary forerunner of the modern assembly line techniques of American industry. In 1822, an armory workman named Thomas Blanchard designed a machine for turning gun stocks; though conceived for that specific purpose, his machine proved a forerunner of subsequently perfected machinery for making other interchangeable gun parts. Blanchard's gunstock machine is in the museum collection at the armory.

When, in 1774, the British Parliament imposed an embargo on the shipment of firearms to the American colonies, the Massachusetts committee of safety took measures to supply the need. An armorer for the colony was named, and all qualified gunsmiths were encouraged to address themselves diligently to their trade. In the Springfield area, three local mechanics by March 1776 were engaged in fabricating guns: One making barrels; a second, locks and rigging; and the third, turning the stocks.

Col. Henry Knox, commanding a Continental artillery regiment within the defenses of New York City, on September 27, 1776, suggested to the Continental Congress the establishment of "one or more capital laboratories" for manufacture of guns and ordnance stores. In December of that year, General Washington had Knox promoted to brigadier general, named him chief of artillery and assigned him the job of setting up of such laboratories at York, Pa., and Hartford, Conn. After careful inspection of potential sites, Knox selected Springfield over Hartford as the "best place in New England for a laboratory, cannon foundry, et cetera." Though located on the Connecticut River for a power source, Springfield was far enough upstream for safety against attack by heavy war vessels.

Buildings at first were rented in the town of Springfield, in 1777, where initial production was of paper cartridges. During the year all the extra powder belonging to the Continental Army at Boston was sent to Springfield for storage and ammunition production. Arms also were sent there for storage at an early date. Springfield early in the Revolution thus became a military supply depot of major importance, a distributing point for ordnance needs throughout the northeastern theater of war.

The requirements of the burgeoning establishment soon necessitated an expansion of the physical facilities. The site selected was the militia training field on a hilltop just outside the town, and there in 1778 were erected a magazine, barracks, and accommodations for operation of the laboratory. These were the first constructions on the site of the present Armory Square.

George Washington's successful campaign of 1781 having assured a cessation of hostilities, attention was given to adequately safeguarding the large supplies of powder remaining in Government hands. In 1782, the Congress ordered the establishment of "good and sufficient magazines" at Springfield, Mass.; West Point, N.Y.; Yellow Springs, Pa.; and New London, Va.

In addition to its historical role in the development and manufacturing of small arms, Springfield Armory was also the site where Shay's rebellion was quelled. On January 25, 1787, the rebellion of small farmers under Daniel Shay against unfair taxation ended at Springfield Arsenal, with their defeat as they attempted to seize the magazine.

Following the Revolutionary War in 1794, President Washington recommended, and the Third Congress authorized, the establishment of the U.S. Arsenal at Springfield.

Mr. Speaker, I believe that Springfield Armory represents a heritage of Government arms development and manufacture that is worthy of preservation. In April 1963, the Army was dedicated as a national historical landmark. And at its 65th meeting in October 1971, the Secretary's Advisory Board ond National Parks, Historic Sites, Buildings and Monuments, "heartily endorsed the establishment of the Armory Square portion of the Springfield Armory as the Springfield Armory national historic site."

After deactivation in 1968, part of Armory Square was conveyed to the city of Springfield, which in turn leased a portion to Springfield Armory Museum, Inc., a nonprofit foundation, for preservation and management.

Other parts of the Armory were conveyed to the Commonwealth of Massachusetts. It became apparent, however, that preservation of the appearance of historic buildings, particularly those marked for use by the Springfield Technical Community College, was not assured. Congressman CONTE and I filed H.R. 108 on January 22, 1971, in the 92d Congress to authorize the establishment of the Springfield Armory national historic site. On September 7, 1972, the Department of the Interior filed a favorable report to the Congress recommending the enactment of H.R. 108. The 92d Congress, however, adjourned before hearings could be scheduled in the House and Senate.

Springfield Armory National Historic Site would encompass approximately 55 acres. The Department proposes to acquire in fee, through donation, 18.35 acres of land owned by the city of Springfield and a strip of 1.97 acres owned by the State of Massachusetts and utilized in conjunction with the college. The remaining 34.61 acres would remain in State ownership, constituting a "preservation control area," pursuant to the agreement concluded with the State, that would preserve the historic appearance of the parade and the exterior of structures, including the Technical College, surrounding it. In addition, the Department would conclude an agreement with the Secretary of the Army concerning the arms collection and other museum objects now at the site. Since the arms collection is a key feature of the historic site, the Department believes that a satisfactory agreement should include a loan of the articles on a long-term basis, subject to renewal, to the National Park Service. A draft of an agreement containing this type of loan arrangement has been negotiated: its signing awaits the passage of legislation creating the historic site.

Because land would be acquired entirely through donation, no land acquisition costs are involved. This bill authorizes $5,300,000 for development of the site. The estimated cost of operation and maintenance is expected to be about $356,000 per year.

As the Nation approaches its Bicentennial anniversary in 1976, it is my firm belief that the passage of this legislation and the establishment of a Springfield Armory National Historic Site would be fitting and relevant commemoration of the important role that the Springfield Armory has played in our Nation's history.

Mr. TAYLOR of North Carolina. Mr. Speaker, I yield such time as he may consume to the gentleman from Massachusetts (Mr. CONTE).

Mr. CONTE. Mr. Speaker, I rise to express my strong support for this bill, H.R. 13157, which provides for the establishment of a variety of national historic sites and monuments. In particular, I would like to address myself to the establishment of the Springfield Armory National Historic Site, in Springfield, Mass.

The Springfield Armory has a rich and glorious history deeply intertwined with the creation and growth of our Nation. The defense of our country, and the preservation of its ideals, has been contributed to on this historic site since it was founded at the time of the Revolutionary War.

The Springfield Armory was the first facility of its type to be established in the United States. Begun in 1777, it was the first of this country's arsenals, and the only one to be called an armory. The presence of a large number of skilled gunsmiths, blacksmiths, and craftsmen located in the Springfield area prompted Gen. Henry Knox, George Washington's top artillery officer in the Continental Army, to recommend the site as most suitable to the Army's needs. From 1777 to 1780 the amory prepared musket cartridges for distribution to colonial troops.

In the years following the Revolution, the armory was used as a storage depot for ammunition. In 1794, President Washington, who had visited the arsenal during his military career, recommended to the Third Congress that the armory be established as a permanent Government arsenal. That recommendation was

adopted, and by an act of Congress in 1794, it became the U.S. Armory.

In 1787, one of the most spectacular events in the armory's history occurred. On January 25, Daniel Shay led a group of farmers who were revolting against heavy taxation and the depreciation of paper currency, a situation which I am sure we can all identify with today. Approximately 2,000 men attempted to seize the arsenal in order to capture its military stores for purposes of insurrection. An army of 4,000 men, raised to deal with the rebellion, easily repulsed the attackers who fled after a few of their number fell in battle. This abortive attempt to seize the arsenal virtually ended the rebellion.

Over the years the production of the armory grew proportionately with America's defense needs. In the year 1795 the 40 people employed at the armory produced 245 muskets. By the height of the Civil War, the armory's production had expanded to 276,000 rifles a year. Production again expanded to more than 547,000 rifles a year during World War I and to more than a million a year throughout the Second World War.

In addition to manufacturing weapons for our troops, the Springfield Armory has been in the forefront of weapons design and development. Shoulder arms developed during the first century of the armory's existence, and in the second century the flintlock, percussion—both smooth and rifled bore—and the breach loading rifle were improved and produced at Springfield. Later, the bolt action, the semiautomatic, and full automatic types of weapons were developed and produced at the Springfield Armory. John C. Garand, a Springfield Armory expert, developed the M–1 for use during World War II. When it closed in 1968, the armory was still a technical and scientific center for American military weaponry ranging from pistols, rifles, and machineguns to aircraft armaments.

Mr. Speaker, the rich and proud tradition of the armory in the service of the Nation's defense more than qualifies its preservation in the public ownership. It is more than an inspiration to the people of the United States—it is a monument to the heritage of the traditions it has helped to defend.

For these reasons, Mr. Speaker, I urge my colleagues to join with me in supporting this bill to preserve for posterity these monuments which stand in glowing tribute to the glorious heritage and history of our great Nation.

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

Mr. Speaker, the bill now before us, H.R. 13157, along with its identical companion measure, H.R. 13427, is designed as an omnibus bill incorporating the authorization of six new units of the national park system.

Five of these areas commemorate an historic theme, and one preserves an important natural history resource. The areas involved in this bill are as follows:

First. The Clara Barton House, in the State of Maryland, will preserve the home of the founder of the American Red Cross, and will display and interpret the important contributions which Miss Barton has made to foster the idea of people helping people in times of disaster and need.

Second. The John Day Fossil Beds, in the State of Oregon, contains a fantastic display of plant and animal fossils, many of which are exposed to view.

Third. The Knife River Indian Villages, in the State of North Dakota, contain the remains of ancient Indian villages characteristic of the lifestyle and culture of the Indians of the plains.

Fourth. The Springfield Armory, in the State of Massachusetts, embraces the oldest manufacturing arsenal in the United States, and will display a large collection of arms.

Fifth. The Tuskegee Institute, in the State of Alabama, recognizes the significant educational and scientific contributions of Booker T. Washington and George Washington Carver, closely associated with the educational advancement of black Americans.

Sixth. The home of Martin Van Buren, in the State of New York, known as "Lindenwald," preserves the residence of the eighth President of the United States.

Seventh. Mr. Speaker, the committee has considered all six of these areas to constitute worthy additions to our national park system. I know of no controversy involved over any of these areas, and I urge my colleagues to join in support of the passage of this bill.

Mr. Speaker, I yield such time as he may consume to the gentleman from California (Mr. HOSMER).

Mr. HOSMER. Mr. Speaker, I support the bill before us, H.R. 13157. This is an omnibus bill which authorizes the addition of six new units to our National Park System. Five of these areas will be national historic sites and one will be a national monument.

All six of these areas were the subject of hearings conducted by the committee, and each was given close scrutiny as to its merits. All of these areas have had strong support for their establishment as units of the National Park System and none were controversial. In the case of many, costs have been significantly minimized due to the willingness of current owners to donate lands and properties to the Federal Government.

I recommend that my colleagues join me in the support of this legislation.

Mr. SKUBITZ. Mr. Speaker, I yield such time as he may consume to the gentleman from North Dakota (Mr. ANDREWS).

Mr. ANDREWS of North Dakota. Mr. Speaker, I appreciate the gentleman yielding to me. I want to compliment him and our good friend, the chairman of the subcommittee, the gentleman from North Carolina (Mr. TAYLOR) on the work they have done.

In North Dakota, we have one of the historical sites in this bill, the Knife River Indian Villages area. This, of course, marks a living area of the original Americans.

When we become concerned with minorities—as we should be—in our country, we all too often forget the American Indian and the great contributions they made to the development of life in this great Nation of ours.

This bill will allow us to preserve what is left of some of the earliest archeological sites.

Mr. Speaker, I commend the committee for its work, and I urge support of this legislation.

Mr. SKUBITZ. Mr. Speaker, I yield such time as he may consume to the gentleman from Maryland (Mr. GUDE).

Mr. GUDE. Mr. Speaker, as one of the sponsors, I rise in support of H.R. 13157, to establish various national historic sites, including the Clara Barton Historic Site in Glen Echo, Md. The provision for the Clara Barton National Historic Site was embodied in H.R. 2841, which I originally introduced on January 24, 1973. I wish to commend the distinguished chairman of the Interior Committee, and all the members of that committee, for their hard efforts and dedicated interest in this measure.

The Clara Barton House is adjacent to the C. & O. Canal National Historical Park, which is, of course, under the direction of the Park Service. The House was constructed with timbers salvaged from the Red Cross barracks which were set up in Johnstown, Pa., to aid victims of that devastating flood. The people of Johnstown, to show their gratitude to Clara Barton, had the wood shipped to Cumberland, Md., and then brought to Glen Echo on the C. & O. Canal.

The house itself is unique for several reasons. Its architecture is known as "Steamboat Gothic," utilized in the late 19th century and the reason for this becomes obvious to anyone who pays a visit. The house has a open central gallery, three stories high, and ringed by walkways. The three tiers of rooms face the gallery. Colored windows in the clerestory windows add to the steamboat feeling. The Captain's Cabin, which was Clara Barton's room, provides a commanding view of the gallery appropriate to that of river and bay steamers of past generations.

For several years around the turn of the century, the house served as the national headquarters of the American Red Cross, founded by Clara Barton. Ms. Barton herself resided in the house until her death in 1912.

Clara Barton's role in the founding of the Red Cross, and her dedicated efforts tending to the wounded during the Civil War rightfully have earned for her a major place in our American history, and mark her clearly as one of our most famous women. Clara Barton has worldwide fame as a great and dedicated humanitarian.

I believe that the Clara Barton House will be a welcomed and valuable addition to the National Park Service and will complement the historic aspects of the C. & O. Canal National Historical Park.

For many years, the house has been under the control of a group known as

the Friends of Clara Barton, a nonprofit group of dedicated citizens who wished to preserve the structure. I believe that we in the Congress, and the American people, owe a debt of gratitude to these wonderful and selfless people. I urge the support of the House for this measure.

Mr. TAYLOR of North Carolina. Mr. Speaker, will the gentleman yield?

Mr. GUDE. I yield to the gentleman from North Carolina.

Mr. TAYLOR of North Carolina. Mr. Speaker, the record ought to show that the late John Saylor was one of the principal sponsors of this Clara Barton site.

Mr. GUDE. Mr. Speaker, the gentleman is exactly right. The wood from which the Clara Barton House was constructed was originally used for the barracks that sheltered the victims of the Johnstown flood. And, of course, Johnstown was in the late John Saylor's district. The wood, a gift from the grateful people of Johnstown, was transported down the C. & O. Canal to Glen Echo, Md.

John Saylor was a strong supporter of this legislation as he was interested in preserving so many other national shrines and conservation areas.

Mr. SKUBITZ. Mr. Speaker, I yield such time as he may consume to the gentleman from New York (Mr. KING).

Mr. KING. Mr. Speaker, I thank the gentleman for yielding to me.

I want to express my appreciation to the chairman, to the chairman of the subcommittee and to the ranking minority member for the attention they have given us when we asked that former President Martin Van Buren's home, in Greene County, in my congressional district, be designated as one of our national parks.

It was long overdue, and is the only place owned by a former President of the United States that has not been recognized as a national landmark.

Mr. Speaker, I join the other Members, and I would hope that the House would pass this legislation.

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

Mr. SKUBITZ. Yes, I yield to the gentleman from Iowa.

Mr. GROSS. Mr. Speaker, it is nice to preserve historic sites, but I wonder if there will be any money left to preserve the site now occupied by the U.S. Treasury. Another that might be added is Fort Knox. That site a few years ago held the greatest store of gold I imagine any nation ever had. It is now reported to be nearly empty.

Mr. SKUBITZ. Mr. Speaker, may I say to my colleague, the gentleman from Iowa, that we will do our best in preserving both.

Mr. GROSS. I hope so.

Mr. NICHOLS. Mr. Speaker, I would like to take this opportunity to speak in favor of H.R. 13157, the national historic sites, which includes the authorization for the establishment of the Tuskegee Institute National Historical Park.

Among institutions of higher learning in the United States that have been established for black students, Tuskegee Institute is probably the most widely known. The student body of 3,200 represents 38 States, including Alabama, and 14 foreign countries which exemplifies the fine reputation of this outstanding university.

Dating back to 1881 when the institution was chartered by the Alabama State Legislature, the principles on which Tuskegee bases its educational philosophy are the same today as they were when Booker T. Washington first opened the doors to some 40 students. As the first educator of Tuskegee Institute, Dr. Washington hoped to instruct the predominantly agrarian pupils in certain trades. During this era of history in the bleak years following the War Between the States, the black community for the most part were field hands. Dr. Washington felt that through education these same people could pull themselves up by the boot straps and find a better way of life.

This great experiment has worked over the years and today the school just as Dr. Washington had hoped, sets the example with good education and leadership training. As an example of past experiences of the students of Tuskegee there are still many buildings standing which were constructed by students in the early part of this contury. This was not only an experience in carpentry for these students, but the brick that these buildings were built with were also made by the students of Tuskegee. Among the buildings erected by students still standing are the Oaks, the home of Booker T. Washington, the Administrative Building, Tomkins Hall, the Dining Hall, and White Hall.

One of the greatest accomplishments of Dr. Washington was to give Dr. George Washington Carver the opportunity to come to the Tuskegee campus where he conducted studies indigenous to the area. On the campus today you may visit the Carver Museum which contains an impressive display of the astute and important scientific work that this great scientist and American conducted.

Mr. Speaker, the historical and cultural significance of this fine Alabama institution is almost limitless. This bill would provide for the preservation of these historically pertinent structures both on and off the Tuskegee campus, and I strongly urge the enactment of this legislation.

GENERAL LEAVE

Mr. TAYLOR of North Carolina. 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 under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from North Carolina (Mr. TAYLOR) that the House suspend the rules and pass the bill (H.R. 13157) as amended.

The question was taken.

Mr. HOSMER. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were refused.

So (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.

PROVIDING FOR INCREASES IN APPROPRIATION CEILINGS AND BOUNDARY CHANGES AND AUTHORIZING APPROPRIATIONS FOR LAND ACQUISITION FOR THE NATIONAL PARK SYSTEM

Mr. TAYLOR of North Carolina. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 14217) to provide for increases in appropriation ceilings and boundary changes in certain units of the National Park System, to authorize appropriations for additional costs of land acquisition for the National Park System, and for other purposes, as amended.

The Clerk read as follows:

H.R. 14217

A bill to provide for increases in appropriation ceilings and boundary changes in certain units of the National Park System, to authorize appropriations for additional costs of land acquisition for the National Park System, and for other purposes

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

TITLE I—ACQUISITION CEILING INCREASES

SEC. 101. The limitations on appropriations for the acquisition of lands and interests therein within units of the National Park System contained in the following Acts are amended as follows:

(1) Biscayne National Monument, Florida: Section 5 of the Act of October 18, 1968 (82 Stat. 1188, 1189) is amended by changing "$24,575,000" to "$28,350,000";

(2) Colonial National Historical Park, Virginia: Section 4 of the Act of July 3, 1960 (46 Stat. 856), as amended (16 U.S.C. 81f) is amended by changing "$2,777,000" to "$10,472,000";

(3) Cumberland Gap National Historical Park, Kentucky and Tennessee: For the acquisition of lands authorized in subsection 301(2) of this Act, there are authorized to be appropriated such sums as may be necessary, but not more than $427,500;

(4) Fort Necessity National Battlefield, Pennsylvania: Section 5 of the Act of August 10, 1961 (75 Stat. 336), is amended by changing "$115,000" to "$722,000";

(5) Independence National Historical Park, Pennsylvania: Section 6 of the Act of June 28, 1948 (62 Stat. 1061, 1062), as amended (16 U.S.C. 407r), is amended by changing "$11,200,000." to "$12,792,000.";

(6) Indiana Dunes National Lakeshore, Indiana: Section 10 of the Act of November 5, 1966 (80 Stat. 1309, 1312; 16 U.S.C. 406u–9) is amended by changing "$27,900,000" to "$35,526,000";

(7) Moores Creek National Military Park, North Carolina: The Act of September 27, 1944 (58 Stat. 746) is amended by adding the following new section:

"SEC. 2. There are authorized to be appropriated such sums as may be necessary to carry out the purposes of this Act, but not more than $243,000 shall be appropriated for the acquisition of lands and interests in lands and not more than $325,000 shall be appropriated for development.";

(8) Morristown National Historical Park, New Jersey: Section 3 of the Act of September 18, 1964 (78 Stat. 957) is amended by changing "$281,000" to "$2,111,000";

(9) Rocky Mountain National Park, Colorado: For the acquisition of lands authorized in subsection 301(6) of this Act, there are authorized to be appropriated not more than $2,423,740 and for development of such lands there are authorized to be appropriated not more than $318,000; and

(10) Virgin Islands National Park, Virgin Islands: Section 4 of the Act of October 5, 1962 (76 Stat. 748; 16 U.S.C. 398f) is amended by changing "$1,250,000" to "$12,250,000".

TITLE II—DEVELOPMENT CEILING INCREASES

SEC. 201. The limitations on appropriations for development of units of the National Park System contained in the following Acts are amended as follows:

(1) Channel Islands National Monument, California: For the purposes of development of the administrative site and visitor facilities authorized by section 401 of this Act, there are authorized to be appropriated $2,936,000;

(2) Cumberland Gap National Historical Park, Kentucky and Tennessee: In addition to any funds heretofore appropriated for said national historical park, there are hereby authorized to be appropriated not more than $160,000 for development; and

(3) International Peace Garden, North Dakota: Section 1 of the Act of October 25, 1949 (63 Stat. 888), as amended (68 Stat. 300 and 72 Stat. 985), is amended by changing "$400,000" to $1,702,000".

TITLE III—BOUNDARY CHANGES

SEC. 301. The Secretary of Interior shall revise the boundaries of the following units of the National Park System:

(1) Biscayne National Monument, Florida: To add approximately 8,738 acres of land and water, including all of Swan Key and Gold Key:

(2) Cumberland Gap National Historical Park, Kentucky and Tennessee: Notwithstanding the provisions of the Act of June 11, 1940 (54 Stat. 262), as amended (16 U.S.C. 261–265), the Secretary of the Interior is authorized to acquire by donation, purchase with donated or appropriated funds, or exchange not to exceed 60 acres of land or interests in land located in Bell County, Kentucky, and Claiborne County, Tennessee, for addition to and inclusion in the said national historical park which, upon acquisition, shall become a part of the Cumberland National Historical Park subject to the laws, rules, and regulations governing such park;

(3) Fort Necessity National Battlefield, Pennsylvania: To add approximately 411 acres;

(4) Independence National Historical Park, Pennsylvania: To add approximately 4.67 acres, which shall include the area bounded by Chestnut Street, Front Street, Walnut Street, and Second Street, to be known as Project F: *Provided*, That the authority of the Secretary of the Interior to acquire property by condemnation under this Act shall be suspended with respect to all property within the boundaries of the area known as Project F during the time the city of Philadelphia shall have in force and applicable to such property a duly adopted, valid zoning ordinance approved by the Secretary: *And provided further*, That no zoning ordinance or amendment of a zoning ordinance shall be approved by the Secretary which (1) contains any provision which he may consider adverse to the preservation and development of the Independence National Historical Park, or (2) fails to have the effect of providing that the Secretary shall receive notice of any variance granted under and any exception made to the application of such ordinance or amendment;

(5) Lava Beds National Monument, California: To add approximately 321.58 acres and to delete approximately 60.12 acres, which additions and deletions shall comprise only federally owned lands, and lands deleted from the monument shall be administered by the Secretary of the Interior in accordance with the Federal reclamation laws;

(6) Morristown National Historical Park, New Jersey: The Act of September 18, 1964 (78 Stat. 957) is amended changing "two hundred and eighty-one acres" in both places in which it appears in the first section to "465 acres" and change the period to a colon and insert *"Provided*, That title to the property known as the Cross estate may not be accepted until the property is vacant," and

(7) Rocky Mountain National Park, Colorado: To add approximately 1,556.21 acres.

TITLE IV—MISCELLANEOUS PROVISIONS

SEC. 401. The Secretary of the Interior is authorized to accept the donation of the fee simple title of not to exceed five acres of land and submerged land within the Ventura Marina, Ventura County, California; and to develop, operate, and maintain thereon administrative and visitor facilities to be used as a mainland headquarters for the Channel Islands National Monument: *Provided*, That no lands or any interests therein may be accepted by the Secretary until a mutually satisfactory agreement has been executed which shall include, among other things, an agreement on the design for such facilities, a reasonable timetable for their construction, and an agreement concerning public use of and access to such facilities. Any property accepted under the provisions of this Act shall be administered as a part of the national monument.

SEC. 402. The Act of September 27, 1944 (58 Stat. 746), providing for the Moores Creek National Military Park is amended by changing the words "accept in behalf of the United States donations of" to "acquire by donation, purchase, or exchange", and by changing "to be accepted" to "acquired".

SEC. 403. (a) The Secretary of the Interior, in cooperation with the Secretary of the Army, shall cause to be conducted such studies as they deem reasonable and necessary to determine the causes and extent of the damage to the foundations of the historic structures of the San Juan National Historic Site and shall transmit to the Congress, as soon as possible, but no later than one year after the date of the enactment of this Act, the alternative courses of action, together with their recommendations, which might be taken to assure the historical integrity of such structures and the safety of the visiting public. Pending the submission of such recommendations, the Secretary of the Interior shall take every reasonable precaution to assure the public safety and the maximum public enjoyment of the historic site.

(b) To carry out the purposes of this section, there are authorized to be appropriated such sums as may be necessary, but not more than $100,000.

SEC. 404. (a) The Secretary of the Interior is authorized and directed to undertake a study of the most feasible and suitable means of preserving and interpreting for the benefit of the public the historic and natural resources of the Ohio and Erie Canal in the State of Ohio, together with associated and related lands. In carrying out the study the Secretary shall consider existing and proposed State and local highway plans, land-use plans, outdoor recreation plans, and related plans for the preservation of historic and natural resources. Not later than one year from the date of enactment of this Act the Secretary shall submit to the Congress a report of such study, including his recommendations as to the means of protecting, interpreting, and developing the resources of the Ohio and Erie Canal and adjacent lands.

(b) To carry out the purposes of this section, there are authorized to be appropriated such sums as may be necessary, but not more than $40,000.

SEC. 405. (a) In all instances where authorizations of appropriations for the acquisition of lands for the National Park System enacted prior to January 9, 1971, do not include provisions therefor, there are authorized to be appropriated such additional sums as may be necessary to provide for moving costs, relocation benefits, and other expenses incurred pursuant to the applicable provisions of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (Public Law 91–646; 84 Stat. 1894). There are also authorized to be appropriated not to exceed $8,400,000 in addition to those authorized in Public Law 92–272 (86 Stat. 120) to provide for such moving costs, relocation benefits, and other related expenses in connection with the acquisition of lands authorized by Public Law 92–272.

(b) Whenever an owner of property elects to retain a right of use and occupancy to any statute authorizing the acquisition of property for purposes of a unit of the National Park System, such owner shall be deemed to have waived any benefits under sections 203, 204, 205, and 206 of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (84 Stat. 1894), and for the purposes of those sections such owner shall not be considered a displaced person as defined in section 101(6) of that Act.

The SPEAKER pro tempore. Is a second demanded?

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

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

There was no objection.

Mr. TAYLOR of North Carolina. Mr. Speaker, I yield myself 5 minutes.

Mr. Speaker, the legislation now before the House is H.R. 14217. This bill is not a complex measure. It simply provides for revised appropriation ceilings at various units of the National Park System for land acquisition and development. It also makes needed boundary changes and authorizes certain studies which the committee believes are needed.

BRIEF BACKGROUND

This bill is the product of public hearings on 19 separate legislative proposals cosponsored by over 75 Members of Congress. It represents a joint effort to bring to the House floor needed legislative proposals which would otherwise suffer severe competition from other more urgent and pressing measures. To the best of my knowledge, none of the proposed changes involve any significant controversy.

BRIEF EXPLANATION

Mr. Speaker, H.R. 14217 authorizes increased appropriation ceiling to 10 existing units of the National Park System, as well as increased ceilings for development at five others. In addition, it makes needed boundary changes at seven national park areas. The committee report explains each of these changes, so

I will not take the time of the Members of the House to detail them unless questions arise. I will say, however, that each change was reviewed in detail by the the members of the Subcommittee on National Parks and Recreation before being recommended for inclusion in H.R. 14217, except for the boundary change at the Lava Beds National Monument. In that case, informal meetings with representatives of the Department of the Interior led to the development of a provision—offered in the full committee—which will result in a more reasonable and definable boundary for the monument. I might add that all of the lands involved are already federally owned so that no expenditure of Federal funds will be required in this particular case.

I do think that I should emphasize that H.R. 14217 includes two items that have not heretofore been considered and approved by the Congress. They are a study provision relating to the serious erosion problem at the San Juan National Historic Site in Puerto Rico, and a study provision relating to the feasibility and desirability of preserving the Ohio and Erie Canal in Ohio.

In both of these cases, the studies are to be made by the Secretary of the Interior and he is to report his findings and recommendations to the Congress for whatever further action he deems appropriate.

COST

Mr. Speaker, this bill authorizes the appropriation will be made from the land acquisition. As everyone knows, this appropriation will be made from the land and water conservation fund which was created by the Congress to help satisfy the outdoor recreation needs of the Nation. A large portion of the costs involved in this legislation is represented by provisions in the bill which are needed to satisfy land acquisition programs at Biscayne National Monument, Fla., $3,775,000; Indiana Dunes National Lakeshore, Ind., $7,626,000; Morristown National Historical Park, N.J., $1,830,000; Rocky Mountain National Park, Colo., $2,423,740; and Virgin Islands National Park, Virgin Islands, $11,000,000.

Development needs under H.R. 14217 are closely associated, in some cases, with the land acquisition needs involved in this legislation. At Cumberland Gap National Historical Park, for example, the $160,000 authorized to be appropriated for development is to be used primarily to remove an offensive and obtrusive meat-packing plant from lands adjacent to the visitor center of the park. At the International Peace Garden in North Dakota, however, the authorization increase in the development ceiling—totaling $1,302,000—is to be used to complete the original objective for which the area was established.

H.R. 14217 also provides appropriation authority which is essential to satisfy the objective of the Relocation Assistance and Real Properties Acquisition Policies Act of 1970. While that act has been taken into account in the years since its enactment, land acquisition authorization ceilings prior to that time did not include these costs. For this reason, the committee was advised that several areas authorized prior to 1971 contain deficient authorization ceilings. To satisfy this need, the bill authorizes the appropriation of not more than $8,400,000.

CONCLUSION AND RECOMMENDATION

Mr. Speaker, H.R. 14217 represents the combined efforts of many Members of Congress. In most every respect, it has the support of the administration and, I should note, the support of the Members who represent the areas involved. This bill was approved by a voice vote of the members of the Interior and Insular Affairs Committee.

It is a pleasure for me to join my colleagues in bringing a bill to the floor which should help to accomplish the objectives of the park areas which have already been authorized by the Congress. I urge the approval of H.R. 14217, as amended, by the Members of this House.

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

Mr. TAYLOR of North Carolina. I am pleased to yield to the chairman of the Committee on Interior and Insular Affairs, the gentleman from Florida (Mr. HALEY).

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

Mr. Speaker, I rise in support of this legislation. I think it is something that will fulfill our expectation that it will be money well spent, whatever it costs.

I also wish to take this opportunity, Mr. Speaker, to pay tribute to the chairman of the subcommittee, the gentleman from North Carolina (Mr. TAYLOR), who during this session of the Congress has carried a tremendous load, as we well know. In the many bills that he has brought here on the floor of the House he has been a very fine chairman of his subcommittee. He very ably presented the bills; he has a fine knowledge of what the content of them is.

I would like to say this, too, Mr. Speaker, for the benefit of my good friend, the gentleman from Iowa (Mr. GROSS). I do not think that we have to worry about any historical site or monument or anything as far as Fort Knox is concerned, because I understand, the way we spend our money, there will be nothing there but an empty building very shortly.

Mr. TAYLOR of North Carolina. Mr. Speaker, I thank the chairman of the committee for his kind remarks. We have had, I believe, a productive year in our committee.

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

Mr. Speaker, during each Congress a great many bills are referred to the Committee on Interior and Insular Affairs which constitute minor adjustments in existing law or noncontroversial new legislation.

A large group of these bills affects the national park system and deals with such matters as needed adjustments in park boundaries, changes in appropriation authorization ceilings, minor studies, and the like.

As a matter of procedural expediency, the committee has found it beneficial for both the committee itself and the House to consider these matters collectively in the format of an omnibus bill.

The bill before us, H.R. 14217, is such a vehicle. Full hearings were held on a great number of individual bills, and then the substance of these bills was combined by the committee into one omnibus bill.

The bill now before us provides principally for boundary adjustments at 7 units of the national park system; additional appropriation authorizations for land acquisition at 10 units of the system; additional appropriation authorizations for development at 5 units of the system; and a couple of studies.

Mr. Speaker, all of these proposals were closely scrutinized by the committee. All of them were strongly supported in testimony by numerous congressional and public witnesses, and to my knowledge, none of them bear any controversy.

All of these measures are designed to provide for improved protection and operation of units of the national park system.

I urge my colleagues to join with me in the support of this legislation.

Mr. SKUBITZ. Mr. Speaker, I yield such time as he may consume to the gentleman from New Jersey (Mr. FRELINGHUYSEN).

Mr. FRELINGHUYSEN. Mr. Speaker, I rise in strong support of H.R. 14217, and wish to commend members of the committee for their efforts. The bill authorizes adding some 202 acres to the Morristown National Historical Park in New Jersey. This park lies in a strategic location within the most densely populated State in the Union. Moreover, approximately one-fourth of the population of the contiguous United States lies within 250 miles of the park, thus many thousands are able to visit Morristown relatively easily. I am most pleased, therefore, that the House today is considering H.R. 14217. This bill contains the provisions of H.R. 10251, a bill which Representative MARAZITI and I introduced over a year ago with the endorsement of the entire New Jersey delegation in the House and a member of the committee, the gentleman from Ohio (Mr. SEIBERLING). Our State's two Senators have introduced a companion measure in the other body, and I am certain that the many efforts of State officials and concerned private citizens in the park area were helpful, too.

Mr. Speaker, Morristown National Historical Park encompasses Gen. George Washington's military encampment during the harsh winters of 1779–80—winters which some say were more severe than those which the Continental forces endured at Valley Forge. Visitors to the park, upon viewing the stark surroundings in which our revolutionaries lived during those long winters, inevitably leave Morristown with an enhanced appreciation of the sacrifices those warriors made for their country. Often, they come to realize for the first time that General Washington's contribution to American independence lies as much in his ability to inspire and maintain a devotion to a cause among men living

under duress as it does in his leadership on the battlefield or as Chief Executive of our fledgling Nation.

Mr. Speaker, the bill before us today will permit the acquisition of five separate inholdings in addition to a 165-acre tract of land which sits at the headwaters of the Passaic River and which connects the Jersey Brigade's Revolutionary War campground with the Jockey Hollow area of the park. Congressional action on H.R. 14217 cannot be delayed if we are to preserve this historic site free of incompatible economic development. Aside from the generally increasing pressures for development which prevail throughout the area, A.T. & T.'s new World Headquarters is located just 2 miles from this tract and can be expected to precipitate an even greater demand for nearby housing.

Finally, Mr. Speaker, Morristown National Historic Park has been designated as a Bicentennial site by the Federal Government in anticipation of the large crowds expected to visit the site of George Washington's military campground during the 1976 celebration. If we are to insure that those Americans who visit the park during the Bicentennial festivities will be able to appreciate the full significance of this site and Morristown's contribution to the Revolutionary War, then it is essential that H.R. 14217 be passed so that the Park Service may begin the necessary preliminary operations now. Mr. Speaker, I urge a favorable vote on this bill.

Mr. SKUBITZ. 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 rise in strong support of the bill, H.R. 14217 and I wish to commend the chairman of our subcommittee, Mr. TAYLOR, and the distinguished gentleman from Kansas, (Mr. SKUBITZ) for their leadership in presenting this bill to the House.

I am a cosponsor of this legislation providing additional funding and boundary changes for 15 units in our national park system. These improvements will help our parks serve the needs of our people.

Hearings were held both in the field, throughout the Nation, and here in Washington, D.C. to make certain each of the changes was needed and justified. It is particularly important that the subcommittee make these on-site inspections of the various areas to become familiar with the problems and potentials of each unit in the system.

Normally, of course, we proceed legislatively with each park proposal on an individual basis but in this particular instance it was determined by the committee that the better part of wisdom would be to move ahead with an omnibus bill concept in order to complete action in this Congress as expeditiously as possible.

In addition, I wish to express my full support for the historic preservation authorization which will expand our ability to meet the need to protect the six sites included in the bill.

H.R. 13157 will create six new historic sites and give national recognition to these outstanding areas.

Mr. SKUBITZ. Mr. Speaker, I yield such time as he may consume to the gentleman from North Dakota (Mr. ANDREWS).

Mr. ANDREWS of North Dakota. Mr. Speaker, I appreciate the gentleman yielding me this time, and I want to compliment the committee again for the outstanding job they have done on these two bills today.

I also wish to point out that this particular bill covers the International Peace Garden authorization. Today we know in this world of ours that we are living in great tension between some nations, yet our boundary with Canada is the longest undefended boundary between two countries in the world. This Peace Garden is the area that commemorates the basis of the coexistence between our two great nations on the North American continent.

Part of the authorization is to build a tower in which to place bells in a carillon that have been donated to this unique memorial from the people of Canada. The committee wisely found its way to make this authorization so that we can proceed with this great monument of friendship between the people of our country and Canada.

Again I want to express my thanks to my good friend, the gentleman from North Carolina, (Mr. TAYLOR), and to my equally good friend, the gentleman from Kansas (Mr. SHUBITZ) and to the chairman of the full committee, the gentleman from Florida (Mr. HALEY) for recognizing the need to continue with this building program on our Canadian border.

Mr. SKUBITZ. Mr. Speaker, I yield such time as he may consume to the gentleman from Ohio (Mr. REGULA).

Mr. REGULA. Mr. Speaker, I rise to express my strong support for this bill, and also to express my thanks to the leadership of the committee for permitting us to go ahead with the study of the Ohio and Erie Canal Park as a part of this bill.

The proposal to be studied is a much-needed facility in Ohio. We presently have no national parks. This proposal will tie in with the Cuyahoga Valley Park as presently being considered by the Congress.

Included in this bill is an authorization for a study of the most feasible and suitable means of preserving and interpreting the historic and natural values on the Ohio and Erie Canal in the State of Ohio.

Prior to proposing this study bill, I, Mr. VANIK, Mr. SEIBERLING and 24 of my colleagues introduced a bill (H.R. 8875) calling for the immediate establishment of this national park and recreation area along the Ohio and Erie Canal between the towns of Clinton and Zoar. Since the first step in establishing this park that the Secretary must take will be to conduct studies to define the boundaries of the park and develop detailed plans, I feel that the immediate authorization of this study will shorten the total time needed to make this park operational when it is finally authorized by Congress.

The model of this proposal is the successful Chesapeake and Ohio Canal National Historical Park which runs through our Nation's Capital. In fact, as early as 1765, George Washington, who surveyed the C. & O. Canal, considered the Tuscarawas River as part of an all water route from the Great Lakes to the Ohio River and beyond.

Approximately 36 miles of canal paralleling the Tuscarawas River in the State of Ohio between the towns of Clinton and Zoar would be under consideration for possible inclusion within the national park system under the terms of this bill. This section of the river lies on the southern edge of heavily populated northeast Ohio and traverses Summit, Etark and Tuscarawas counties. The park is within a short distance of seven standard metropolitan statistical areas; the Akron-Canton area with populations of 679.000 and 372,000 respectively; Cleveland with a population of 2,064.000, Youngstown with 536.000. Columbus, Ohio and Pittsburgh, Pa., are within 2 hours driving distance, and Toledo is within 3 hours. Approximately 5,000,000 can conceivably be served from these three areas alone.

The Ohio Department of Natural Resources has completed an exhaustive study of this area and has stated:

> The river valley offers diverse landscapes, historical significances and opportunity to satisfy recreational needs of expanding urban areas.

The old canal towpath and channels, and adjacent woodlands represent an open corridor offering outstanding opportunities for recreation.

The area is replete with history. The Delaware Indians claimed and utilized the Tuscarawas River in 1750. At that time, the valley was already recognized as a major transportation route. The Muskingham Trail originating in Lake Erie followed the ridges along the Cuyahoga, Tuscarawas, and Muskingham Rivers to reach the Ohio River. Those same streams were parts of a major canoe route from the Great Lakes to the Mississippi. The Muskingham Trail was so important to the Indian way of life that it was designated as sacred ground and kept open to Indian commerce even in times of war. Artifacts are still found throughout the area. The Ohio and Erie Canal route eventually paralleled the Indian trail and had a tremendous impact on development of the Ohio territory.

The canal was begun in 1825 and completed in 1832. It was dug by hand and log plows pulled by mules. Contracts for canal construction were let in short sections of a mile or less to farmers owning adjacent land.

Eventually the canal spanned a 309-mile route. The locks and spillways along the canal were made of large hand-hewn stones and white oak timbers. The bottoms of the locks were surfaced with white oak timbers to protect against erosion. Gates were built of heavy oak timbers and culverts were constructed to

carry lateral drainage under the canal. Several aqueducts carried the canal over major streams. Remains of the aqueducts are still visible and some of the old oak timbers are still in use.

The communities of Clinton, Canal, Fulton, Massillon, Navarre, Bolivar, and Dover were cities alive with warehouses and taverns. Those cities literally grew up with the canal. Both freight and passenger packet boats made the trip from Cleveland to Portsmouth in 80 hours.

The canal was the main route of transportation and commerce until about the time of the Civil War when railroads began to take over. By 1845, packet boats had almost disappeared although freight boats were still in constant use until the great flood of 1913 ended the useful life of the canal.

Today, several locks, remnants of aqueducts and abandoned channels and long portions of the canal itself are still visible in Stark and Tuscarawas Counties.

This area has excellent restoration potential for hiking, riding, and nature study. The Ohio Historical Society has restored portions of the canal and the towpath of the canal has been officially designated as the "Ohio Buckeye Trail." The river and canal corridor have outstanding canoeing possibilities and float trips from 3 to 36 miles could easily be developed. Scenic drives and bridle trails could be incorporated within the park and rewatered sections of the canal would provide excellent winter sports opportunities.

The State of Ohio has established memorials at Schoenbrunn, the first settlement in Ohio: Fort Lauren, the only revoluntary fort in Ohio, Gnadenhutten, the place where 96 Christian Indians were massacred by Pennsylvania militiamen; and the village of Zoar, where a group of separatists from Germany settled to find religious freedom. All of these memorials will be near this park. The Ohio Department of Natural Resources recently announced plans for access point mini parks along the canal and river.

The impact of the fuel shortage on recreation for the urban area dweller has yet to be definitely measured. Based on our experience with the gasoline shortage thus far, I think it is safe to assume that far greater numbers of recreation seeking people will be looking to all levels of their Government for conveniently located protected open spaces. This "energy problem" has accelerated the need to implement our national policy of bringing parks closer to the people.

Time is precious as open spaces not already in State or local ownership along this canal will soon be developed if not quickly preserved.

I strongly urge prompt passage of this legislation.

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

Mr. SKUBITZ. I yield to the gentleman from Iowa, because I was quite sure that the gentleman from North Dakota (Mr. ANDREWS) had rung a bell with the gentleman from Iowa.

Mr. GROSS. Mr. Speaker, I hope that this is the last bill from the Committee on Interior and Insular Affairs for today, because it seems to be going up in price with each bill. The previous one cost us $18 million, and this one apparently will cost the taxpayers $42.5 million.

Mr. TAYLOR of North Carolina. Mr. Speaker, I yield such time as he may consume to the gentleman from Pennsylvania (Mr. MORGAN).

Mr. MORGAN. Mr. Speaker, it is my great pleasure to support H.R. 14217, which provides for increases in appropriation ceilings and boundary changes in certain units of the National Park System and authorizes appropriations for additional costs of land acquisition. The House Committee on Interior and Insular Affairs, chaired by Congressman HALEY, and its Subcommittee on National Parks and Recreation, chaired by Congressman TAYLOR, have spent a great deal of time conducting hearings and developing this important legislation. Like many of you, I had the pleasure of testifying before the Subcommittee on National Parks and Recreation, and I would like to commend the distinguished Members who have worked to produce this omnibus bill, which is a composite of the various individual measures which had been introduced.

Mr. Speaker, one of the historical sites which this bill is concerned with is the Fort Necessity National Battlefield, which is located in my congressional district. At the present time, the battlefield consists of 350 acres. An additional 150 acres have been authorized, but have not yet been acquired.

This legislation authorizes the addition of approximately 411 acres, so that the total battlefield acreage, as a result of this legislation, will amount to 911 acres. H.R. 14217 authorizes the appropriation of $607,000 for a new ceiling of $722,000 for land acquisition. When appropriated, this money should be sufficient to accomplish the acquisition of the former 150 acres remaining to be acquired, along with the additional 411 acres authorized by this legislation. One 235-acre tract is a portion of a larger parcel once owned by George Washington and constitutes his original land patent at Fort Necessity.

If you are not familiar with the historical significance of Fort Necessity, I would like to briefly note the highlights. The Battle of Great Meadows was fought here on July 3, 1754, and the skirmish was a turning point in American history. It marked the beginning of the French and Indian War between England and France for control of the North American Continent, a war so expensive that the excessive taxes levied upon the Colonies by Great Britain precipitated the War of Independence. In addition, the Battle of Great Meadows marked the first major episode in the military career of George Washington.

Mr. Speaker, I have always believed that the preservation and restoration of our historic sites are key functions of the Federal Government. If we are to pass along to our children and grandchildren an appreciation for American history, it is imperative that we support legislation such as H.R. 14217, and I urge its passage today.

Mr. TAYLOR of North Carolina. Mr. Speaker, I yield such time as he may consume to the gentleman from Indiana (Mr. ROUSH).

Mr. ROUSH. Mr. Speaker, I rise in support of H.R. 14217 which provides for increases in appropriations ceilings and boundary changes in certain units of the national park system and for other purposes.

I support the bill in its entirety, but there is one part that is of special interest to me and that is the section dealing with the Indiana Dunes National Lakeshore, which raises the authorization ceiling to $35,526,000.

When that lakeshore was authorized in 1966 the land acquisition ceiling of $27,900,000 was established. To complete land purchase we now need to raise that authorization ceiling to $35,526,000 or an additional $7,626,000.

Since 1966 when 8,330 acres were authorized for acquisition, 3,490 acres have been acquired. The Department of the Interior informs me that some 2,600 acres have to be acquired, if at all, by donation—these are either State park lands or other lands in public ownership. So, 1,872.55 acres in private ownership remain to be acquired by purchase.

The entire amount authorized for land acquisition by the 1966 act has now been appropriated, and all but approximately $1 million, according to the Department of the Interior, which is being held as a departmental contingency reserve to meet deficiency judgments, has been expended as of last fall.

The Department has reported that the increase in acquisition costs over the 1966 estimates is in part attributable to inflation in land values and in part to a decision by the U.S. Court of Appeals concerning the proper method of valuing certain tracts. Deficiency judgments will take up part of the additional funds and administrative costs, of course, are figured in as well.

The Department of the Interior has concurred in this request for the increased authorization ceiling as well.

The Indiana Dunes National Lakeshore is a unique combination of lakefront, dunes, hinterland that is not only ecologically valuable as a study site, but is ideally suited to the fulfillment of the recreational and open-space needs of the people of the region.

Mr. Speaker, I have visited the dunes frequently over the years. I have walked the area and camped out with people who love that beautiful, peaceful setting. I wish I could bring to you a full realization of the beauty and wonder of the area. I want to see it preserved and used for the enjoyment and enrichment of millions of people not only from the Midwest, but from the whole United States. We have something special there. The legislation before us today will allow us to complete purchase of the land authorized and is therefore particularly important.

At the dedication of the Lakeshore in 1972 Interior Secretary Rogers C. B.

Morton described the Indiana Dunes National Lakeshore as "an enclave . . . a peaceful respite for 10 million Americans who live and work nearby." He went on to say that he expected the park to provide "outdoor recreation and environmental education opportunities for some 87,000 visitors daily." His expectations will undoubtedly be fulfilled because there are now more than 9½ million people living within a 100-mile radius of the lakeshore—within a comfortable and energy-saving drive for vacationers.

Until this authorization ceiling bill is passed, the people in the Midwest must continue to wait for fulfillment of the congressional promise issued in the passage of the act establishing the Indiana Dunes National Lakeshore 8 years ago. Passage of this legislation today is awaited eagerly.

Mr. TAYLOR of North Carolina. Mr. Speaker, I yield such time as he may consume to the gentleman from the Virgin Islands (Mr. DE LUGO).

Mr. DE LUGO. Mr. Speaker, I appreciate the opportunity to speak on behalf of that portion of H.R. 14217, which would increase the authorization for the acquisition of additional land within the Virgin Islands National Park from $1,250,000 to $12,250,000.

In view of the fact that the present statutory ceiling for land acquisition in the park has been reached, this amending legislation is necessary in order to purchase slightly over 1,100 acres which include most of the remaining unique and unspoiled shoreline on the island of St. John.

The St. John National Park, as we know it today, is a tremendous success. It has provided the residents of the Virgin Islands with the opportunity to enjoy the natural endowments of their territory, and has been a significant attraction for an increasing number of tourists. There is every reason to anticipate that as the size and facilities of the park increase, even greater numbers of visitors will be attracted to the Virgin Islands.

The park offers, within hiking distance, a spectacular variety of flora ranging from lush tropical vegetation to the shrub dominated south facing slopes. The scenery is ever changing and includes rocky coastlines, crescent bays with white beaches, blue-green seas, and densely wooded hills. The opportunities for the visitor are limitless and include scenic mountain roads, quiet coves, coral gardens, swimming, snorkeling, underwater photography, fishing, and sightseeing among the ruins of 200-year-old plantations.

The unprecedented past success of the Virgin Islands National Park, as well as its future existence, is based upon its untouched natural beauty and freedom from commercial exploitation. The passage of this legislation would be a guarantee on the part of the Congress that the natural heritage of St. John will be preserved for future generations. Any delay will jeopardize this goal and make future land acquisitions ever more expensive.

Mr. TAYLOR of North Carolina. Mr. Speaker, I yield such time as he may consume to the gentleman from Virginia (Mr. DOWNING).

Mr. HOSMER. Mr. Speaker, the legislation before us is an omnibus bill embracing various minor changes affecting a dozen or more units of the national park system. The spectrum of subjects ranges from minor boundary adjustments to appropriation authorization increases for land acquisition and development, to provision for studies. The bill consequently provides for the improvement of protection and management at 13 different units of our national park system.

None of the items incorporated in this bill have borne any controversy, and it is for that reason, along with the opportunity of expediency of action by the committee and the House, that these individual items were consolidated into an omnibus bill.

This bill and its identical companion, H.R. 14218, are cosponsored by many Members of this body. I urge my colleagues to join in support of its adoption by the House.

GENERAL LEAVE

Mr. TAYLOR of North Carolina. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on H.R. 14217.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from North Carolina (Mr. TAYLOR) that the House suspend the rules and pass the bill H.R. 14217, 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.

JOHNNY HORIZON '76 CLEAN UP AMERICA MONTH

Mr. EDWARDS of California. Mr. Speaker, I move to suspend the rules and pass the joint resolution (H.J. Res. 1070) authorizing the President to proclaim the period of September 15, 1974, through October 15, 1974, as "Johnny Horizon '76 Clean Up America Month."

The Clerk read as follows:

H.J. RES. 1070

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the President is hereby authorized and requested to issue a proclamation designating the period of September 15, 1974, through October 15, 1974, as "Johnny Horizon '76 Clean Up America Month", and calling upon the people of the United States to observe such period with appropriate activities.

The SPEAKER pro tempore. Is a second demanded?

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

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

There was no objection.

Mr. EDWARDS of California. Mr. Speaker, this is the type of resolution that a number of months ago we used to pass by unanimous consent. However, we are now bringing it forward under the suspension arrangement. This joint resolution has to do with the request of the Department of the Interior for a continuation of their "Johnny Horizon '76 Clean Up America Month."

Mrs. HOLT. Mr. Speaker, in celebration of our 200th anniversary in 1976, citizens from all parts of our country have joined together in striving for a cleaner, more beautiful America.

The Johnny Horizon program was established to coordinate citizens' national efforts to achieve this worthwhile goal. September 15 to October 15 has been set aside to emphasize the amount of success already accomplished through the hard work of our concerned citizens, and to advertise the importance of continuing their valuable efforts.

Only through the enthusiasm and support of all Americans will our countryside and cities alike be free of unsightly litter for the celebration of our Bicentennial.

Mr. Speaker, I urge my colleagues to join me in wholehearted support of this valuable program.

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

GENERAL LEAVE

Mr. EDWARDS of California. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on House Joint Resolution 1070.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. EDWARDS) that the House suspend the rules and pass the joint resolution House Joint Resolution 1070.

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

A motion to reconsider was laid on the table.

WOMEN'S EQUALITY DAY

Mr. EDWARDS of California. Mr. Speaker, I move to suspend the rules and pass the joint resolution (H.J. Res. 1105) designating August 26, 1974, as "Women's Equality Day," as amended.

The Clerk read as follows:

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That August 26, 1974, is designated as "Women's Equality Day", and the President is authorized and requested to issue a proclamation in commemoration of that day in 1920 on which

the women of America were first guaranteed the right to vote.

The SPEAKER pro tempore. Is a second demanded?

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

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

There was no objection.

Mr. EDWARDS of California. Mr. Speaker, I urge enactment of this bill.

Mr. Speaker, I yield such time as she may consume to the gentlewoman from New York (Ms. ABZUG).

Ms. ABZUG. Mr. Speaker, I rise in support of this resolution.

I wish to thank Mr. EDWARDS for bringing to the floor and urging the passage of House Joint Resolution 1105. I am deeply honored that today the House is considering this resolution which I introduced, designating August 26 as Women's Equality Day. It is similar to House Joint Resolution 52, passed by this body last year and signed into law.

August 26 marks the day women won the right to vote. In this 54th anniversary year, I believe it is the duty of this Congress to recognize the long hard struggle of the women's movement for this basic right. August 26 symbolizes women's struggles, past and present. Around the country women will be gathering on that day, holding festivals, honoring women who have achieved distinction, holding feminist art shows and book fairs.

Once again on August 26, women will discuss job discrimination, lack of adequate day-care facilities for working mothers, credit discrimination, professional recognition, accessibility of birth control information. But this year as never before, they will discuss their candidacies; for thousands of women are seeking representation in political institutions from the local level to this Congress.

Though our victories have been too few and far between, we do have something to celebrate. E, this year, 33 of the needed 38 States have ratified the equal rights amendment. The Women's Educational Equity Act was passed as part of H.R. 69. The minimum wage provision was expanded to include domestic workers. The pension reform act was amended to expand eligibility for women and young people. This year, numerous sex-discrimination amendments have been added to major pieces of legislation. This year, I predict, there will be more women in office at every level.

But still, there remain in committee bills equalizing pay, child care legislation, social security rights, credit availability, and other benefits. I believe 1974 should be the year to create a national day recognizing the progress women have made, but also realizing what inequities still exist. This should be the year that both sexes undertake the necessary steps to obliterate these inequities forever. Let us designate August 26 as the symbol of this national commitment.

GENERAL LEAVE

Mr. EDWARDS of California. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on House Joint Resolution 1105.

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

There was no objection.

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

Mr. EDWARDS of California. I yield to the gentleman from Ohio.

Mr. ASHBROOK. I thank the gentleman for yielding.

Mr. Speaker, I should like to ask the gentleman from California whether or not the "Whereases" that are in the one resolution have been stricken, and whether we have just a straight resolution or what? I have two bills in front of me, and I should like to have information on them.

Mr. EDWARDS of California. In answer to the gentleman from Ohio's inquiry, it is customary to remove and delete the "Whereas" clauses. This has been done, and the resolution now is without the "Whereas" clauses.

Mr. ASHBROOK. I thank the gentleman.

Mr. Speaker, I certainly say to the gentleman from California, having great respect for the Committee on the Judiciary, I would hope that some of the "Whereases" would not have been stipulated to, and I am glad to have that assurance.

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

Mr. EDWARDS of California. I yield to the gentleman from Iowa.

Mr. GROSS. Mr. Speaker, do I understand the resolution now before the House strikes out the following language "whereas the women of the United States have been treated as second-class citizens * * *"? Has that been stricken?

Mr. EDWARDS of California. Mr. Speaker, it has been stricken.

Mr. GROSS. I am delighted to hear that. Where did that come from anyway?

Mr. EDWARDS of California. It is the custom of the Judiciary Committee to strike all the whereas clauses even though sometimes the members of the Judiciary Committee unanimously would agree and perhaps the membership of the House would agree with them. The gentleman brings up one the Judiciary Committee would have agreed with and would have wanted to have in the resolution.

Mr. GROSS. Did the gentleman say they would have agreed with it?

Mr. EDWARDS of California. I presume so. I think so.

Mr. GROSS. My wife tells me she would not agree that she has been treated as a second-class citizen, and I just wondered where it originated. So that is stricken as well as most of this other language "Whereas the women of the United States have united to assure that these rights and privileges are available to all citizens equally" and Congress "supports their organization." I do not know what organization that is, but all that is gone now from the resolution which I read over the weekend and something new has been entered into on this today. Is that correct? All that language is gone?

Mr. EDWARDS of California. That language is gone.

Mr. GROSS. And we are not called upon to support some unknown organization in behalf of women. Am I right in that?

Mr. EDWARDS of California. That matter is gone, as a matter of the custom of the House and in these resolutions brought forth by the Judiciary Committee. We never pass judgment on the whereas clauses, we just eliminate them.

Mr. GROSS. Of course, we do not need whereas clauses to put language in a resolution that might be repugnant to some people. We might strike the whereas clauses and still leave the language. I just want to be sure that language is not in the resolution presently before the House, any of that language.

Mr. EDWARDS of California. I believe the gentleman has a copy of the resolution.

Mr. GROSS. And so we are asked only now to say that we are in favor of some kind of kindness toward women.

Mr. EDWARDS of California. What we will be asked to vote on in this resolution is exactly what the resolution says.

Mr. GROSS. I thank the gentleman from California.

Mr. EDWARDS of California. Mr. Speaker, I ask unanimous consent that the Clerk read the entire resolution consisting of seven lines.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

The Clerk read as follows:

H.J. RES. 1105

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That August 26, 1974 is designated as "Women's Equality Day", and the President is authorized and requested to issue a proclamation in commemoration of that day in 1920 on which the women of America were first guaranteed the right to vote.

Mr. WIGGINS. Mr. Speaker, I yield such time as he may consume to the gentleman from Massachusetts (Mr. CONTE).

Mr. CONTE. Mr. Speaker, I rise in support of the legislation offered by the gentlewoman from New York (Ms. ABZUG). I am pleased to join her in cosponsoring legislation that would designate August 26 of each year as "Women's Equality Day."

May I point out to my colleagues, that as the representative of the community that is the birthplace of the famed Susan B. Anthony, pioneer in this cause, I am acutely aware of the struggle for equal rights for women, its successes, and those successes yet to come.

Fifty-four years ago, on August 26, the

19th amendment to the Constitution was ratified. This climaxed a long campaign to secure the right to vote for the women of this country.

Today, an equally arduous campaign is underway to once again amend our Constitution, this time to insure, under the law, equal rights for women. To date, 33 States of the 38 required have ratified this amendment. I have every hope and expectation that final ratification will come soon and the amendment will bring about the desired changes in many areas.

Mr. Speaker, as of the 1970 census of the United States, there were 104,299,734 women in this country, comprising 51.3 percent of the population. I believe it is time we accorded this majority of our population the rights to which they are entitled as citizens of this Nation.

I regret that the social attitudes of generations force us to seek recourse in legislation to insure the equality of women in this country. I do believe, however, that the focus of public attention on this very real problem can only help. For that reason, I am pleased to support this legislation and hope it will serve as a reminder to my colleagues and to all Americans of the struggle for equal rights that is still being waged.

Mr. WIGGINS. Mr. Speaker, I support the resolution as well in its amended form.

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

Mrs. MINK. Mr. Speaker, I rise in support of House Joint Resolution 1105, designating August 26 of each year as Women's Equality Day. This day was selected, because it was on an August 26 that the 19th amendment to the U.S. Constitution guaranteeing women the right to vote was ratified. It is an important milestone in the continued struggle of the women of the United States for equal rights for all citizens, male and female.

Today the women of America do more than vote. They are also rising, in strength and in numbers, to take their place as officeholders and makers and executors of our laws. A steadily increasing number of women are placing themselves out front to do battle for positions as Senator, Congresswoman, Governor, and other legislative and executive offices in their States and although we will lose four women this year who are voluntarily leaving the Congress, the best estimates are that an equal number may be elected to replace them. There is no better testament to the presence and work of women officeholders here than the fact that we may soon see more of them. I would like to submit brief summaries by Kay Mills of a few of the coming races this fall involving women aspirants from across the country:

[Chicago Daily News, August 19, 1974]

WOMEN CANDIDATES RUNNING STRONG

(By Kay Mills)

Halfway through the political season, voters and their parties have failed to tap women candidates for state and federal offices to the degree expected in the search for fresh new faces.

The notable exception is Rep. Ella Grasso, the Democratic gubernatorial nominee in Connecticut. Mrs. Grasso probably will become the first woman elected governor in her own right—not as a widow or stand-in for her husband.

Best estimates predict enough women may be elected to Congress to replace the four who are leaving: Mrs. Grasso, plus Representatives Edith Green (D-Ore.), Martha Griffiths (D-Mich.) and Julia B. Hansen (D-Wash.), who are retiring. There are 12 other women in the House of Representatives, no women in the Senate.

With 11 primaries involving women still to go, so far 9—not counting incumbents—have been selected as their party's candidate for the House and two for the U.S. Senate. Nine more women new to the federal election scene still face House primaries as do four women running for the Senate.

Despite the break-even outlook for the Congress, women's strategists are optimistic, pointing out that more women are following Mrs. Grasso's example of making politics a career. Before her election to the House in 1970, Mrs. Grasso, 55, served in the state legislature, starting in 1953, and was elected Connecticut secretary of state in 1958, 1962 and 1966.

"It used to be that when women ran for the state legislature, they were in their 40s and 50s and that was the highest office to which they aspired; their male colleagues, on the other hand, were in their 20s and 30s and on their way up," said Fredi Wechsler, political action co-ordinator for the National Women's Political Caucus (NWPC).

Both Mrs. Wechsler and Jane McMichael, NWPC executive director, predicted this trend will yield more women candidates for statewide and federal offices in five or six years. "We had 120 women running for Congress this year," Ms. McMichael said. "My guess is 150 will run in 1976 and probably 200 by 1978."

Mrs. Grasso is the only women gubernatorial candidate. Her opponent is 35-year-old Robert H. Steele, an independent-minded Republican also elected to the Congress in 1970.

In Arkansas, Republican Leona Troxell is running for lieutenant governor.

In Maryland, former Republican national committeewoman Louise Gore is running behind Rep. Lawrence Hogan in the Sept. 10 gubernatorial primary. Hogan's early stand for impeachment of President Nixon was initially considered a liability but probably isn't now. Winner of that race faces incumbent Gov. Marvin Mandel.

In Rhode Island, Louise Kazanjian faces a Sept. 10 primary in her bid for the Republican nomination for lieutenant governor. In the New York Democratic primary that same day, State Sen. Mary Anne Krupsak also is running for lieutenant governor.

Feminists are particularly watching the Krupsak race because, even though she is Catholic, she introduced New York's abortion law, prompting opponents to say masses for her soul on the steps of the state capitol.

In the Senate picture, a liberal Oregon state legislator, Betty Roberts, was selected this month to replace the late Wayne Morse as Democratic nominee against Sen. Bob Packwood. Roberts has a fairly strong organization left from her second-place finish in the gubernatorial primary this spring and Packwood describes her as a "formidable" opponent.

Republican Party worker Gwen Bush from Charleston, S.C., faces Sen. Ernest F. Hollings this fall. The Republican national committee's monthly newsletter says Hollings "has drifted to the left" since 1968 and Mrs. Bush intends to show that "the philosophy of Ernest F. Hollings is the philosophy of Teddy Kennedy."

In Senate primaries yet to come, Paula Hawkins, a conservative Republican who serves on the Florida Public Service Commission, has seen her chances enhanced by the withdrawal of incumbent Edward Gurney. June Riggs, a Republican, is running in the Washington State primary for the chance to oppose powerful Senate Commerce Committee chairman Warren Magnuson.

Barbara Mikulski, a feisty Baltimore city councilwoman from a predominantly blue-collar, ethnic district, is driving around Maryland seeking to head an 11-person Democratic field in the Sept. 10 Senate primary. If she wins, she has an even tougher battle: running against the popular incumbent Republican, Sen. Charles McC. Mathias.

Most observers feel Ms. Mikulski, who chaired the Democrats' committee writing delegate-selection rules for the 1976 presidential convention, is looking ahead to a race that year against Maryland's more vulnerable junior senator, J. Glenn Beall Jr.

And in Nevada, conservationist Maya Miller is running a tough (but probably losing) fight for the Democratic Senate nomination against Lt. Gov. Harry Reid, protege of the incumbent governor.

St. Louis has an all-woman House race lined up as Democratic incumbent Leonor K. Sullivan will face Republican Joann Raish and independent Marie Nowak. Sullivan is favored.

Other House races involving women find Nina Miglionico, a Democratic city council member from Birmingham, running for Alabama's 6th District seat against incumbent John H. Buchanan Jr. She's got an outside chance to be elected if the Democrats can unite, which they haven't been able to do since Buchanan won in the Goldwater sweep of Alabama in 1964.

In the 2d District of Arkansas, Judy Petty, who was political secretary to the late Gov. Winthrop Rockefeller, is running against well-entrenched Rep. Wilbur Mills.

In California, Colleen O'Connor, member of an old San Diego family, is running against Republican Rep. Bob Wilson, who has close ties with former President Nixon. Democrat Betty Spence has strong union backing in her race against incumbent Rep. Philip Crane in his Chicago suburban district, but Crane is favored.

Helen Meyner, whose husband was governor of New Jersey, is running against Joseph Maraziti, a Republican who defended Mr. Nixon in the House Judiciary Committee, then switched after White House tapes revealed the former President had authorized a Watergate cover-up for political reasons.

Millicent Fenwick, a Republican, is running in New Jersey's affluent 5th District against a young liberal Democrat, Fred Bohen. The seat formerly was held by Republican Peter H. B. Frelinghuysen, who is retiring. Ms. Fenwick, a former editor of Vogue, was a two-term state representative and resigned as state director of consumer affairs to run for Congress. She is given a chance to win.

In Kansas, Martha Keys won the Democratic nomination in a district being vacated by W. R. Roy, who is running for governor. The district was traditionally Republican but Democrat Roy had held the seat since 1970.

And in Ohio, Fran Ryan, a Columbus city councilwoman, is given a chance to beat incumbent Sam Devine in the 12th District. An independent candidate, Kathleen Harroff, also is running for the Senate from Ohio.

Women are still involved in House primaries in Arizona, Florida, Hawaii, New Hampshire, Vermont and Maryland—where Gladys Spellman, a Democrat, is given a good chance to succeed Hogan.

Among incumbents, Rep. Patricia Sch-

roeder (D.-Colo.) is considered facing the toughest primary battle. Her opponent is Denver schoolboard member Frank Southworth and busing is the issue. That vote comes Sept. 10.

Mrs. HOLT. Mr. Speaker, August 26 has been proposed as a day of recognition for American women and their efforts to achieve social, civil, economic, and political equality in our land. It will commemorate the 54th anniversary of the passage of the 19th amendment giving American women the right to participate in the selection of their elected officials.

Women have contributed so much to our country and its development; their contribution is increasing as they enter every profession confident that they are able to contribute. Particularly, I am gratified that I have never been subject to any discrimination in this House, where men and women work together as colleagues on matters of the gravest consequence to our country.

Mr. Speaker, equality never arises because some legislation is enacted; true equality lies in the heart of the people. I believe the American people are in accord on the subject of recognizing the intelligence, talent, and ability of women, and I urge my colleagues to join me in wholehearted support of Women's Equality Day.

The SPEAKER. The question is on the motion offered by the gentleman from California (Mr. EDWARDS) that the House suspend the rules and pass the joint resolution (H.J. Res. 1105), as amended.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the joint resolution, as amended, was passed.

A motion to reconsider was laid on the table.

GENERAL ACCOUNTING OFFICE LEGISLATION

Mr. HOLIFIELD. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 12113) to revise and restate certain functions and duties of the Comptroller General of the United States and for other purposes as amended.

The Clerk read as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, This Act may be cited as the "General Accounting Office Act of 1974."

TITLE I—STATISTICAL SAMPLING PROCEDURES IN THE EXAMINATION OF VOUCHERS

SEC. 101. Subsection (a) of the Act entitled "An Act to permit the use of statistical sampling procedures in the examination of vouchers", approved August 30, 1964 (31 U.S.C. 82b-1(a)), is amended to read as follows:

"(a) Whenever the head of any department or agency of the Government or the Commissioner of the District of Columbia determines that economies will result therefrom, such agency head or the Commissioner may prescribe the use of adequate and effective statistical sampling procedures in the examination of disbursement vouchers not exceeding such amounts as may from time to time be prescribed by the Comptroller General of the United States; and no certifying or disbursing officer acting in good faith and in conformity with such procedures shall be held liable with respect to any certification or payment made by him on a voucher which was not subject to specific examination because of the prescribed statistical sampling procedure, so long as such officer and his department or agency have diligently pursued collection action to recover the illegal, improper, or incorrect payment in accordance with procedures prescribed by the Comptroller General. The Comptroller General shall include in his reviews of accounting systems an evaluation of the adequacy and effectiveness of procedures established under the authority of this Act."

TITLE II—AUDIT OF TRANSPORTATION PAYMENTS

SEC. 201. Section 322 of the Transportation Act of 1940 (49 U.S.C. 66) is amended—

(1) by striking out the first sentence of subsection (a) and inserting in lieu thereof "Payment for transportation of persons or property for or on behalf of the United States by any carrier or forwarder shall be made upon presentation of bills therefor prior to audit by the General Services Administration, or by any other executive agency designated by the Administrator of General Services to conduct such audit (pursuant to regulations prescribed by him) in cases involving transportation outside the continental United States or in other exceptional cases. The right is reserved to the United States Government to deduct the amount of any overcharge by any carrier or forwarder from any amount subsequently found to be due such carrier or forwarder. The provisions of this subsection shall not affect the authority of the General Accounting Office to make audits in accordance with the Budget and Accounting Act, 1921 (31 U.S.C. 41), and the Accounting and Auditing Act of 1950 (31 U.S.C. 65).";

(2) in the second proviso of subsection (a), by striking out "cognizable by the General Accounting Office" and by striking out "received in the General Accounting Office" and inserting in lieu of the latter "received in the General Services Administration or an executive agency designated by the Administrator of General Services."; and

(3) by redesignating subsections (b) and (c) as subsections (c) and (d), respectively, and by inserting the following new subsection (b):

"(b) Nothing in subsection (a) hereof shall be deemed to prevent any carrier or forwarder from requesting the Comptroller General to review the action on his claim by the General Services Administration or an executive agency designated by the Administrator of General Services. Such request shall be forever barred unless received in the General Accounting Office within six months (not including any time of war) from the date the action was taken or within the periods of limitation specified in the second proviso in subsection (a) of this section, whichever is later.".

SEC. 202. (a) Incident to the transfer of functions pursuant to the amendments made by section 201 of this Act, there shall be transferred to such agency such records, property, personnel, appropriations, and other funds of the General Accounting Office as the Comptroller General and the Director of the Office of Management and Budget shall jointly determine after consultation with the Administrator of General Services and, with respect to personnel, with the Chairman of the United States Civil Service Commission.

(b) Personnel transferred pursuant to subsection (a) of this section shall not be reduced in classification or compensation for one year after such transfer, except for cause. After such one year period, each person transferred pursuant to subsection (a) shall be subject to the provisions of section 5337 of title 5, United States Code, as if such person had continued to be an employee of the General Accounting Office.

SEC. 203. The transfer of functions pursuant to the amendments made by section 201 of this Act shall be fully effected not later than July 1, 1977, or at such earlier time as is agreed upon by the Comptroller General and the Administrator of General Services. Notice of the effective date of the transfer shall be published in the Federal Register not less than thirty days in advance thereof. No transfer of personnel pursuant to this title shall be effected prior to July 1, 1975.

TITLE III—AUDIT OF NONAPPROPRIATED FUND ACTIVITIES

SEC. 301. (a) The (1) operations and funds (including central funds) of nonappropriated fund and related activities authorized or operated by an executive agency to sell merchandise or services to military or other Government personnel and their dependents, such as the Army and Air Force Exchange Service, Navy Exchanges, Marine Corps Exchanges, Coast Guard Exchanges, Exchange Councils of the National Aeronautics and Space Administration, commissaries, clubs, and theaters, (2) systems of accounting and internal controls of such funds and activities, and (3) any internal or independent audits or reviews of such funds and activities shall, unless otherwise provided by law, be subject to review by the Comptroller General of the United States in accordance with such principles and procedures and under such rules and regulations as he may prescribe. The Comptroller General and his duly authorized representatives shall have access to those books, accounts, records, documents, reports, files, and other papers, things, or property relevant to funds and activities within this subsection as are deemed necessary by the Comptroller General.

(b) When required by the Comptroller General for such nonappropriated fund and related activities with gross receipts from sales of more than $100,000 a year as he may designate by class, or upon specific request of the Comptroller General in any other case, each executive agency shall furnish promptly a copy of the annual report of any nonappropriated fund or related activity referred to in subsection (a). If such information is not included in any activity's annual report, such agency shall also furnish a statement showing the yearly financial operations, financial condition, and cash flow, and such other annual information relating to the activity as may be agreed upon by the Comptroller General and the head of the executive agency concerned.

TITLE IV—EMPLOYMENT OF EXPERTS AND CONSULTANTS

SEC. 401. The Comptroller General may employ experts and consultants in accordance with section 3109 of title 5, United States Code, at rates not in excess of the maximum daily rate prescribed for GS-18 under section 5332 of title 5, United States Code, for persons in the Government service employed intermittently. However, ten such experts or consultants may be employed for periods not in excess of three years, at rates (or the daily equivalent thereof) not in excess of the rate prescribed for Executive level V under section 5316 of title 5, United States Code.

TITLE V—GENERAL ACCOUNTING OFFICE BUILDING

SEC. 501. Notwithstanding any other provision of law, the Comptroller General shall have exclusive custody and control over the General Accounting Office Building, including the operation, maintenance, repairs, alterations, and assignment of space therein. The Comptroller General and the head of any Federal agency may enter into agreements for space to be occupied in the General Accounting Office Building by such agency at such rates as may be agreed upon. Amounts received by the General Accounting Office pursuant to such agreements will be deposited to the appropriation initially charged for providing operation, maintenance, repair and alteration services with respect to such space.

TITLE VI—AUDIT OF GOVERNMENT CORPORATIONS

AMENDMENTS TO THE GOVERNMENT CORPORATION CONTROL ACT

SEC. 601. The Government Corporation Control Act is amended as follows:

(1) Section 105 of such Act (31 U.S.C. 850) is amended by adding at the end thereof the following sentence: "Effective July 1, 1974, each wholly owned Government corporation shall be audited at least once every three years.".

(2) Section 106 of such Act (31 U.S.C. 851) is amended by striking out the first sentence and inserting in lieu thereof "A report of each audit conducted under section 105 shall be made by the Comptroller General to the Congress not later than six and one-half months following the close of the last year covered by such audit.".

(3) Section 202 of such Act (31 U.S.C. 857) is amended by adding at the end thereof the following sentence: "Effective July 1, 1974, each mixed-ownership Government corporation shall be audited as provided herein at least once in every three years.".

(4) Section 203 of such Act (31 U.S.C. 858) is amended by striking out the first sentence and inserting in lieu thereof "A report of each audit conducted under section 202 shall be made by the Comptroller General to the Congress not later than six and one-half months following the close of the last year covered by such audit.".

AMENDMENTS TO THE FEDERAL DEPOSIT INSURANCE ACT

SEC. 602. The Federal Deposit Insurance Act is amended as follows:

(1) Section 17(b) of such Act (12 U.S.C. 1827(b)) is amended by adding at the end thereof the following sentence: "The Corporation shall be audited at least once in every three years.".

(2) Section 17(c) of such Act (12 U.S.C. 1827(c)) is amended by striking out the first and second sentences and inserting in lieu thereof "A report of each audit conducted under subsection (b) of this section shall be made by the Comptroller General to the Congress not later than six and one-half months following the close of the last year covered by such audit.".

AMENDMENT TO FEDERAL CROP INSURANCE ACT

SEC. 603. Section 513 of the Federal Crop Insurance Act (52 Stat. 76; 7 U.S.C. 1513) is amended by striking out all after the first sentence.

AMENDMENTS TO THE HOUSING AND URBAN DEVELOPMENT ACT OF 1968

SEC. 604. Section 107(g) of the Housing and Urban Development Act of 1968 (12 U.S.C. 1701y(g)) is amended by—

(1) adding the following new sentence at the end of subparagraph (1): "Such audit shall be made at least once every three years."; and

(2) striking out the first sentence in subparagraph (2) and inserting in lieu thereof "A report of each such audit shall be made by the Comptroller General to the Congress not later than six and one-half months following the close of the last year covered by such audit.".

AMENDMENT TO DISTRICT OF COLUMBIA REDEVELOPMENT ACT OF 1945

SEC. 605. Section 17 of the District of Columbia Redevelopment Act of 1945 (60 Stat. 801) is amended by striking out "annual audit" in the last sentence and inserting in lieu thereof "audit".

TITLE VII—REVISION OF ANNUAL AUDIT REQUIREMENTS

AMENDMENT TO FEDERAL PROPERTY AND ADMINISTRATIVE SERVICES ACT OF 1949

SEC. 701. Section 109(c) of the Federal Property and Administrative Services Act of 1949 (40 U.S.C. 756(e)) is amended to read as follows:

"(c)(1) As of June 30 of each year, there shall be covered into the United States Treasury as miscellaneous receipts any surplus in the General Supply Fund, all assets, liabilities, and prior losses considered, above the amounts transferred or appropriated to establish and maintain said fund.

"(2) The Comptroller General shall make audits of the General Supply Fund in accordance with the provisions of the Accounting and Auditing Act of 1950 and make reports on the results thereof.".

AMENDMENT TO THE FEDERAL AVIATION ACT OF 1958

SEC. 702. That part of the second sentence of section 1307(f) of the Federal Aviation Act of 1958 (49 U.S.C. 1537(f)) which precedes the proviso is amended to read as follows: "The Secretary shall maintain a set of accounts which shall be audited by the Comptroller General in accordance with the provisions of the Accounting and Auditing Act of 1950:".

AMENDMENT WITH RESPECT TO THE BUREAU OF ENGRAVING AND PRINTING FUND

SEC. 703. Section 6 of the Act entitled "An Act to provide for financing the operations of the Bureau of Engraving and Printing, Treasury Department, and for other purposes" (31 U.S.C. 181d) is amended by striking out "the General Accounting Office" and all that follows thereafter to the end of such section and inserting in lieu thereof "the Comptroller General in accordance with the provisions of the Accounting and Auditing Act of 1950.".

AMENDMENT WITH RESPECT TO THE VETERANS' CANTEEN SERVICE

SEC. 704. Section 4207 of title 38, United States Code, is amended to read as follows:

"§ 4207. Audit of accounts

"The Service shall maintain a set of accounts which shall be audited by the Comptroller General in accordance with the provisions of the Accounting and Auditing Act of 1950.".

AMENDMENT WITH RESPECT TO THE HIGHER EDUCATION INSURED LOAN PROGRAM

SEC. 705. Section 432(b)(2) of the Higher Education Act of 1965 (20 U.S.C. 1082(b)(2)) is amended to read as follows:

"(2) maintain with respect to insurance under this part a set of accounts, which shall be audited by the Comptroller General in accordance with the provisions of the Accounting and Auditing Act of 1950, except that the transactions of the Commissioner, including the settlement of insurance claims and of claims for payments pursuant to section 428, and transactions related thereto and vouchers approved by the Commissioner in connection with such transactions, shall be final and conclusive upon all accounting and other officers of the Government.".

AMENDMENT TO THE HOUSING ACT OF 1950

SEC. 706. Section 402(a)(2) of the Housing Act of 1950 (64 Stat. 78; 12 U.S.C. 1749a(a)(2)) is amended to read as follows:

"(2) maintain a set of accounts which shall be audited by the Comptroller General in accordance with the provisions of the Accounting and Auditing Act of 1950: *Provided*, That such financial transactions of the Administrator as the making of loans and vouchers approved by the Administrator in connection with such financial transactions shall be final and conclusive upon all officers of the Government.".

AMENDMENT TO THE FEDERAL CREDIT UNION ACT

SEC. 707. Section 209(b)(2) of the Federal Credit Union Act (12 U.S.C. 1789(b)(2) is amended by striking out "annually".

AMENDMENT WITH RESPECT TO AUDIT OF THE GOVERNMENT PRINTING OFFICE

SEC. 708. Section 309(c) of title 44, United States Code, is amended by striking out the third sentence and inserting in lieu thereof "the Comptroller General shall audit the activities of the Government Printing Office at least once every three years and shall furnish reports of such audits to the Congress and the Public Printer.".

TITLE VIII—LIMITATION OF TIME ON CLAIMS AND DEMANDS

SEC. 801. Effective one year after enactment of this Act, section 1 of the Act of October 9, 1940 (54 Stat. 1061; 31 U.S.C. 237), is amended by striking out "ten full years" and inserting in lieu thereof "six years".

The SPEAKER pro tempore. Is a second demanded?

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

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

There was no objection.

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

Mr. Speaker, H.R. 12113, the bill to revise and restate certain functions and duties of the Comptroller General of the United States, was reported unanimously from the Committee on Government Operations. This bill was introduced at the Comptroller General's request. The committee made certain revisions which we believe improve the bill. Essentially, its purpose is to adjust the Comptroller General's audit functions to effect a more productive use of resources in the General Accounting Office. I will summarize the provisions of the bill briefly by title.

Title I amends existing law to remove the $100 limitation on the amount of disbursement vouchers subject to agency audit by statistical sampling techniques. The Comptroller General is authorized to prescribe specific dollar limitations for each department or agency and will evaluate procedures so prescribed. The $100 ceiling is out of date, and the amendment makes for more flexibility and more efficient audit operations.

Title II amends existing law to transfer from the GAO to the General Services Administration the functions of initial audit of transportation bills and the recovery of overcharges. The GSA, by statute, is the traffic manager agency for the Federal Government and maintains a master tariff file. The Comptroller General will retain final audit responsibility, as he does with respect to other agencies.

Approximately 400 employees would be involved in the transfer of functions under title II. Some of those employees have expressed concern that their opportunities for job advancement and job security might be affected adversely. The committee has written specific provisions into the bill to allow ample time for advance planning and to protect employee rights and privileges. Up to 3 years are allowed for the transition. No personnel may be transferred before July 1, 1975. Employees who are transferred to the GSA will continue to have employment and other rights equivalent to those afforded had they remained in the GAO. The committee has assurances from the GAO, the GSA, and the OMB that careful consideration will be given to employee rights and privileges.

Title III authorizes the Comptroller General to audit nonappropriated fund activities such as military post exchanges and commissaries. It limits nonappropriated fund activities to those which sell merchandise or services to military or other Government personnel and their dependents; in other words, activities of the type that would be profitmaking in private industry. As the Members know, there have been some serious abuses in this area, and the GAO should have authority to audit such activities from time to time.

Title IV gives the Comptroller General continuity authority to employ experts and consultants. Under existing law, he must get this authority renewed each year. Also, this title would permit the Comptroller General to retain up to 10 experts or consultants, at executive level V, for periods not in excess of 3 years. This authority is similar to that given the Comptroller General in section 702 of the Congressional Budget and Impoundment Control Act of 1974, Public Law 93-344.

Title V gives the Comptroller General custody over his own building. The General Services Administrator, who now has custody over the GAO building, would prefer to retain it. The committee resolved the issue by providing that the Comptroller General will have exclusive custody and control over his headquarters building, but any leasing of additional space for GAO, whether in Washington, D.C., or in the field, will continue to be handled by the GSA. Since the General Accounting Office is a part of the legislative branch, the committee action puts the GAO on the same footing with other legislative agencies, such as the Library of Congress and the Government Printing Office.

At present, the GAO building has some other office tenants occupying approximately one-half of the building space. Upon enactment of the bill, the Comptroller General intends to continue contracting with GSA or private industry for needed custodial services. My own surmise is that with the continually increasing functions and responsibilities placed by the Congress in the Comptroller General's orbit, in the not too distant future he will need the entire building for his own organization. Consequently, although I sponsored the GSA legislation originally in the Congress and I am sympathetic to, and have supported, its efforts to centralize buildings management in the executive branch, I believe it is appropriate, in this case, to make an exception for the GAO as a legislative agency.

Title VI amends the Government Corporation Control Act and certain other statutes to require audits of Government corporations once every 3 years rather than annually.

Title VII makes certain revolving funds subject to audit at the discretion of the Comptroller General rather than on an annual basis.

The Comptroller General assures us that Government corporations and revolving funds will be audited more frequently than once every 3 years if the situation so requires.

Title VIII reduces from 10 years to 6 years the statute of limitations on the filing of claims with the GAO. The 6-year period conforms to the 6-year statute of limitations for the filing of claims against the Government in the courts. Annual savings of $300,000 are estimated by the Comptroller General through reduced storage costs. The new time period will become effective 1 year after enactment of the bill, in order to provide a grace period for claimants who otherwise might be barred without adequate notice of the shorter period allowed for the presentation of claims.

In summary, Mr. Speaker, H.R. 12113 will enable the Comptroller General to do his job more effectively. He will be relieved of certain administrative audit functions, which properly should be lodged in the executive branch. He will acquire more flexibility to carry out his audit functions and to safeguard the integrity of the public business.

I urge the adoption of H.R. 12113.

Mr. STEELMAN. Mr. Speaker, I urge passage of this bill as amended by the Committee on Government Operations. This bill was reported out unanimously by voice vote on August 15 from our committee. The committee held 2 days of hearings in June, and they are now in print.

As far as changes are concerned, we have tried to resolve all disagreements concerning the provisions of the bill. As the chairman has stated, we tried to update the authority of the Comptroller General. In doing so, we hope and feel that this bill is a necessary part of our effort here in this body to continue congressional authority.

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

Mr. HORTON. Mr. Speaker, I urge passage of H.R. 12113 as amended by the Government Operations Committee.

The committee ordered this bill reported by unanimous voice vote on August 15. We held 2 days of hearings in June—they are now in print—and as far as possible, have tried to resolve all disagreements concerning the provisions of the bill.

The bill updates various authorities of the Comptroller General. Basically, it is designed to allow for more effective operations by the Federal Government's auditor and principal investigator for the Congress. This bill is a necessary part of our effort to revamp congressional authority and capabilities.

There are two points I believe deserve special mention:

The first concerns title II, which transfers responsibility for the primary audit of transportation payments from the General Accounting Office to the General Services Administration. As the chairman noted, this transfer involves approximately 400 employees who have expressed their concern to our committee that this might adversely affect their advancement opportunities and security. The committee, in response to these concerns, made several changes in the bill to protect the rights of these employees. We added a requirement that the Director of the Office of Management and Budget and the Comptroller General consult with the Chairman of the U.S. Civil Service Commission with regard to the proposed transfer of employees.

Also, we guarantee that transferred employees would not be reduced in pay or classification for 1 year after their transfer, except for cause, and thereafter would have longevity and other employee benefits under 5 U.S.C. 5337, to the same extent as if they had remained employees of the General Accounting Office. And finally, we prohibit the transfer for a period of 1 year to assure that adequate time is available for planning the transfer. We fully expect these changes to give the employees all of the protection possible under law and that these employees will be treated fairly by all parties involved.

The second point I would like to mention is that this bill transfers custody of the headquarters building of the General Accounting Office from the General Services Administration to the Comptroller General. We have made this transfer in order to stress the independence of the General Accounting Office from the executive branch. It was not our intent in any way to discredit or otherwise damage the Federal buildings fund established by Public Law 92-313. We consider the GAO to be a unique Federal institution and have agreed to this transfer because of its special independent relationship to all other Federal agencies as a result of its being the auditor of the Federal Government.

Mr. Speaker, I urge passage of H.R. 12113.

GENERAL LEAVE

Mr. STEELMAN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on the subject of the bill now under consideration.

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

There was no objection.

The SPEAKER pro tempore (Mr. McFALL). The question is on the motion offered by the gentleman from California (Mr. HOLIFIELD) that the House suspend the rules and pass the bill H.R. 12113, 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.

ANNOUNCEMENT BY THE SPEAKER

The SPEAKER pro tempore. The debate has been concluded on all motions to suspend the rules.

Pursuant to clause 3, rule XXVII, the Chair will now put the question on each motion, on which further proceedings were postponed, in the order in which that motion was entertained.

Votes will be taken in the following order: H.R. 16425, H.R. 16102, and H.R. 14897, on which the yeas and nays were requested.

Pursuant to the provisions of clause 3 (b) (3), rule XXVII, the Chair announces he will reduce to a minimum of 5 minutes the period of time within which a vote by electronic device may be taken on all the additional motions to suspend the rule on which the Chair has postponed further proceedings.

ANTI-INFLATION ACT OF 1974

The SPEAKER pro tempore. The unfinished business is the vote on the motion of the gentleman from Texas (Mr. PATMAN) to suspend the rules and pass the bill, H.R. 16425, on which the yeas and nays are ordered.

The Clerk read the title of the bill.

The vote was taken by electronic device, and there were—yeas 379, nays 23, answered "present" 1, not voting 31, as follows:

[Roll No. 499]

YEAS—379

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

NAYS—23

Abzug	Harrington	Schroeder
Bingham	Helstoski	Stark
Burton, John	Kemp	Steelman
Collins, Tex.	Ketchum	Symms
Conyers	Landgrebe	Wilson, Charles H., Calif.
Crane	Mitchell, Md.	
Goldwater	Moss	
Gonzalez	Roybal	
Gross	Ryan	

ANSWERED "PRESENT"—1

Rousselot

NOT VOTING—31

Anderson, Ill.	Brasco	Davis, Ga.
Aspin	Brotzman	Diggs
Beard	Carey, N.Y.	Giaimo
Gunter	Nedzi	Satterfield
Hanna	O'Brien	Stuckey
Hawkins	Pritchard	Van Deerlin
Hébert	Rarick	Williams
Hogan	Reid	Young, Alaska
Long, Md.	Rhodes	Young, S.C.
McSpadden	Rooney, N.Y.	
Mayne	Ruppe	

So (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

The Clerk announced the following pairs:

On this vote:

Mr. Rhodes and Mr. Mayne for, with Mr. Rousselot against.

Until further notice:

Mr. Hébert with Mr. Hanna.

Mr. Carey of New York with Mr. Davis of Georgia.

Mr. Giaimo with Mr. Long of Maryland.

Mr. Rooney of New York with Mr. Young of Alaska.

Mr. Satterfield with Mr. O'Brien.

Mr. Nedzi with Mr. Brotzman.

Mr. Rarick with Mr. Hogan.

Mr. Diggs with Mr. Reid.

Mr. Hawkins with Mr. Aspin.

Mr. Van Deerlin with Mr. Anderson of Illinois.

Mr. Gunter with Mr. Beard.

Mr. Stuckey with Mr. Ruppe.

Mr. McSpadden with Mr. Williams.

Mr. ROUSSELOT. Mr. Speaker, I have a live pair with the gentleman from Arizona (Mr. RHODES). If he had been present he would have voted "yea." I voted "nay." I withdraw my vote and vote "present."

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. Pursuant to the provisions of clause 3(b)(3), rule XXVII, the Chair announces he will reduce to a minimum of 5 minutes the period of time within which a vote by electronic device may be taken on all the additional motions to suspend the rules on which the Chair has postponed further proceedings.

AMENDING THE EMERGENCY DAYLIGHT SAVING TIME ENERGY CONSERVATION ACT OF 1973

The SPEAKER. The unfinished business is the vote on the motion offered by the gentleman from West Virginia (Mr. STAGGERS) to suspend the rules and pass the bill H.R. 16102, as amended, on which the yeas and nays are ordered.

The Clerk read the title of the bill.

The vote was taken by electronic device, and there were—yeas 383, nays 16, not voting 35, as follows:

[Roll No. 500]

YEAS—383

Abdnor	Arends	Bevill
Abzug	Armstrong	Biaggi
Adams	Ashbrook	Biester
Addabbo	Ashley	Blackburn
Alexander	Badillo	Blatnik
Anderson, Calif.	Bafalis	Boggs
Andrews, N.C.	Baker	Boland
Andrews, N. Dak.	Barrett	Bolling
Annunzio	Bauman	Bowen
Archer	Bell	Brademas
	Bennett	Bray
	Bergland	Breaux

Breckinridge
Brinkley
Brooks
Broomfield
Brown, Calif.
Brown, Mich.
Brown, Ohio
Broyhill, N.C.
Broyhill, Va.
Buchanan
Burgener
Burke, Calif.
Burke, Fla.
Burke, Mass.
Burlison, Mo.
Burton, John
Burton, Phillip
Butler
Byron
Camp
Carney, Ohio
Carter
Casey, Tex.
Cederberg
Chamberlain
Chappell
Chisholm
Clancy
Clark
Clausen, Don H.
Clawson, Del
Clay
Cochran
Cohen
Collier
Collins, Ill.
Collins, Tex.
Conable
Conlan
Conte
Conyers
Corman
Cotter
Coughlin
Crane
Cronin
Culver
Daniel, Dan
Daniel, Robert W., Jr.
Daniels, Dominick V.
Danielson
Davis, S.C.
Davis, Wis.
de la Garza
Delaney
Dellums
Denholm
Dennis
Dent
Derwinski
Devine
Dickinson
Dingell
Donohue
Dorn
Downing
Drinan
Dulski
Duncan
du Pont
Eckhardt
Edwards, Ala.
Edwards, Calif.
Eilberg
Erlenborn
Esch
Eshleman
Evans, Colo.
Evins, Tenn.
Fascell
Findley
Fish
Fisher
Flood
Flowers
Flynt
Foley
Ford
Forsythe
Fountain
Fraser
Frey
Froehlich
Fulton
Fuqua
Gaydos
Gettys
Gibbons
Gilman
Ginn
Goldwater
Gonzalez
Goodling
Grasso
Gray
Green, Oreg.
Green, Pa.
Griffiths
Gross
Grover
Gubser
Gude
Guyer
Haley
Hamilton
Hammer-schmidt
Hanley
Hanrahan
Hansen, Idaho
Hansen, Wash.
Hastings
Hays
Hechler, W. Va.
Heinz
Helstoski
Henderson
Hicks
Hillis
Hinshaw
Holt
Holtzman
Horton
Howard
Huber
Hudnut
Hungate
Hunt
Ichord
Jarman
Johnson, Calif.
Johnson, Colo.
Johnson, Pa.
Jones, Ala.
Jones, N.C.
Jones, Okla.
Jones, Tenn.
Jordan
Karth
Kastenmeier
Kazen
Kemp
Ketchum
King
Kluczynski
Koch
Kuykendall
Lagomarsino
Landgrebe
Landrum
Latta
Leggett
Lehman
Lent
Litton
Long, La.
Long, Md.
Lott
Lujan
Luken
McClory
McCloskey
McCollister
McCormack
McDade
McEwen
McFall
McKay
McKinney
Macdonald
Madden
Madigan
Mahon
Mallary
Mann
Maraziti
Martin, Nebr.
Martin, N.C.
Mathias, Calif.
Mathis, Ga.
Matsunaga
Mazzoli
Meeds
Melcher
Metcalfe
Mezvinsky
Michel
Milford
Miller
Mills
Minish
Mink
Minshall, Ohio
Mitchell, Md.
Mitchell, N.Y.
Mizell
Moakley
Mollohan
Montgomery
Moorhead, Calif.
Moorhead, Pa.
Morgan
Mosher
Moss
Murphy, Ill.
Murphy, N.Y.
Murtha
Myers
Natcher
Nelsen
Nix
Obey
O'Hara
O'Neill
Owens
Parris
Passman
Patman
Pepper
Perkins
Pettis
Peyser
Pickle
Pike
Poage
Podell
Powell, Ohio
Preyer
Price, Ill.
Quie
Quillen
Railsback
Randall
Rees
Regula
Reuss
Riegle
Rinaldo
Roberts
Robinson, Va.
Rodino
Roe
Rogers
Roncalio, Wyo.
Roncallo, N.Y.
Rooney, Pa.
Rose
Rosenthal
Rostenkowski
Roush
Rousselot
Roy
Roybal
Runnels
Ruth
St Germain
Sandman
Sarasin
Sarbanes
Satterfield
Scherle
Schneebeli
Schroeder
Sebelius
Seiberling
Shipley
Shoup
Shriver
Shuster
Sikes
Sisk
Skubitz
Slack
Smith, Iowa
Smith, N.Y.
Snyder
Spence
Staggers
Stanton, James V.
Stanton, J. William
Steed
Steele
Steelman
Steiger, Ariz.
Steiger, Wis.
Stephens
Stokes
Stratton
Stubblefield
Sullivan
Symington
Symms
Talcott
Taylor, Mo.
Taylor, N.C.
Teague
Thompson, N.J.
Thomson, Wis.
Thone
Thornton
Towell, Nev.
Traxler
Treen
Udall
Ullman
Vander Jagt
Vander Veen
Vanik
Veysey
Vigorito
Waggonner
Waldie
Walsh
Wampler
Ware
Whalen
White
Whitehurst
Whitten
Widnall
Wiggins
Wilson, Bob
Wilson, Charles, Tex.
Winn
Wolff
Wright
Wyatt
Wylie
Wyman
Yates
Yatron
Young, Fla.
Young, Ga.
Young, Ill.
Young, Tex.
Zablocki
Zion
Zwach

NAYS—16

Bingham
Cleveland
Dellenback
Frelinghuysen
Frenzel
Harrington
Harsha
Heckler, Mass.
Hosmer
Patten
Robison, N.Y.
Ryan
Studds
Tiernan
Wilson, Charles H., Calif.
Wydler

NOT VOTING—35

Anderson, Ill.
Aspin
Beard
Brasco
Brotzman
Burleson, Tex.
Carey, N.Y.
Davis, Ga.
Diggs
Giaimo
Gunter
Hanna
Hawkins
Hébert
Hogan
Holifield
Kyros
McSpadden
Mayne
Nedzi
Nichols
O'Brien
Price, Tex.
Pritchard
Rangel
Rarick
Reid
Rhodes
Rooney, N.Y.
Ruppe
Stuckey
Van Deerlin
Williams
Young, Alaska
Young, S.C.

So (two-thirds having voted in favor thereof) the rules were suspended and the bill, as amended, was passed.

The Clerk announced the following pairs:

Mr. Hébert with Mr. Davis of Georgia.
Mr. Rooney of New York with Mr. Hanna.
Mr. Hawkins with Mr. Reid.
Mr. Carey of New York with Mr. Rarick.
Mr. Giaimo with Mr. Hogan.
Mr. Diggs with Mr. Aspin.
Mr. Kyros with Mr. Ruppe.
Mr. Rangel with Mr. Nedzi.
Mr. Van Deerlin with Mr. Anderson of Illinois.
Mr. Stuckey with Mr. Mayne.
Mr. Burleson of Texas with Mr. O'Brien.
Mr. Gunter with Mr. Beard.
Mr. Holifield with Mr. Price of Texas.
Mr. Nichols with Mr. Brotzman.
Mr. McSpadden with Mr. Williams.
Mr. Rhodes with Mr. Young of Alaska.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. STAGGERS. Mr. Speaker, I ask unanimous consent that all Members 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 West Virginia?

There was no objection.

YOUTH CONSERVATION CORPS

The SPEAKER. The unfinished business is the vote on the motion offered by the gentleman from New Jersey (Mr. DOMINICK V. DANIELS) to suspend the rules and pass the bill H.R. 14897, on which the yeas and nays are ordered.

The Clerk read the title of the bill.

The vote was taken by electronic device, and there were—yeas 361, nays 38, not voting 35, as follows:

[Roll No. 501]

YEAS—361

Abdnor
Abzug
Adams
Addabbo
Alexander
Anderson, Calif.
Andrews, N.C.
Andrews, N. Dak.
Annunzio
Arends
Armstrong
Ashley
Badillo
Barrett
Bell
Bennett
Bergland
Bevill
Biaggi
Biester
Bingham
Blatnik
Boggs
Boland
Bolling
Bowen
Brademas
Bray
Breaux
Breckinridge
Brinkley
Broomfield
Brown, Calif.
Brown, Mich.
Brown, Ohio
Broyhill, N.C.
Broyhill, Va.
Buchanan
Burgener
Burke, Calif.
Burke, Mass.
Burleson, Tex.
Burton, John
Burton, Phillip
Byron
Carney, Ohio
Carter
Casey, Tex.
Cederberg
Chamberlain
Chappell
Chisholm
Clancy
Clark
Clausen, Don H.
Clay
Cleveland
Cochran
Cohen
Collier
Collins, Ill.
Conable
Conte
Conyers
Corman
Cotter
Coughlin
Cronin
Culver
Daniel, Dan
Daniel, Robert W., Jr.
Daniels, Dominick V.
Danielson
Davis, S.C.
de la Garza
Delaney
Dellenback
Dellums
Denholm
Dennis
Dent
Derwinski
Dingell
Donohue
Dorn
Downing
Drinan
Dulski
Duncan
du Pont
Eckhardt
Edwards, Ala.
Edwards, Calif.
Eilberg
Erlenborn
Esch
Eshleman
Evans, Colo.
Evins, Tenn.
Fascell
Findley
Fish
Fisher
Flood
Flowers
Foley
Ford
Forsythe
Fraser
Frelinghuysen
Frenzel
Frey
Froehlich
Fulton
Fuqua
Gaydos
Gettys
Gibbons
Gilman
Ginn
Gonzalez
Grasso
Gray
Green, Oreg.
Green, Pa.
Griffiths
Gross
Grover
Gubser
Gude
Guyer
Haley
Hamilton
Hammer-schmidt
Hanley
Hanrahan
Hansen, Idaho
Hansen, Wash.
Harrington
Harsha
Hastings
Hawkins
Hechler, W. Va.
Heckler, Mass.
Heinz
Helstoski
Henderson
Hicks
Hillis
Hinshaw
Holifield
Holt
Holtzman
Horton
Hosmer
Howard
Hudnut
Hungate
Hunt
Ichord
Johnson, Calif.
Johnson, Colo.
Jones, Ala.
Jones, N.C.
Jones, Okla.
Jones, Tenn.
Jordan
Karth
Kastenmeier
Kazen
Kemp
Ketchum
King
Kluczynski
Koch
Kuykendall
Kyros
Lagomarsino
Landrum
Latta
Leggett
Lent
Litton
Long, La.
Long, Md.
Lott
Lujan
Luken
McClory
McCloskey
McCollister
McCormack
McDade
McEwen
McFall
McKay
McKinney
Macdonald
Madden
Madigan
Mahon
Mallary
Mann
Martin, Nebr.
Mathias, Calif.
Mathis, Ga.
Matsunaga
Mazzoli
Meeds
Melcher
Metcalfe
Mezvinsky
Milford
Miller
Mills
Minish
Mink
Minshall, Ohio
Mitchell, Md.
Mitchell, N.Y.
Mizell
Moakley
Mollohan
Montgomery
Moorhead, Calif.
Moorhead, Pa.
Morgan
Mosher
Moss
Murphy, Ill.
Murphy, N.Y.
Murtha
Myers
Natcher
Nelsen
Nichols
Nix
Obey
O'Hara
O'Neill
Owens
Parris
Passman
Patman
Patten
Pepper
Perkins
Pettis
Peyser
Pickle
Pike
Poage
Podell
Powell, Ohio
Preyer
Price, Ill.
Price, Tex.
Quie
Quillen
Railsback
Randall
Rangel
Rees
Regula
Reuss
Riegle
Rinaldo
Roberts
Robison, N.Y.
Rodino
Roe
Rogers
Roncalio, Wyo.
Roncallo, N.Y.
Rooney, Pa.
Rose
Rosenthal
Rostenkowski
Roush
Roy
Roybal
Runnels
Ryan
St Germain
Sandman
Sarasin
Sarbanes
Scherle
Schneebeli
Schroeder
Sebelius
Seiberling
Shipley
Shoup
Shriver
Sisk
Skubitz
Slack
Smith, Iowa
Smith, N.Y.
Spence
Staggers
Stanton, J. William
Stanton, James V.
Stark
Steed
Steele
Steelman
Steiger, Wis.
Stephens
Stokes
Stratton
Stubblefield
Studds
Sullivan
Symington
Talcott
Taylor, N.C.
Teague
Thompson, N.J.
Thomson, Wis.
Thone

Thornton	Wampler	Wright
Tiernan	Whalen	Wyatt
Towell, Nev.	White	Wydler
Traxler	Whitehurst	Wylie
Treen	Whitten	Wyman
Udall	Widnall	Yates
Ullman	Wiggins	Yatron
Vander Jagt	Wilson, Bob	Young, Ga.
Vander Veen	Wilson, Charles H., Calif.	Young, Ill.
Vanik		Young, Tex.
Versey		Zablocki
Vigorito	Wilson, Charles, Tex.	Zion
Waggonner		Zwach
Waldie	Winn	
Walsh	Wolff	

NAYS—38

Archer	Crane	Martin, N.C.
Ashbrook	Davis, Wis.	Michel
Bafalis	Devine	Robinson, Va.
Baker	Dickinson	Rousselot
Bauman	Flynt	Ruth
Blackburn	Fountain	Satterfield
Burke, Fla.	Goodling	Shuster
Burlison, Mo.	Gross	Snyder
Butler	Huber	Steiger, Ariz.
Camp	Hutchinson	Symms
Clawson, Del	Jarman	Taylor, Mo.
Collins, Tex.	Landgrebe	Young, Fla.
Conlan	Maraziti	

NOT VOTING—35

Anderson, Ill.	Hanna	Reid
Aspin	Hays	Rhodes
Beard	Hébert	Rooney, N.Y.
Brasco	Hogan	Ruppe
Brooks	Johnson, Pa.	Sikes
Brotzman	Lehman	Stuckey
Carey, N.Y.	McSpadden	Van Deerlin
Davis, Ga.	Mayne	Ware
Diggs	Nedzi	Williams
Giaimo	O'Brien	Young, Alaska
Green, Pa.	Pritchard	Young, S.C.
Gunter	Rarick	

So (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

The Clerk announced the following pairs:

Mr. Hébert with Mr. Davis of Georgia.
Mr. Rooney of New York with Mr. McSpadden.
Mr. Brooks with Mr. Rarick.
Mr. Carey of New York with Mr. Young of Alaska.
Mr. Giaimo with Mr. Ware.
Mr. Diggs with Mr. Hanna.
Mr. Green of Pennsylvania with Mr. Aspin.
Mr. Gunter with Mr. Hogan.
Mr. Hays with Mr. Anderson of Illinois.
Mr. Nedzi with Mr. O'Brien.
Mr. Reid with Mr. Johnson of Pennsylvania.
Mr. Sikes with Mr. Beard.
Mr. Stuckey with Mr. Mayne.
Mr. Van Deerlin with Mr. Brotzman.
Mr. Lehman with Mr. Ruppe.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. DOMINICK V. DANIELS. 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 Jersey?

There was no objection.

: Mr. DOMINICK V. DANIELS. Mr. Speaker, I ask unanimous consent that the Committee on Education and Labor be discharged from further consideration of the Senate bill (S. 1871) to amend the Youth Conservation Corps Act of 1972 (Public Law 92-597, 86 Stat. 1319) to expand and make permanent the Youth Conservation Corps, 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 New Jersey?

There was no objection.

The Clerk read the Senate bill, as follows:

S. 1871

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act of October 27, 1972 (86 Stat. 1319) is amended to read as follows:

"POLICY AND PURPOSE

"SECTION 1. The Congress finds that the Youth Conservation Corps has demonstrated a high degree of success as a pilot program wherein American youth, representing all segments of society have benefited by gainful employment in the healthful outdoor atmosphere of the national park system, the national forest system, and other public land and water areas of the United States, and by their employment have developed, enhanced, and maintained the natural resources of the United States, and whereas in so doing the youth have gained an understanding and appreciation of the Nation's environment and heritage equal to one full academic year of study, it is accordingly the purpose of this Act to expand and make permanent the Youth Conservation Corps and thereby further the development and maintenance of the natural resources by America's youth, and in so doing to prepare them for the ultimate responsibility of maintaining and managing these resources for the American people.

"YOUTH CONSERVATION CORPS

"SEC. 2. (a) To carry out the purposes of this Act, there is established in the Department of the Interior and the Department of Agriculture a Youth Conservation Corps (hereinafter referred to as the 'Corps'). The Corps shall consist of young men and women who are permanent residents of the United States in territories, possessions, or trust territories, who have attained age fifteen but have not attained age nineteen, and whom the Secretary of the Interior or the Secretary of Agriculture may employ without regard to the civil service or classification laws, rules or regulations, for the purpose of developing, preserving, or maintaining the lands and waters of the United States.

"(b) The Corps shall be open to youth of both sexes and youth of all social, economic, and racial classifications with all Corps members receiving compensation consistent with work accomplished, and with no person being employed as a member of the Corps for a term in excess of ninety days during any single year.

"SECRETARIAL DUTIES AND FUNCTIONS

"SEC. 3. (a) In carrying out this Act, the Secretary of the Interior and the Secretary of Agriculture shall—

"(1) determine the areas under their administrative jurisdictions which are appropriate for carrying out programs using employees of the Corps;

"(2) determine, with other Federal agencies, the areas under the administrative jurisdiction of these agencies which are appropriate for carrying out programs using members of the Corps, and determine and select appropriate work and education programs and projects for participation by members of the Corps;

"(3) determine the rates of pay, hours, and other conditions of employment in the Corps, except that all members of the Corps shall not be deemed to be Federal employees other than for the purposes of chapter 171 of title 28, United States Code, and chapter 81 of title 5, United States Code;

"(4) provide for such transportation, lodging, subsistence, and other services and equipment as they may deem necessary or appropriate for the needs of members of the Corps in their duties;

"(5) promulgate regulations to insure the safety, health, and welfare of the Corps members; and

"(6) provide to the extent possible, that permanent or semipermanent facilities used as Corps camps be made available to local schools, school districts, State junior colleges and universities, and other education institutions for use as environmental/ecological education camps during periods of nonuse by the Corps program. Costs for operations, maintenance, and staffing of Corps camp facilities during periods of use by non-Corps programs as well as any liability for personal injury or property damage stemming from such use shall be the responsibility of the entity or organization using the facility and shall not be a responsibility of the Secretaries or the Corps.

"(b) Whenever economically feasible, existing but unoccupied Federal facilities and surplus or unused equipment (or both), of all types, including military facilities and equipment, shall be utilized for the purposes of the Corps, where appropriate and with the approval of the Federal agency involved. To minimize transportation costs, Corps members shall be employed on conservation projects as near to their place of residence as is feasible.

"(c) The Secretary of the Interior and the Secretary of Agriculture may contract with any public agency or organization or any private nonprofit agency or organization which has been in existence for at least five years for the operation of any Youth Conservation Corps project.

"GRANT PROGRAM FOR STATE PROJECTS

"SEC. 4. (a) The Secretary of the Interior and the Secretary of Agriculture shall jointly establish a program under which grants shall be made to States to assist them in meeting the cost of projects for the employment of young men and women to develop, preserve, and maintain non-Federal public lands and waters within the States. For purposes of this section, the term 'States' includes the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, Guam, the Trust Territory of the Pacific Islands, and American Samoa.

"(b)(1) No grant may be made under this section unless an application therefor has been submitted to, and approved by, the Secretary of the Interior and the Secretary of Agriculture. Such application shall be in such form, and submitted in such manner, as the Secretaries shall jointly by regulation prescribe, and shall contain—

"(A) assurances satisfactory to the Secretaries that individuals employed under the project for which the application is submitted shall (i) have attained the age of fifteen but not attained the age of nineteen, (ii) be permanent residents of the United States or its territories, possessions, or the Trust Territory of the Pacific Islands, (iii) be employed without regard to the personnel laws, rules, and regulations applicable to full-time employees of the applicant, (iv) be employed for a period of not more than ninety days in any calendar year, and (v) be employed without regard to their sex or social, economic, or racial classification; and

"(B) such other information as the Secretaries may jointly by regulation prescribe.

"(2) The Secretaries may approve applications which they determine (A) meet the requirements of paragraph (1), and (B) are for projects which will further the development, preservation, or maintenance of non-Federal public lands or waters within the jurisdiction of the applicant.

"(c)(1) The amount of any grant under this section shall be determined jointly by the Secretaries, except that no grant for any project may exceed 80 per centum of the cost (as determined by the Secretaries) of such project.

"(2) Payments under grants under this section may be made in advance or by way of reimbursement and at such intervals and on such conditions as the Secretaries find necessary.

"(d) Thirty per centum of the sums appropriated under section 6 for any fiscal year shall be made available for making grants under this section for such fiscal year.

"SECRETARIAL REPORTS

"SEC. 5. The Secretary of the Interior and Secretary of Agriculture shall annually prepare a joint report detailing the activities carried out under this Act and providing recommendations. Each report for the preceding program year shall be submitted concurrently to the President and the Congress not later than April 1 of each year.

"AUTHORIZATION OF APPROPRIATIONS

"SEC. 6. There are authorized to be appropriated, and made available to the Secretary of the Interior and the Secretary of Agriculture to carry out the purposes of this Act, amounts not to exceed $100,000,000 for each fiscal year. Notwithstanding any other provision of law, funds appropriated for any fiscal year to carry out this Act shall remain available for obligation and expenditure until the end of the fiscal year following the fiscal year for which appropriated."

MOTION OFFERED BY MR. DOMINICK V. DANIELS

Mr. DOMINICK V. DANIELS. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. DOMINICK V. DANIELS moves to strike out all after the enacting clause of S. 1871 and to insert in lieu thereof the provisions of H.R. 14897, as passed by the House:

That the Act of August 13, 1970 (84 Stat. 794) is amended to read as follows:

"POLICY AND PURPOSE

"SECTION 1. The Congress finds that the Youth Conservation Corps has demonstrated a high degree of success as a pilot program wherein American youth, representing all segments of society, have benefited by gainful employment in the healthful outdoor atmosphere of the national park system, the national forest system, other public land and water areas of the United States and by their employment have developed, enhanced, and maintained the natural resources of the United States, and whereas in so doing the youth have gained an understanding and appreciation of the Nation's environment and heritage equal to one full academic year of study, it is accordingly the purpose of this Act to expand and make permanent the Youth Conservation Corps and thereby further the development and maintenance of the natural resources by America's youth, and in so doing to prepare them for the ultimate responsibility of maintaining and managing these resources for the American people.

"YOUTH CONSERVATION CORPS

"SEC. 2. (a) To carry out the purposes of this Act, there is established in the Department of the Interior and the Department of Agriculture a Youth Conservation Corps (hereinafter referred to as the 'Corps'). The Corps shall consist of young men and women who are permanent residents of the United States, its territories, possessions, trust territories, or Commonwealth of Peurto Rico who have attained age fifteen but have not attained age nineteen, and whom the Secretary of the Interior or the Secretary of Agriculture may employ without regard to the civil service or classification laws, rules, or regulations, for the purpose of developing, preserving, or maintaining the lands and waters of the United States.

"(b) The Corps shall be open to youth from all parts of the country of both sexes and youth of all social, economic, and racial classifications with all Corps members receiving compensation consistent with work accomplished, and with no person being employed as a member of the Corps for a term in excess of ninety days during any single year.

"SECRETARIAL DUTIES AND FUNCTIONS

"SEC. 3. (a) In carrying out this Act, the Secretary of the Interior and the Secretary of Agriculture shall—

"(1) determine the areas under their administrative jurisdictions which are appropriate for carrying out the programs using employees of the Corps;

"(2) determine with other Federal agencies the areas under the administrative jurisdiction of these agencies which are appropriate for carrying out programs using members of the Corps, and determine and select appropriate work and education programs and projects for participation by members of the Corps;

"(3) determine the rates of pay, hours, and other conditions of employment in the Corps, except that all members of the Corps shall not be deemed to be Federal employees other than for the purpose of chapter 171 of title 28, United States Code, and chapter 81 of title 5, United States Code;

"(4) provide for such transportation, lodging, subsistence, and other services and equipment as they may deem necessary or appropriate for the needs of members of the Corps in their duties;

"(5) promulgate regulation to insure the safety, health,and welfare of the Corps members; and

"(6) provide to the extent possible, that permanent or semi-permanent facilities used as Corps camps be made available to local schools, school districts, State junior colleges and universities, and other education institutions for use as environmental/ecological education camps during periods of nonuse by the Corps program.

Costs for operations maintenance, and staffing of Corps camp facilities during periods of use by non-Corps programs as well as any liability for personal injury or property damage stemming from such use shall be the responsibility of the entity or organization using the facility and shall not be a responsibility of the Secretaries or the Corps.

"(b) Existing but unoccupied Federal facilities and surplus or unused equipment (or both), of all types including military facilities and equipment, shall be utilized for the purposes of the Corps, where appropriate and with the approval of the Federal agency involved. To minimize transportation costs, Corps members shall be employed on conservation projects as near to their places of residence as is feasible.

"(c) The Secretary of the Interior and the Secretary of Agriculture may contract with any public agency or organization or any private nonprofit agency or organization which has been in existence for at least five years for the operation of any Youth Conservation Corps project.

"GRANT PROGRAM FOR STATE PROJECTS

"SEC. 4. (a) The Secretary of the Interior and the Secretary of Agriculture shall jointly establish a program under which grants shall be made to States to assist them in meeting the cost of projects for the employment of young men and women to develop, preserve, and maintain non-Federal public lands and waters within the States. For purposes of this section, the term 'States' includes the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, Guam, the Trust Territory of the Pacific Islands, and American Samoa.

"(b)(1) No grant may be made under this section unless an application therefor has been submitted to, and approved by, the Secretary of the Interior and the Secretary of Agriculture. Such application shall be in such form, and submitted in such manner, as the Secretaries shall jointly by regulation prescribe, and shall contain—

"(A) assurances satisfactory to the Secretaries that individuals employed under the project for which the application is submitted shall (i) have attained the age of fifteen but not attained the age of nineteen, (ii) be permanent residents of the United States or its territories, possessions, or the Trust Territory of the Pacific Islands, (iii) be employed without regard to the personnel laws, rules, and regulations applicable to full-time employees of the applicant, (iv) be employed for a period of not more than ninety days in any calendar year, and (v) be employed without regard to their sex or social, economic, or racial classification; and

"(B) such other information as the Secretaries may jointly by regulation prescribe.

"(2) The Secretaries may approve applications which they determine (A) to meet the requirements of paragraph (1), and (B) are for projects which will further the development, preservation, or maintenance of non-Federal public lands or waters within the jurisdiction of the applicant.

"(c)(1) The amount of any grant under this section shall be determined jointly by the Secretaries, except that no grant for any project may exceed 80 per centum of the cost (as determined by the Secretaries) of such project.

"(2) Payments under grants under this section may be made in advance or by way of reimbursement and at such intervals and on such conditions as the Secretaries find necessary.

"(d) Thirty per centum of the sums appropriated under section 6 for any fiscal year shall be made available for grants under this section for such fiscal year.

"SECRETARIAL REPORTS

"SEC. 5. The Secretary of the Interior and Secretary of Agriculture shall annually prepare a joint report detailing the activities carried out under this Act and providing recommendations. Each report for a program year shall be submitted concurrently to the President and the Congress not later than April 1 following the close of that program year.

"AUTHORIZATION OF APPROPRIATIONS

"SEC. 6. There are authorized to be appropriated amounts not to exceed $60,000,000 for each fiscal year, which amounts shall be made available to the Secretary of the Interior and the Secretary of Agriculture to carry out the purposes of this Act. Notwithstanding any other provision of law, funds appropriated for any fiscal year to carry out this Act shall remain available for obligations and expenditure until the end of the fiscal year following the fiscal year for which appropriated.".

The motion was agreed to.

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

A similar House bill (H.R. 14897) was laid on the table.

LEGISLATIVE PROGRAM

(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, may I say that the program for the remainder of the day will be the conference report on H.R. 16027, Interior Department appropriations for fiscal year 1975.

Mr. Speaker, the chairman of the Committee on the Judiciary has advised

me that he will file the report of that committee, pursuant to House Resolution 803, when the House convenes tomorrow.

I take this opportunity to advise the House that after the filing of that report and its reference by the Speaker to the calendar, I will offer a resolution, under suspension of the rules, commending the Committee on the Judiciary for its conduct of the impeachment inquiry, accepting the committee's report and providing for printing of the report in the RECORD.

Mr. Speaker, I ask unanimous consent that the text of the resolution which I have offered be printed at this point in the RECORD.

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

There was no objection.

Mr. O'NEILL. I will read the resolution in order that the gentlemen and gentlewomen of the House may be aware of it:

H. RES. —

Resolved, That the House of Representatives

(1) takes notice that

(a) the House of Representatives, by House Resolution 803, approved February 6, 1974, authorized and directed the Committee on the Judiciary to investigate fully and completely whether sufficient grounds existed for the House of Representatives to exercise its constitutional power to impeach Richard M. Nixon, President of the United States of America; and

(b) the Committee on the Judiciary, after conducting a full and complete investigation pursuant to House Resolution 803, voted on July 27, 29, and 30, 1974, to recommend articles of impeachment against Richard M. Nixon, President of the United States of America; and

(c) Richard M. Nixon, on August 9, 1974, resigned the Office of President of the United States of America;

(2) accepts the report submitted by the Committee on the Judiciary pursuant to House Resolution 803 (H. Rept. 93————) and authorizes and directs that said report be printed in full in the Congressional Record and as a House document and;

(3) commends the chairman and other members of the Committee on the Judiciary for their conscientious and capable efforts in carrying out the committee's responsibilities under House Resolution 803.

Mr. Speaker, the program for tomorrow will be:

The private calendar;

H.R. 2, pension reform conference report;

The House resolution concerning the report of the Judiciary Committee;

H.R. 15581, the District of Columbia appropriations conference report;

H.R. 12859, Federal Mass Transportation Act;

H.R. 16032, the Eisenhower College bill; and

S. 1868, the United Nations Participation Act.

APPOINTMENT OF CONFEREES ON H.R. 14883, AMENDING THE PUBLIC WORKS AND ECONOMIC DEVELOPMENT ACT OF 1965

Mr. JOHNSON of California. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H.R. 14883) amending the Public Works and Economic Development Act of 1965, with a Senate amendment thereto, disagree to the Senate amendment and, request a conference with the Senate thereon.

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

The Chair hears none, and appoints the following conferees: Messrs. BLATNIK, JOHNSON of California, ROBERTS, HARSHA and HAMMERSCHMIDT.

RE-REFERRAL OF H.R. 1190 AMENDING THE INTERNAL REVENUE CODE

Mr. RODINO. Mr. Speaker, I ask unanimous consent that H.R. 1190 to amend the Internal Revenue Code to regulate and prevent multiple taxation of certain kinds of income, which was referred to the Committee on the Judiciary, be re-referred to the Committee on Ways and Means.

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

There was no objection.

CONFERENCE REPORT ON H.R. 13999, AUTHORIZING APPROPRIATIONS FOR THE NATIONAL SCIENCE FOUNDATION APPROPRIATIONS

Mr. SYMINGTON filed the following conference report and statement on the bill (H.R. 13999) to authorize appropriations for activities of the National Science Foundation, and for other purposes:

CONFERENCE REPORT (H. REPT. NO. 93-1302)

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 13999) to authorize appropriations for activities of the National Science Foundation, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following:

That there is hereby authorized to be appropriated to the National Science Foundation for the fiscal year ending June 30, 1975, for the following categories:

(1) Scientific Research Project Support, $358,700,000.

(2) National and Special Research Programs, $91,900,000.

(3) National Research Centers, $52,500,000.

(4) Science Information Activities, $6,300,000.

(5) International Cooperative Scientific Activities, $8,000,000.

(6) Research Applied to National Needs, $148,900,000.

(7) Intergovernmental Science Program, $2,000,000.

(8) Institutional Improvement for Science, $12,000,000.

(9) Graduate Student Support, $15,000,000.

(10) Science Education Improvement, $70,000,000.

(11) Planning and Policy Studies, $2,700,000.

(12) Program Development and Management, $39,500,000.

SEC. 2. Notwithstanding any other provision of this or any other Act—

(a) of the total amount authorized under section 1, not less than $10,000,000 shall be available for the purpose of "Institutional Improvement for Science";

(b) of the total amount authorized under section 1, not less than $15,000,000 shall be available for the purpose of "Graduate Student Support";

(c) of the total amount authorized under section 1, not less than $70,000,000 shall be available for the purpose of "Science Education Improvement";

(d) of the total amount authorized in category (2) of section 1—

(1) not less than $1,600,000 shall be available for "Experimental R. & D. Incentives", and

(2) not less than $4,000,000 shall be available for "Ship Construction/Conversion";

(e) of the total amount authorized in category (6) of section 1—

(1) not less than $1,000,000 shall be available for "Fire Research", and

(2) not less than $8,000,000 shall be available for "Earthquake Research and Engineering"; and

(f) of the total amount authorized in category (10) of section 1—

(1) not less than $1,500,000 shall be available for "Science Faculty Fellowships for College Teachers",

(2) not less than $3,800,000 shall be available for "Student Programs" including "Undergraduate Student Projects" and "Student Originated Studies", and

(3) not less than $2,000,000 shall be available for "High School Student Projects".

SEC. 3. Appropriations made pursuant to this Act may be used, but not to exceed $5,000, for official consultation, representation, or other extraordinary expenses upon the approval or authority of the Director of the National Science Foundation, and his determination shall be final and conclusive upon the accounting officers of the Government.

SEC. 4. In addition to such sums as are authorized by section 1, not to exceed $5,000,000 is authorized to be appropriated for the fiscal year ending June 30, 1975, for expenses of the National Science Foundation incurred outside the United States to be paid for in foreign currencies which the Treasury Department determines to be excess to the normal requirements of the United States.

SEC. 5. Appropriations made pursuant to sections 1 and 4 shall remain available for obligation, for expenditure, or for obligation and expenditure, for such period or periods as may be specified in Acts making such appropriations.

SEC. 6. No funds may be transferred from any particular category listed in section 1 to any other category or categories listed in such section if the total of the funds so transferred from that particular category would exceed 10 per centum thereof, and no funds may be transferred to any particular category listed in section 1 from any other category or categories listed in such section if the total of the funds so transferred to that particular category would exceed 10 per centum thereof, unless—

(A) a period of thirty legislative days has passed after the Director or his designee has transmitted to the Speaker of the House of Representatives and to the President of the Senate and to the Committee on Science and Astronautics of the House of Representatives and to the President of the Senate and to the Committee on Science and Astronautics of the House of Representatives and to the Committee on Labor and Public Welfare of

the Senate a written report containing a full and complete statement concerning the nature of the transfer and the reason therefor, or

(B) each such committee before the expiration of such period has transmitted to the Director written notice to the effect that such committee has no objection to the proposed action.

SEC. 7. Notwithstanding any other provision of this or any other Act, the Director of the National Science Foundation shall keep the Committee on Science and Astronautics of the House of Representatives and the Committee on Labor and Public Welfare of the Senate fully and currently informed with respect to all of the activities of the National Science Foundation.

SEC. 8. This Act may be cited as the "National Science Foundation Authorization Act, 1975".

And the Senate agree to the same.

OLIN E. TEAGUE,
JOHN W. DAVIS,
JAMES W. SYMINGTON,
MIKE MCCORMACK,
CHARLES A. MOSHER,
ALPHONZO BELL,
MARVIN L. ESCH,
Managers on the Part of the House.

EDWARD M. KENNEDY,
CLAIBORNE PELL,
THOMAS F. EAGLETON,
ALAN CRANSTON,
WALTER F. MONDALE,
PETER H. DOMINICK,
ROBERT T. STAFFORD,
Managers on the Part of the Senate.

JOINT EXPLANATORY STATEMENT OF THE COMMITTEE OF CONFERENCE

The managers on the part of the House and the Senate at the conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 13999) to authorize appropriations for activities of the National Science Foundation, and for other purposes, submit the following joint statement to the House and the Senate in explanation of the effect of the action agreed upon by the managers and recommended in the accompanying conference report:

The amendment of the Senate struck out all after the enacting clause in the House bill and substituted new language. The committee of conference agreed to accept the Senate amendment with certain amendments and stipulations proposed by the conferees.

The National Science Foundation requested authorization in the amount of $783,200,000 for fiscal year 1975, plus $5,000,000 in excess foreign currencies. The House authorized the amount requested. The respective Senate figures were $829,800,000 and $5,000,000 in excess foreign currencies.

The committee of conference recommends $807,500,000, plus $5,000,000 in excess foreign currencies. This figure is $24,300,000 more than authorized by the House and $22,300,000 less than authorized by the Senate for fiscal year 1975.

The specific actions taken by the conference are as follows:

SECTION 1—FUNDS

1. For Scientific Research Project Support, the budget request of the National Science Foundation was $363,700,000. The House authorized $354,000,000 and the Senate authorized $363,700,000. The two Houses agreed on $358,700,000.

2. For National and Special Research Programs, the Foundation requested $84,800,000. The House authorized $86,000,000 and the Senate authorized $94,700,000. A compromise of $91,900,000 was approved by the conferees, which includes an additional $5,900,000 for oceanography-related programs, with emphasis on ship construction/conversion.

3. For National Research Centers, the House, the Senate, and the conferees approved the Foundation request for $52,500,000.

4. For Science Information Activities, the Foundation requested $5,000,000. The House authorized $8,300,000 which was the 1974 level of support and the Senate authorized $5,000,000. The conference committee agreed on $6,300,000 as a reasonable sum to maintain this vital function.

5. For International Cooperative Scientific Activities, the House, the Senate, and the conferees approved the Foundation request for $8,000,000.

6. For Research Applied to National Needs, the Foundation requested $148,900,000. The House authorized $139,100,000 and the Senate authorized $160,700,000. A compromise was reached at the original figure requested, $148,900,000.

7. For Intergovernmental Science Programs, the Foundation requested $1,000,000, which the House approved. The Senate authorized $3,000,000. A compromise was reached at $2,000,000.

8. For Institutional Improvement for Science, the Foundation requested $3,000,000. The House increased this figure to $10,000,000, largely to revitalize the Institutional Grants Program. The Senate authorized $12,000,000, to which the House agreed in conference.

9. For Graduate Student Support, the Foundation requested $12,700,000. The House authorized $13,200,000 and the Senate authorized $17,000,000. The committee of conference agreed on $15,000,000 as adequate for this program.

10. For Science Education Improvement, the Foundation requested $61,400,000. The House authorized $68,900,000 in order to compensate for funds diverted from this program to technical training. The Senate authorized $71,000,000. The conferees agreed on a compromise of $70,000,000.

11. For Planning and Policy Studies, the Foundation requested $2,700,000 which both the House and Senate accepted.

12. For Program Development and Management, the Foundation requested $39,500,000 which was accepted by both the House and Senate.

SECTION 2

The bill as passed by the House put budgetary floors under the following:

(1) National and Special Research Program—$2,200,000 to assure continuance of the Experimental R&D Incentive Program.

(2) The Research Applied to National Needs Program—$2,000,000 for Fire Research to assure continuance of this effort.

(3) The Institutional Improvement for Science Program—$10,000,000.

(4) The Graduate Student Support Program—$13,200,000.

(5) The Science Education Improvement Program—$68,900,000, which included three sub-floor limitations. The latter were $1,500,000 for Science Faculty Fellowships, $3,800,000 for College Student Science Education, and $2,000,000 for High School Students Projects.

The Senate put floors under the following:

(1) National and Special Research Programs—$8,000,000 for Ship Construction and Conversion.

(2) Research Applied to National Needs—$8,000,000 to assure continuance of the Earthquake Research Program.

(3) Institutional Improvement for Science—$12,000,000.

(4) Graduate Student Support—$17,000,000.

(5) Science Education Improvement—$71,000,000.

The latter three floors incorporated by the Senate, in effect, fixed the floor at the total amount of the Senate authorization and were designed to assure that these programs should not be cut in any way.

The committee of conference agreed to lower most of these floors in order to permit the Foundation additional funding flexibility in view of the fact that appropriations were expected to be lower than the authorization figures. The conferees agreed to the following floors:

(1) National and Special Research Programs—$1,600,000 for the Experimental R&D Incentives Program; $4,000,000 for Ship Construction and Conversion.

(2) Research Applied to National Needs—$1,000,000 for Fire Research; the $8,000,000 for Earthquake Research was retained.

(3) Institutional Improvement for Science—$10,000,000.

(4) Graduate Student Support—$15,000,000.

(5) Science Education Improvement—$70,000,000.

The sub-floors placed by the House within the Science Education Improvement category remain intact: for Science Faculty Fellowships, $1,500,000; for College Student Science Education, $3,800,000; for High School Student Projects, $2,000,000.

SECTION 3

Section 3 is identical to Section 3 of the House bill and Section 5 of the Senate bill.

SECTION 4

Section 4 is identical to Section 4 in both the House and Senate bills.

SECTION 5

Section 5 is identical to Section 5 of the House bill and Section 6 of the Senate bill.

SECTION 6

Section 6 is identical to Section 6 of the House bill and Section 7 of the Senate bill.

SECTION 7

Section 7 is identical to Section 8 of both House and Senate bills.

SECTION 8

Section 8 is identical to Section 9 of both House and Senate bills.

ADDITIONAL CONFERENCE ACTION

The committee of conference made three non-funding changes in the two versions as follows:

(1) *The Student Unrest Provision.*—the House bill carried a provision which the Foundation authorization bills had carried for several years to the effect that students or other persons receiving grants or payment of any kind from NSF should be completely severed from any NSF program providing such funds, if it were found that they had been guilty of causing disruption or damage by the use of force to the institution attended. The Senate bill eliminated this clause on the grounds that it was no longer necessery. The House concurred in the Senate view, but conferees wish to point out that similar restrictions are contained in the Appropriations Act pertaining to the National Science Foundation. Hence, inclusion of the clause in the Authorization Bill is redundant.

(2) *Fetal Research.*—the House bill contained a provision, adopted by amendment on the Floor of the House, to the effect that no funds appropriated pursuant to this act should be used to conduct research on a human fetus. The Senate bill eliminated this provision on the grounds that it was unnecessary. It was pointed out that H.R. 7724, which was in conference at the time and which is now P.L. 93-348, contained a special title known as the "Protection of Human Subjects Act." This law establishes a broad gauge expert commission whose duties

will include the study of all kinds of research on humans and eventuate in recommendations to the Congress for necessary legislation. The House concurred with the Senate view on this matter, and believes such action to be particularly appropriate since, in any event, the Foundation has never supported research of the kind involved and does not do so at present.

(3) *Solar Energy Research.*—the House bill contained a provision which would have required special coordination between the National Science Foundation and the National Aeronautics and Space Administration with regard to solar energy research. The purpose of the provision was to insure that the two agencies, which were equally responsible for the findings of the President's Solar Energy Research Advisory Panel of several years ago, should coordinate their efforts in this area. While it was acknowledged that NSF should be the lead agency in this area, it was directed that those applied research areas in which NASA had particular capabilities should be managed and carried out by NASA when appropriate. The Senate eliminated this provision and submitted a clause providing simply that the Director of the National Science Foundation should be responsible for the planning, coordinating and directing of solar energy research throughout the federal government. In conference it was agreed that both provisions should be eliminated from the bill, and the essence of both stipulated in the Statement of Managers as follows:

First, the National Science Foundation should be the lead agency responsible for such research, as it has been designated by the Administration.

Second, prior to the inauguration of new phases of its program of Solar Energy Research and Technology, the Foundation is directed to coordinate such programs, particularly with regard to such areas as heating and cooling of buildings, wind energy, and satellite solar energy with the National Aeronautics and Space Administration and other appropriate Federal agencies, and report the resulting plans, schedules, and other findings to the Committee on Science and Astronautics of the House of Representatives and the Committee on Labor and Public Welfare of the Senate within 90 days from the effective date of this Act. The coordinated program should be designed to take maximum advantage of the special capabilities of the Foundation, NASA, or other agencies involved. Such part or parts of the program which can be feasibly carried out by NASA or other appropriate agencies should be so assigned, including managerial responsibility, and should be funded by the Foundation pursuant to section 11(c) of Public Law 81-507.

Third, the Foundation is further directed to coordinate its Solar Energy and Technology program with the academic community, and with private industry—giving particular attention to the capabilities of small businesses and to innovative applied research proposals emanating therefrom.

OLIN E. TEAGUE,
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JAMES W. SYMINGTON,
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Managers on the Part of the House.

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PETER H. DOMINICK,
ROBERT T. STAFFORD,
Managers on the Part of the Senate.

PERSONAL EXPLANATION

Mr. BURLESON of Texas. Mr. Speaker, I am advised that my vote on rollcall No. 500, the Emergency Daylight Saving Time Act amendments, failed to record. I was present and voted for the Emergency Daylight Saving Time Act amendments, and I wish the RECORD to show that I voted aye in that instance.

CONFERENCE REPORT ON H.R. 16027, DEPARTMENT OF THE INTERIOR APPROPRIATIONS, 1975

Mrs. HANSEN of Washington. Mr. Speaker, I call up the conference report on the bill (H.R. 16027) making appropriations for the Department of the Interior and related agencies for the fiscal year ending June 30, 1975, and for other purposes, and ask unanimous consent that the statement of the managers be read in lieu of the report.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentlewoman from Washington?

There was no objection.

The Clerk read the statement.

(For conference report and statement, see proceedings of the House of August 15, 1974.)

Mrs. HANSEN of Washington (during the reading). Mr. Speaker, I ask unanimous consent that the statement of the managers be considered as read.

The SPEAKER. Is there objection to the request of the gentlewoman from Washington?

There was no objection.

The SPEAKER. The Chair recognizes the gentlewoman from Washington (Mrs. HANSEN).

Mrs. HANSEN of Washington. Mr. Speaker, I present today the conference report on the fiscal year 1975 Department of the Interior and Related appropriation bill. The conference agreement between the House and the Senate totals $3,169,162,310. This amount is $15,647,000, above the House amount and $1,232,000 below the Senate amount. It is above fiscal year 1974 by $576,258,110 and above the budget estimate by $15,157,600. The conference agreement on the Interior and related agencies portion of the special Energy Research and Development Appropriation Act was $543,166,000, a reduction of $18,467,000 below the budget estimate. Therefore, if you consider all the agencies normally funded in this bill, there is a reduction of $3,309,400 below the budget estimate.

There are several items considered by the Senate and included in the conference agreement which were not considered by the House. These items include: the Youth Conservation Corps, Saline Water Research, the National Museum Act, and the Pennsylvania Avenue Development Corporation. These items total $14,871,000. The major increases over the budget include $1,185,000 for the Office of Water Resources Research; $5,491,000 for the U.S. Fish and Wildlife Service; $2,324,000 for the Bureau of Mines; $9,832,000 for the Bureau of Indian Affairs, excluding the Indian Finance Association; $700,000 for the Trust Territory of the Pacific Islands; $31,511,000 for the U.S. Forest Service; and $2,649,000 for the Indian Health Service.

The major reductions under the budget include $1,303,000 for the Bureau of Land Management; $2,001,000 for the Geological Survey; $12,000,000 for the Indian Finance Act; $550,000 for administration of Indian Territories; $1,354,000 for the Office of the Secretary, and $5,036,000 for the Smithsonian Institution.

Mr. Speaker, in addition the funds requested by the majority of agencies funded in this bill for official travel have been reduced by approximately 10 percent.

Mr. Speaker, I will be glad to answer any questions.

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

Mr. Speaker, I rise in support of the conference report.

Mr. McDADE. Mr. Speaker, I rise in support of the conference report to the bill H.R. 16027, appropriating funds for the Department of the Interior and related agencies, and to urge its adoption by the House.

Mr. Speaker, your committee worked long and hard in conference with essentially two goals in mind. First, was to provide sufficient funds for the development and management of the multiple resources contained in this bill. Second was to attempt to live within the framework of the budget request which was submitted to us earlier this year.

In general, I believe we have accomplished both goals. Our bill is $3.3 million below the total budget request for all activities and agencies funded in this bill. And while there are certainly a number of areas where we would like to have added funds, we think there are sufficient moneys contained therein to meet the needs of each agency this year.

Mr. Speaker, this bill contains a number of items that are particularly important to the residents of my 10th Congressional District of Pennsylvania. First is the inclusion of $4.1 million for land acquisition for the Delaware Water Gap National Recreation Area. This Congress has been tremendously sympathetic over the past several years to the needs of property owners in the proposed park. It remains one of my highest priorities to complete the land acquisition of this park and then proceed to develop its resources. These funds will go a long way toward the realization of these goals.

Second, is an appropriation of $1.5 million for the continuation and expansion of a highly successful mine flushing demonstration technique in three towns near Scranton, Pa., under the guidance of the U.S. Bureau of Mines. During the past several years the Bureau has undertaken extensive activities in attacking the ravages caused by improper surface and deep mining practices. Through research conducted by the Bu-

reau, we are demonstrating to the entire Nation that new subsidence control techniques can provide complete protection for property while converting badly mine-scarred lands into productive recreational, commercial, and residential usage. While the conference committee's report contains $500,000 less than the House had approved earlier, we will have sufficient funds for an active land restoration program in northeastern Pennsylvania this year.

Mr. Speaker, as in all such conference reports there is some give and some take. However, there is no real disagreement on the part of either House on the need to develop our energy resources, the need to provide better health care for our native Americans, the importance of increased recreational opportunities in our national parks, or the great desire of Americans for cultural and historical enrichment. All of these things will take place because of our actions in passing this bill. I enthusiastically urge its adoption by the House of Representatives.

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

Mr. McDADE. I yield 3 minutes to the gentleman from Oregon (Mr. WYATT).

Mr. WYATT. Mr. Speaker, I rise in support of this conference report. I would like to commend the conferees, led by our distinguished chairman of the subcommittee, the gentlewoman from Washington (Mrs. HANSEN), and the ranking minority member, the gentleman from Pennsylvania (Mr. McDADE). It is an excellent conference report, and I support it wholeheartedly.

Mr. STEIGER of Arizona. Mr. Speaker, will the gentleman yield?

Mr. WYATT. I yield to the gentleman from Arizona.

Mr. STEIGER of Arizona. Mr. Speaker, recognizing the familiarity of the gentleman from Oregon (Mr. WYATT) with the lumber business, the committee in its report, on page 10, addresses the problem of log exports and justifiably wants to prevent an exporter from increasing exports of his own timber while satisfying his domestic needs by increasing purchases of public timber. The committee's report language defines this substitution as "the purchase of a greater volume of public timber to replace a greater volume of private timber which has been exported." It is my understanding that the committee intended that there be an increase in both volumes exported and volumes of public timber purchased before substitution regulations would be invoked.

Mr. WYATT. This is correct. If there is no significant change or increase in the amount of timber exported from the levels prevailing during the pertinent period it might be appropriate and would be in order for an individual or company to purchase some public timber if prevailing market conditions so justify.

Mr. STEIGER of Arizona. Mr. Speaker, I thank the gentleman from Oregon.

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

Mr. McDADE. Mr. Speaker, I yield such time as he may consume to the gentleman from Maryland (Mr. GUDE).

Mr. GUDE. Mr. Speaker, I rise in support of the conference report on H.R. 16027, the Department of the Interior appropriations for fiscal 1975. Included in the conferee's compromise version is the sum of $1,250,000 in additional funding for repairs to the C. & O. Canal National Historical Park.

As I discussed when this legislation was originally before this body, the C. & O. Canal is greatly in need of some major repair work necessitated by the destruction caused by Hurricane Agnes 2 years ago. Various of the canal's historic structures, such as the great aqueducts, must be stabilized soon if further deterioration is to be prevented.

The most distinguished chairwoman of the Interior Appropriations Subcommittee, Mrs. HANSEN, has long been a close and valued friend to the canal, as witnessed by her subcommittee's approval of the Interior Department's full request for $3 million for repairs. I and others felt that more funding was needed, and took up the matter with the appropriate departmental authorities. Subsequently, the Department did approve a request for additional funds. The Senate added some $2.5 million to the bill. The conferees have made available a total of $4.25 million for canal repair work this fiscal year. I wish to commend all who have worked so hard and who have been so helpful to me in seeking additional funding, and I certainly wish to give my full support to this report.

It is my hope that by the time we are ready to celebrate this Nation's Bicentennial, the canal, too, will be ready as a valuable tool to help teach the millions of visitors expected in Washington during 1976 the history and rich traditions of this region. Hopefully, it will be ready for the benefit and enjoyment of all who will wish to see this great resource. I will continue to work in that direction.

Again, I urge support for this report.

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

Mr. McDADE. I yield such time as he may consume to the gentleman from Illinois (Mr. FINDLEY).

Mr. FINDLEY. Mr. Speaker, I take this opportunity to express my appreciation to Mrs. HANSEN and other managers on the part of the House for their diligence in securing approval in conference of $600,000 for the construction of a visitor center at the Lincoln Home National Historic Site in Springfield, Ill. Without this support, the building could not be completed in time for the Bicentennial celebration in 1976. The Lincoln Home development is the centerpiece of Illinois' observance of this Bicentennial. Mrs. HANSEN has been a great friend of historic preservation, especially of the Lincoln saga, and her retirement from the Congress is a great loss to those interested in such preservation and a great personal disappointment to me. Her contributions will, however, live on many generations after the rest of us have left these Halls.

Mr. FRENZEL. Mr. Speaker, I will vote against the conference report on H.R. 16027, the Department of the Interior appropriations bill. I voted against the House bill because it was increased too much over the fiscal year 1974 figures, but the conference report is even higher.

I know that Interior does good work, and my vote does not mean any specific criticism of the Department, or its work. My negative vote is a protest against overspending.

Interior's appropriation is up 22 percent from fiscal year 1974. There are not that many new programs to justify such an increase.

I do not mean to be a pinch-penny, but if we are ever to make progress against inflation, we have to vote to reduce some desirable programs. I regret the need for my vote today, but I believe it is essential to the fight against inflation.

Mr. DON H. CLAUSEN. Mr. Speaker, I rise today in support of adoption of the conference report on H.R. 16027, Department of the Interior appropriation bill for fiscal year 1975, and at the outset, I want to express my personal appreciation to the House conferees for prevailing with the Senate in the matter of additional funding for the construction of a Redwood Research Laboratory at California State University, Humboldt in Arcata, Calif.

In addition to expressing my thanks to the members of the Interior Appropriations Subcommittee, I want to once again take the opportunity to call attention to the capable and totally dedicated leadership and performance of the chairman of the subcommittee, Mrs. HANSEN of Washington, since this will be her last Interior appropriations bill.

During her years of service, she has done more than any individual in the House for the preservation of our natural resources and the advancement of programs designed to enhance our renewable resources such as reforestation and fish and wildlife research. As well, she has been instrumental in advancing programs dealing with Indian health and education which came under her jurisdiction.

There is no way one could adequately express appreciation for all of the personal attention she has given to the many personal requests we have made to her over the years. The country and the Congress will miss her but she has left a legacy of constructive and responsible legislation in the natural resource field that will long be remembered by those of us who have served with her and enjoyed by all Americans for generations to come.

Mrs. HANSEN of Washington. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I recommend adoption of the conference agreement by the of the conference agreement by the House, and I include at this point in the RECORD pertinent tables pertaining to funds included in the conference report.

DEPARTMENT OF THE INTERIOR AND RELATED APPROPRIATION BILL, FISCAL YEAR 1975 (16027)

Agency and item	New budget (obligational) authority appropriated, 1974	Budget estimates of new (obligational) authority, 1975[1]	Allowances: House	Allowances: Senate	Allowances: Conference	Conference allowance compared with—: Budget estimates of new (obligational) authority, 1975	Conference allowance compared with—: House allowance	Conference allowance compared with—: Senate allowance
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)
TITLE I—DEPARTMENT OF THE INTERIOR								
Land and Water Resources								
Bureau of Land Management								
Management of lands and resources	$116,682,000	$142,649,000	$140,696,000	$141,126,000	$141,096,000	−$1,373,000	+$100,000	−$30,000
Construction and maintenance	6,809,000	6,655,000	6,655,000	6,725,000	6,725,000	+70,000	+70,000	
Public lands development roads and trails (appropriation to liquidate contract authority)	(4,000,000)	(4,070,000)	(4,070,000)	(4,070,000)	(4,070,000)			
Oregon and California grant lands (indefinite, appropriation of receipts)	28,750,000	28,750,000	28,750,000	28,750,000	28,750,000			
Range improvements (indefinite, appropriation of receipts)	3,242,000	4,503,000	4,503,000	4,503,000	4,503,000			
Recreation development and operation of recreation facilities (indefinite, special fund)	165,000	242,000	242,000	242,000	242,000			
Total, Bureau of Land Management	155,639,000	182,619,000	180,846,000	181,346,000	181,316,000	−1,303,000	+470,000	−30,000
Office of Water Resources Research								
Salaries and expenses	13,769,000	12,700,000	13,795,000	13,990,000	13,885,000	+1,185,000	+90,000	−105,000
Office of Saline Water								
Saline water conversion	3,627,000	3,029,000		3,007,000	3,007,000	−22,000	+3,007,000	
Total, Land and Water Resources	173,035,000	198,348,000	194,641,000	198,343,000	198,208,000	−140,000	+3,567,000	−135,000
Fish and Wildlife and Parks								
Bureau of Outdoor Recreation								
Salaries and expenses	4,696,000	5,040,000	5,010,000	5,210,000	5,210,000	+170,000	+200,000	
Land and Water Conservation Fund								
Appropriation of receipts (indefinite)	76,223,000	300,000,000	300,000,000	3,00000,000	300,000,000			
United States Fish and Wildlife Service								
Resource management	86,537,000	101,785,000	100,666,000	101,168,000	101,126,000	−659,000	+460,000	−42,000
Construction and anadromous fish	8,126,500	8,978,000	13,447,000	14,347,000	14,047,000	+5,150,000	−600,000	−300,000
Migratory bird conservation account (definite, repayable advance)	3,500,000		1,000,000	1,000,000	1,000,000	+1,000,000		
Total, United States Fish and Wildlife Service	98,163,500	110,692,000	115,113,000	116,515,000	116,173,000	+5,491,000	+1,060,000	−342,000
National Park Service								
Operation of the National Park System	193,752,000	210,058,000	209,437,000	209,425,000	209,325,000	−733,000	−112,000	−100,000
Planning and construction	20,012,000	57,303,000	53,466,000	63,290,000	58,112,000	+809,000	+4,646,000	−5,178,000
Road construction (appropriation to liquidate contract authority)	(35,000,000)	(23,000,000)	(24,126,000)	(27,500,000)	(26,026,000)	(+3,026,000)	(+1,900,000)	(−1,474,000)
Preservation of historic properties	15,842,000	24,375,000	24,375,000	24,375,000	24,375,000			
Planning, development and operation of recreation facilities (indefinite, special fund)	30,378,000	11,900,000	11,900,000	11,900,000	11,900,000			
John F. Kennedy Center for the Performing Arts	2,400,000	2,420,000	2,420,000	2,420,000	2,420,000			
Total, National Park Service	262,384,000	306,056,000	301,598,000	311,410,000	306,132,000	+76,000	+4,534,000	−5,278,000
Total, Fish and Wildlife and Parks	441,466,500	721,778,000	721,721,000	733,135,000	727,515,000	+5,737,000	+5,794,000	−5,620,000
Energy and Minerals								
Geological Survey								
Surveys, investigations, and research	160,240,000	205,576,000	203,195,000	205,044,000	203,575,000	−2,001,000	+380,000	−1,469,000
Mining Enforcement and Safety Administration								
Salaries and expenses	59,040,000	68,146,000	67,803,000	68,413,000	67,913,000	−233,000	+110,000	−500,000
Bureau of Mines								
Mines and minerals	71,989,000	75,539,000	77,703,000	76,163,000	77,863,000	+2,324,000	+160,000	+1,700,000
Total, Energy and Minerals	291,263,000	349,261,000	348,701,000	349,620,000	349,351,000	+90,000	+650,000	−269,000
Indian Affairs								
Bureau of Indian Affairs								
Operation of Indian programs	414,478,000	406,177,000	467,096,000	466,100,000	467,000,000	+823,000	−96,000	+900,000
Education and welfare services (appropriation to liquidate contract authority)	(793,000)							
Construction	54,723,000	52,795,000	66,571,000	55,512,000	61,804,000	+9,009,000	−4,767,000	+6,292,000
Road construction (appropriation to liquidate contract authority)	(43,000,000)	(59,000,000)	(59,000,000)	(59,000,000)	(59,000,000)			
Indian loan guaranty and insurance fund		20,000,000	20,000,000	20,000,000	20,000,000			
Revolving fund for loans	500,000	50,000,000	38,000,000	38,000,000	38,000,000	−12,000,000		
Alaska Native fund	70,000,000	70,000,000	70,000,000	70,000,000	70,000,000			
Miscellaneous trust funds (definite)	3,000,000	3,000,000	3,000,000	3,000,000	3,000,000			
Miscellaneous trust funds (indefinite)	15,550,000	15,500,000	15,500,000	15,500,000	15,500,000			
Total, Bureau of Indian Affairs	658,601,000	677,472,000	580,167,000	668,112,000	675,304,000	−2,168,000	−4,869,000	+7,192,000

Footnotes at end of table.

Agency and item	New budget (obligational) authority appropriated, 1974	Budget estimates of new (obligational) authority, 1975[1]	Allowances: House	Allowances: Senate	Allowances: Conference	Conference allowance compared with— Budget estimates of new (obligational) authority, 1975	Conference allowance compared with— House allowance	Conference allowance compared with— Senate allowance
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)
Territorial Affairs								
Office of Territorial Affairs								
Administration of territories	$14,500,000	$15,000,000	$14,950,000	$14,450,000	$14,450,000	−$550,000	−$500,000	
Permanent appropriation (special fund)	(420,000)	(625,000)	(625,000)	(625,000)	(625,000)			
Transferred from other accounts (special fund)	(645,000)	(875,000)	(875,000)	(875,000)	(875,000)			
Trust Territory of the Pacific Islands	59,386,000	61,000,000	63,500,000	61,760,000	61,760,000	+760,000	−1,800,000	
Micronesian claims fund, Trust Territory of the Pacific Islands		1,400,000	1,400,000	1,400,000	1,400,000			
Total, Office of Territorial Affairs	73,886,000	77,400,000	79,850,000	77,550,000	77,550,000	+150,000	−2,300,000	
Secretarial Offices								
Office of the Solicitor								
Salaries and expenses	9,089,000	12,200,000	11,790,000	12,040,000	12,040,000	−160,000	+250,000	
Office of the Secretary								
Salaries and expenses	17,225,000	20,047,000	19,629,000	19,504,000	19,454,000	−593,000	−175,000	−$50,000
Departmental operations	6,620,000	10,954,000	10,954,000	10,523,000	10,523,000	−431,000	−431,000	
Salaries and expenses (special foreign currency program)	670,000	522,000	192,000	192,000	192,000	−330,000		
Total, Office of the Secretary	24,515,000	31,523,000	30,775,000	30,219,000	30,169,000	−1,354,000	−606,000	−50,000
Total, Secretarial Offices	33,604,000	43,723,000	42,565,000	42,259,000	42,209,000	−1,514,000	−356,000	−50,000
Total, new budget (obligational) authority, Department of the Interior	1,571,861,500	2,067,982,000	2,067,645,000	2,069,019,000	2,070,137,000	+2,155,000	+2,492,000	+1,118,000
Consisting of—								
Appropriations	1,571,861,500	2,067,982,000	2,067,645,000	2,069,019,000	2,070,137,000	+2,155,000	+2,492,000	+1,118,000
Definite appropriations	(1,417,603,500)	(1,707,087,000)	(1,706,750,000)	(1,708,124,000)	(1,709,242,000)	(+2,155,000)	(+2,492,000)	(+1,118,000)
Indefinite appropriations	(154,258,000)	(360,895,000)	(360,895,000)	(360,895,000)	(360,895,000)			
Memoranda—								
Appropriations to liquidate contract authority	(82,793,000)	(86,070,000)	(87,196,000)	(90,570,000)	(89,096,000)	(+3,026,000)	(+1,900,000)	(−1,474,000)
Total new budget (obligational) authority and appropriations to liquidate contract authority	(1,654,654,500)	(2,154,052,000)	(2,154,841,000)	(2,159,589,000)	(2,159,233,000)	(+5,181,000)	(+4,392,000)	(−356,000)
TITLE II—RELATED AGENCIES								
Department of Agriculture								
Forest Service								
Forest protection and utilization:								
Forest land management	377,884,000	291,136,000	306,278,000	305,627,000	306,119,000	+14,983,000	−159,000	+492,000
Forest research	63,800,000	70,525,000	75,487,000	74,860,000	75,402,000	+4,877,000	−85,000	+542,000
State and private forestry cooperation	28,022,000	29,746,000	34,638,000	34,638,000	34,638,000	+4,892,000		
Total, forest protection and utilization	469,706,000	391,407,000	416,403,000	415,125,000	416,159,000	+24,752,000	−244,000	+1,034,000
Construction and land acquisition	27,093,000	24,147,000	31,459,000	28,692,000	30,908,000	+6,761,000	−551,000	+2,216,000
Youth conservation corps	10,000,000	10,240,000		10,240,000	10,240,000		+10,240,000	
Forest roads and trails (appropriation to liquidate contract authority)	(97,700,000)	(121,000,000)	(120,464,000)	(121,275,000)	(120,864,000)	(−136,000)	(+400,000)	(−411,000)
Acquisition of lands for national forests:								
Special acts (special fund, indefinite)	94,000	161,000	161,000	161,000	161,000			
Acquisition of lands to complete land exchanges	55,300	39,310	39,310	39,310	39,310			
Acquisition of lands, Klamath Indians		49,000,000	49,000,000	49,000,000	49,000,000			
Cooperative range improvements (special fund, indefinite)	700,000	700,000	700,000	700,000	700,000			
Assistance to States for tree planting	1,013,000	1,346,000	1,344,000	1,344,000	1,344,000	−2,000		
Construction and operation of recreation facilities (indefinite special fund)	3,273,000	1,260,000	1,260,000	1,260,000	1,260,000			
Total, Forest Service	511,939,300	478,300,310	500,366,310	506,561,310	509,811,310	+31,511,000	+9,445,000	+3,250,000
Commission of Fine Arts								
Salaries and expenses	153,000	176,000	174,000	171,000	171,000	−5,000	−3,000	
Department of Health, Education, and Welfare Health Services Administration								
Indian health services	203,284,000	226,043,000	225,352,000	227,336,000	226,217,000	+174,000	+865,000	−1,119,000
Indian health facilities	49,927,000	54,956,000	55,406,000	61,912,000	57,431,000	+2,475,000	+2,025,000	−4,481,000
Total, Indian Health	250,211,000	280,999,000	280,758,000	289,248,000	283,648,000	+2,649,000	+2,830,000	−5,600,000
Office of Education								
Indian education	40,000,000	42,000,000	42,000,000	42,000,000	42,000,000			
Indian Claims Commission								
Salaries and expenses	1,164,000	1,333,000	1,324,000	1,324,000	1,324,000	−9,000		
National Capital Planning Commission								
Salaries and expenses	1,559,000	1,840,000	1,777,000	1,777,000	1,777,000	−63,000		

Footnotes at end of table.

DEPARTMENT OF THE INTERIOR AND RELATED AGENCIES APPROPRIATION BILL, FISCAL YEAR 1975 (16027)—Continued

Agency and item	New budget (obligational) authority appropriated, 1974	Budget estimates of new (obligational) authority, 1975	Allowances: House	Allowances: Senate	Allowances: Conference	Conference allowance compared with—: Budget estimates of new (obligational) authority, 1975	Conference allowance compared with—: House allowance	Conference allowance compared with—: Senate allowance
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)
TITLE II—RELATED AGENCIES—Continued								
National Foundation on the Arts—Continued								
Salaries and Expenses								
Endowment for the arts	$54,275,000	$72,000,000	$67,250,000	$67,250,000	$67,250,000	−$4,750,000		
Endowment for the humanities	44,500,000	72,000,000	67,250,000	67,250,000	67,250,000	−4,750,000		
Administrative expenses	6,500,000	11,000,000	10,500,000	10,500,000	10,500,000	−500,000		
Subtotal, salaries and expenses	105,275,000	155,000,000	145,000,000	145,000,000	145,000,000	−10,000,000		
Matching Grants								
Endowment for the arts (indefinite)	6,500,000	10,000,000	7,500,000	7,500,000	7,500,000	−2,500,000		
Endowment for the humanities (indefinite)	6,500,000	10,000,000	6,500,000	6,500,000	6,500,000	−3,500,000		
Subtotal, matching grants	13,000,000	20,000,000	14,000,000	14,000,000	14,000,000	−6,000,000		
Total, National Foundation on the Arts and the Humanities	118,275,000	175,000,000	159,000,000	159,000,000	159,000,000	−16,000,000		
Smithsonian Institution								
Salaries and expenses	58,543,000	69,789,000	67,789,000	67,789,000	67,789,000	−2,000,000		
Science information exchange	1,695,000	1,770,000	1,755,000	1,755,000	1,755,000	−15,000		
Museum programs and related research (special foreign currency program)	4,500,000	4,500,000	2,000,000	2,000,000	2,000,000	−2,500,000		
Restoration and renovation of buildings	1,070,000	1,325,000	1,490,000	1,490,000	1,490,000	+165,000		
Construction and improvements, National Zoological Park	3,790,000	10,000,000	9,420,000	9,420,00	9,420,000	−580,000		
Construction (appropriation to liquidate contract authority)	(17,000,000)	(10,000,000)	(7,000,000)	(7,000,000)	(7,000,000)	(−3,000,000)		
Salaries and expenses, National Gallery of Art	6,202,000	6,673,000	6,673,000	6,623,000	6,623,000	−50,000	−$50,000	
Salaries and expenses, Woodrow Wilson International Center for Scholars	800,000	1,010,000	954,000	954,000	954,000	−56,000		
Total, Smithsonian Institution	76,600,000	95,067,000	90,081,000	90,031,000	90,031,000	−5,036,000	−50,000	
American Revolution Bicentennial Administration								
Salaries and expenses	19,685,000	9,719,000	9,686,000	9,686,000	9,686,000	−33,000		
National Council on Indian Opportunity								
Salaries and expenses	282,000	(-)						
Federal Metal and Nonmetallic Mine Safety Board of Review								
Salaries and expenses	60,000	63,000	60,000	60,000	60,000	−3,000		
Joint Federal-State Land Use Planning Commission for Alaska								
Salaries and expenses	694,400	694,400	644,000	693,000	693,000	−1,400	+49,000	
Pennsylvania Avenue Development Corporation								
Salaries and expenses	500,000	831,000		824,000	824,000	−7,000	+824,000	
Total, new budget (obligational) authority, Released Agencies	1,021,042,700	1,086,022,710	1,085,870,310	1,101,375,310	1,099,025,310	+13,002,600	+13,155,000	−$2,350,000
Consisting of—								
Appropriations	1,021,042,700	1,086,022,710	1,085,870,310	1,101,375,310	1,099,025,310	+13,155,000	+13,155,000	−2,350,000
Definite appropriations	(1,003,970,700)	(1,063,901,710)	(1,069,749,310)	(1,085,254,310)	(1,082,904,310)	(+19,002,000)	(13,155,000)	(−2,350,000)
Indefinite appropriations	(17,072,000)	(22,121,000)	(16,121,000)	(16,121,000)	(16,121,000)	(−6,000,000)		
Memoranda—								
Appropriations to liquidate contract authority	(114,700,000)	(131,000,000)	(127,461,000)	(128,275,000)	(127,861,000)	(−3,136,000)	(−400,000)	(−411,000)
Total, new budget (obligational) authority and appropriations to liquidate contract authority	(1,135,742,700)	(1,217,022,710)	(1,213,331,310)	(1,229,650,310)	(1,226,886,310)	(−9,866,600)	(+15,555,600)	(−2,761,000)
RECAPITULATION								
Total new budget (obligational) authority, all titles	2,592,904,200	3,154,004,710	3,153,515,310	3,170,394,310	3,169,162,310	+15,157,600	+15,647,000	−1,232,000
Consisting of—								
Appropriations	2,592,904,200	3,154,004,710	3,153,515,310	3,170,394,310	3,169,162,310	+15,157,600	+15,647,000	−1,232,000
Definite appropriations	(2,421,574,200)	(2,770,988,710)	(2,776,499,310)	(2,763,368,310)	(2,792,146,310)	(+21,157,600)	(+15,647,000)	(−1,232,000)
Indefinite appropriations	(171,330,000)	(383,016,000)	377,016,000)	(377,016,000)	(377,016,000)	(−6,000,000)		
Memoranda—								
Appropriations to liquidate contract authority	(197,493,000)	(217,070,000)	(214,660,000)	(218,815,000)	(216,960,000)	(−110,000)	(+2,300,000)	(−1,885,000)
Total new budget (obligational) authority and appropriations to liquidate contract authority	(2,790,397,200)	(3,071,074,310)	(3,368,175,310)	(3,389,339,310)	(3,386,122,310)	(+15,047,000)	(+17,947,000)	(−3,117,000)
Special Energy Research and Development bill (interior portion)	(230,083,000)	(561,633,000)	(557,933,000)	(535,266,000)	(543,166,000)	(−18,467,000)	(−14,767,000)	(+7,900,000)
Grand total, new budget (obligational) authority and appropriations to liquidate contract authority	(3,020,480,200)	(3,932,707,710)	(3,926,108,310)	(3,924,535,310)	(3,929,288,310)	(−3,419,400)	(+3,180,000)	(+4,783,00)

Footnotes at end of table.

[1] Includes budget amendments as follows:

H. Doc. 93-209

Bureau of Land Management: Management of lands and resources	$9,700,000
United States Fish and Wildlife Service: Resource management	800,000
Geological Survey: Surveys, investigations, and research	25,300,000
Bureau of Mines: Mines and minerals	103,500,000
Office of Coal Research: Salaries and expenses	148,400,000
Office of the Secretary: Energy conservation and analysis	12,900,000
Total, H. Doc. 93-209	300,600,000

H. Doc. 93-286

Bureau of Land Management: Management of lands and resources	12,325,000
Geological Survey: Surveys, investigations, and research	2,625,000
Bureau of Mines: Mines and minerals	300,000
Bureau of Indian Affairs: Operation of Indian programs	300,000
Office of the Solicitor: Salaries and expenses	350,000
Office of the Secretary: Departmental operations	1,400,000
Total, H. Doc. 93-286	17,300,000

H. Doc. 93-291

Forest Service: Acquisition of lands, Klamath Indians	49,000,000

H. Doc. 93-307

Bureau of Land Management: Management of lands and resources	1,110,000
Geological Survey: Surveys, investigations, and research	15,025,000
Total, H. Doc. 93-307	16,315,000

H. Doc. 93-310

Bureau of Indian Affairs:	
Operation of Indian Programs	$10,000,000
Indian Revolving fund for loans	50,000,000
Indian Loan Guaranty and Insurance fund	20,000,000
Total, H. Doc. 93-310	80,000,000

H. Doc. 93-317

Forest Service: Forest Research	6,010,000

S. Doc. 93-99

Fish and Wildlife Service:	
Resource management	690,000
Construction and anadromous fish	300,000
Bureau of Indian Affairs:	
Operation of Indian programs	2,070,000
Construction	920,000
Office of the Solicitor: Salaries and expenses	330,000
Total, S. Doc. 93-99	4,310,000
Total, budget amendments	473,565,000

[2] Budget amendment contained in H. Doc. 93-286 withdrew the request of $300,000 for appropriations for the National Council on Indian Opportunity.

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

Mrs. HANSEN of Washington. Mr. Speaker, I move the previous question on the conference report.

The previous question was ordered.

The SPEAKER. The question is on the conference report.

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

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

The SPEAKER. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device, and there were—yeas 374, nays 25, not voting 35, as follows:

[Roll No. 502]

YEAS—374

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

NAYS—25

Archer	Davis, Wis.	McCollister
Ashbrook	Devine	Miller
Bennett	Dickinson	Powell, Ohio
Butler	Frenzel	Robinson, Va.
Clancy	Goodling	Shuster
Collins, Tex.	Gross	Steiger, Wis.
Conable	Harsha	Traxler
Conlan	Ketchum	
Crane	Landgrebe	

NOT VOTING—35

Anderson, Ill.	Gunter	Rhodes
Aspin	Hanna	Rinaldo
Beard	Hébert	Rooney, N.Y.
Boland	Hogan	Ruppe
Brasco	McSpadden	Staggers
Breaux	Mayne	Stokes
Brotzman	Nedzi	Stuckey
Carey, N.Y.	O'Brien	Van Deerlin
Conyers	Passman	Williams
Davis, Ga.	Pritchard	Young, Alaska
Diggs	Rarick	Young, S.C.
Giaimo	Reid	

So the conference report was agreed to.

The Clerk announced the following pairs:

Mr. Hébert with Mr. Breaux.

Mr. Rooney of New York with Mr. Davis of Georgia.

Mr. Giaimo with Mr. Passman.

Mr. Carey of New York with Mr. Stokes.

Mr. Staggers with Mr. Rinaldo.

Mr. Diggs with Mr. Boland.

Mr. Gunter with Mr. Williams.

Mr. Nedzi with Mr. Mayne.

Mr. Stuckey with Mr. O'Brien.

Mr. Van Deerlin with Mr. Anderson of Illinois.

Mr. Rarick with Mr. Beard.

Mr. Hanna with Mr. Hogan.

Mr. McSpadden with Mr. Brotzman.

Mr. Reid with Mr. Ruppe.

Mr. Aspin with Mr. Conyers.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

AMENDMENTS IN DISAGREEMENT

The SPEAKER. The Clerk will report the first amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 9: Page 9, line 23, strike out $209,437,000, and insert: $209,425,000."

MOTION OFFERED BY MRS. HANSEN OF WASHINGTON

Mrs. HANSEN of Washington. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mrs. HANSEN of Washington moves that the House recede from its disagreement to the amendment of the Senate numbered 9 and concur therein with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$209,325,000".

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 15: Page 15, line 3, insert: "of which not to exceed $1,500,000 shall remain available until expended: *Provided,*".

MOTION OFFERED BY MRS. HANSEN OF WASHINGTON

Mrs. HANSEN of Washington. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mrs. HANSEN of Washington moves that the House recede from its disagreement to the amendment of the Senate numbered 15 and concur therein with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$1,000,000".

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 16: Page 16, line 13, strike "$77,703,000" and insert: "$76,163,000".

MOTION OFFERED BY MRS. HANSEN OF WASHINGTON

Mrs. HANSEN of Washington. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mrs. HANSEN of Washington moves that the House recede from its disagreement to the amendment of the Senate numbered and concur therein with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$77,863,000".

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 17: Page 16, line 14, strike "$26,991,000" and insert "$27,791,000."

MOTION OFERED BY MRS. HANSEN OF WASHINGTON

Mrs. HANSEN of Washington. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mrs. HANSEN of Washington moves that the House recede from its disagreement to the amendment of the Senate numbered 17 and concur therein with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$27,691,000".

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 18: Page 17, line 16, strike or lands and insert: lands, or treaty fishing rights tribal use areas;

MOTION OFFERED BY MRS. HANSEN OF WASHINGTON

Mrs. HANSEN of Washington. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mrs. HANSEN of Washington moves that the House recede from its disagreement to the amendment of the Senate numbered 18 and concur therein.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 20: Page 18, line 2, insert: "*Provided,* That $570,000 shall be available to assist the Pyramid Lake Paiute Tribe of Indians in the operation and maintenance of facilities for the restoration of the Pyramid Lake fishery pursuant to the Washoe Act (43 U.S.C. 614)."

MOTION OFFERED BY MRS. HANSEN OF WASHINGTON

Mrs. HANSEN of Washington. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mrs. HANSEN of Washington moves that the House recede from its disagreement to the amendment of the Senate numbered 20 and concur therein with an amendment, as follows: In lieu of the sum proposed by said amendment insert: "$470,000".

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 22: Page 19, line 2, strike: That not to exceed $1,300,000 shall be available to assist the Brockton Public Schools, Montana, for construction of school facilities, and insert: "That the unobligated balance of $10,300,000 previously appropriated for Mt. Edgecumbe School and four Regional Dormitories in Alaska shall be made available for the construction of Chevak, Northway, Hooper Bay, Galena, and Alakanuk Schools, Alaska".

MOTION OFFERED BY MRS. HANSEN OF WASHINGTON

Mrs. HANSEN of Washington. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mrs. HANSEN of Washington moves that the House recede from its disagreement to the amendment of the Senate numbered 22 and concur therein.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 23: Page 19, line 9, insert: "*Provided further,* That not to exceed $100,000 appropriated under this head in the Department of the Interior and Related Agencies Appropriations Act, 1974, to the Edgar, Montana, Public School District No. 4, shall be made available to the newly established Plenty Coups High School District No. 3, Big Horn County, Pryor, Montana".

MOTION OFFERED BY MRS. HANSEN OF WASHINGTON

Mrs. HANSEN of Washington. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mrs. HANSEN of Washington moves that the House recede from its disagreement to the amendment of the Senate numbered 23 and concur therein.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 24: Page 19, line 15, insert: "*Provided further,* That $580,000 shall be available to assist the Pyramid Lake Paiute Tribe of Indians in the construction of facilities for the restoration of the Pyramid Lake fishery pursuant to the Washoe Act (43 U.S.C. 614)".

MOTION OFFERED BY MRS. HANSEN OF WASHINGTON

Mrs. HANSEN of Washington. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mrs. HANSEN of Washington moves that the House recede from its disagreement to the amendment of the Senate numbered 24 and concur therein.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 25: Page 19, line 19, insert: "*Provided further,* That not to exceed $110,000 shall be for assistance to the Rough Rock School on the Navajo Indian Reservation, Arizona, for equipment".

MOTION OFFERED BY MRS. HANSEN OF WASHINGTON

Mrs. HANSEN of Washington. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mrs. HANSEN of Washington moves that the House recede from its disagreement to the amnedment of the Senate numbered 25 and concur therein with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$100,000".

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 26: Page 19, line 22, insert: *Provided further,* That not to exceed $1,195,000 shall be available to assist the Ramah-Navajo School Board, Inc., including not to exceed $800,000 for construction of school facilities and not to exceed $395,000 for purchase of school equipment.

MOTION OFFERED BY MRS. HANSEN OF WASHINGTON

Mrs. HANSEN of Washington. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mrs. HANSEN of Washington moves that the House recede from its disagreement to the amendment of the Senate numbered 26 and concur therein.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 27: Page 20, line 1, insert: "*Provided further,* That not to exceed $128,000 shall be available to assist the Heart Butte School, Blackfeet School District No. 1, Montana, for planning for construction of school facilities.".

MOTION OFFERED BY MRS. HANSEN OF WASHINGTON

Mrs. HANSEN of Washington. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mrs. HANSEN of Washington moves that the House recede from its disagreement to the amendment of the Senate numbered 27 and concur therein with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$100,000".

The motion was agreed to.

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

Mrs. HANSEN of Washington. I yield to the gentleman from Iowa.

Mr. GROSS. Perhaps this has been passed, but how did the arts and humanities come out? Did they come out all right in conference?

Mrs. HANSEN of Washington. If the gentleman will yield, there was a difference between the House and Senate on the matching grants portion of the arts and humanities funding and the Senate agreed to the House position. There is no difference in the overall figures.

Mr. GROSS. I am glad to hear that we apparently came out all right.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 29: Page 20, line 10, strike out: "and that not to exceed $1,-433,000 shall be available to assist the Ute Indian Tribe of the Uintah and Ouray Reservation, Utah, for development and construction of the Big Springs Domestic Water System."

MOTION OFFFERED BY MRS. HANSEN OF WASHINGTON

Mrs. HANSEN of Washington. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mrs. HANSEN of Washington moves that the House recede from its disagreement to the amendment of the Senate numbered 29 and concur therein with an amendment, as follows: Restore the matter stricken in said amendment and in lieu of the sum named in said amendment insert: "$1,350,000".

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 34: Page 26, line 23, strike "$19,629,000." and insert: "$19,-504,000."

MOTION OFFERED BY MRS. HANSEN OF WASHINGTON

Mrs. HANSEN of Washington. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mrs. HANSEN of Washington moves that the House recede from its disagreement to the amendment of the Senate numbered 34 and concur therein with an amendment, as follows in lieu of the sum proposed by said amendment insert "$19,454,000".

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 36: Page 28, line 8, insert: "and for the emergency rehabilitation of burned-over lands under its jurisdiction:".

MOTION OFFERED BY MRS. HANSEN OF WASHINGTON

Mrs. HANSEN of Washington. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mrs. HANSEN of Washington moves that the House recede from its disagreement to the amendment of the Senate numbered 36 and concur therein.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 37: Page 30, line 1, insert:

"SEC. 107. The sum of $261,278,000 appropriated under the head Office of Coal Research, Salaries and Expenses, in Public Law 93-322, signed June 30, 1974, includes $12,500,000 for a program for magnetohydrodynamics (MHD), of which $5,000,000, as described in Senate Report 93-903 and House Report 93-1123, shall be used in part to initiate design of an MHD engineering test facility, and there shall be undertaken immediately the design and planning of such engineering test facility, to be located in Montana, large enough so as to provide a legitimate engineering basis which when achieved will enable the immediate construction of a commercial scale MHD plant (500 MWe or above) for possible operations in the mid-1980's."

MOTION OFFERED BY MRS. HANSEN OF WASHINGTON

Mrs. HANSEN of Washington. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mrs. HANSEN of Washington moves that the House recede from its disagreement to the amendment of the Senate numbered 37 and concur therein.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 38: Page 30, line 25 insert: *"and emergency rehabilitation."*

MOTION OFFERED BY MRS. HANSEN OF WASHINGTON

Mrs. HANSEN of Washington. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mrs. HANSEN of Washington moves that the House recede from its disagreement to the amendment of the Senate numbered 38 and concur therein.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 40: Page 31, line 8, insert: *and for the emergency rehabilitation of burned-over lands under its jurisdiction*

MOTION OFFERED BY MRS. HANSEN OF WASHINGTON

Mrs. HANSEN of Washington. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mrs. HANSEN of Washington moves that the House recede from its disagreement to the amendment of the Senate numbered 40 and concur therein.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 43: Page 32, line 16, insert:

"YOUTH CONSERVATION CORPS

"For expenses necessary to carry out the provisions of the Act of August 13, 1970, as amended by Public Law 92-597, $10,240,000, to remain available until the end of the fiscal year following the fiscal year for which appropriated: *Provided,* That $5,120,000 shall be available to the Secretary of the Interior and $5,120,000 shall be available to the Secretary of Agriculture: *Provided further,* That the funds appropriated in this paragraph shall be available only upon the enactment into law of authorizing legislation."

MOTION OFFERED BY MRS. HANSEN OF WASHINGTON

Mrs. HANSEN of Washington. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mrs. HANSEN of Washington moves that the House recede from its disagreement to the amendment of the Senate numbered 43 and concur therein.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 50: On page 46, line 5, insert:

"PENNSYLVANIA AVENUE DEVELOPMENT CORPORATION

"SALARIES AND EXPENSES

"For necessary expenses, as authorized by section 17 of Public Law 92-578 as amended, $824,000, to remain available until expended: *Provided,* That the funds appropriated in this paragraph shall be available only upon enactment into law of authorizing legislation."

MOTION OFFERED BY MRS. HANSEN OF WASHINGTON

Mrs. HANSEN of Washington. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mrs. HANSEN of Washington moves that the House recede from its disagreement to the amendment of the Senate numbered 50 and concur therein with an amendment as follows: In lieu of the matter proposed by said amendment, insert:

"PENNSYLVANIA AVENUE DEVELOPMENT CORPORATION

"SALARIES AND EXPENSES

"For necessary expenses, as authorized by section 17 of Public Law 92-578 as amended, $824,000: *Provided,* That the funds appropriated in this paragraph shall be available only upon enactment into law of authorizing legislation."

The motion was agreed to.

The SPEAKER. The Clerk will report the last amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 51: On page 46, line 21, insert: "*Provided,* That this limitation shall not apply to specific quantities of grades and species of timber which said Secretaries determine are surplus to domestic lumber and plywood manufacturing needs."

MOTION OFFERED BY MRS. HANSEN OF WASHINGTON

Mrs. HANSEN of Washington. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mrs. HANSEN of Washington moves that the House recede from its disagreement to the amendment of the Senate numbered 51 and concur therein.

The motion was agreed to.

A motion to reconsider the votes by which action was taken on the conference report and the several motions was laid on the table.

CONFERENCE REPORT ON H.R. 12628, VETERANS EDUCATION AND REHABILITATION AMENDMENTS OF 1974

Mr. DORN submitted the following conference report and statement on the bill (H.R. 12628), Veterans Education and Rehabilitation Amendments of 1974:

CONFERENCE REPORT (H. REPT. 93-1303)

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 12628) to amend title 38, United States Code, to increase the rates of vocational rehabilitation, educational assistance, and special training allowances paid to eligible veterans and other persons; to make improvements in the educational assistance programs; and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate to the text of the bill, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment to the text of the bill, insert the following:

That this Act may be cited as the "Vietnam Era Veterans' Readjustment Assistance Act of 1974".

TITLE I—VOCATIONAL REHABILITATION AND EDUCATIONAL AND TRAINING ASSISTANCE ALLOWANCE RATE ADJUSTMENTS

SEC. 101. Chapter 31 of title 38, United States Code, is amended as follows:

(1) by inserting in section 1501(2) a comma and "all appropriate individualized tutorial assistance," after "counseling";

(2) by striking out in section 1502(a) all after "if such disability" and inserting in lieu thereof "arose out of service during World War II or thereafter."; and

(3) by amending the table contained in section 1504(b) to read as follows:

"Column I	Column II	Column III	Column IV	Column V
Type of training	No dependents	One dependent	Two dependents	More than two dependents
				The amount in column IV, plus the following for each dependent in excess of two:
Institutional:				
Full-time	$209	$259	$304	$22
Three-quarter-time	157	194	229	17
Half-time	105	130	152	11
Farm cooperative, apprentice, or other on-the-job training:				
Full-time	182	220	251	17";

SEC. 102. Chapter 34 of title 38, United States Code, is amended as follows:

(1) by striking out in the last sentence of section 1677(b) "$220" and inserting in lieu thereof "$270";

(2) by amending the table contained in section 1682(a)(1) to read as follows:

"Column I	Column II	Column III	Column IV	Column V
Type of program	No dependents	One dependent	Two dependents	More than two dependents
				The amount in column IV, plus the following for each dependent in excess of two:
Institutional:				
Full-time	$270	$321	$366	$22
Three-quarter-time	203	240	275	17
Half-time	135	160	182	11
Cooperative	217	255	289	17";

(3) by striking out in section 1682(b) "$220" and inserting in lieu thereof "$270";

(4) by amending the table contained in section 1682(c)(2) to read as follows:

"Column I	Column II	Column III	Column IV	Column V
Basis	No dependents	One dependent	Two dependents	More than two dependents
				The amount in column IV, plus the following for each dependent in excess of two:
Full-time	$217	$255	$289	$17
Three-quarter-time	163	191	218	13
Half-time	109	128	145	9";

and

(5) by striking out in section 1696(b) "$220" and inserting in lieu thereof "$270".

SEC. 103. Chapter 35 of title 38, United States Code, is amended as follows:

(1) by amending section 1732(a)(1) to read as follows:

"(a)(1) The educational assistance allowance on behalf of an eligible person who is pursuing a program of education consisting of institutional courses shall be computed at the rate prescribed in section 1682(a)(1) of this title for full-time, three-quarter-time, or half-time pursuit, as appropriate, of an institutional program by an eligible veteran with no dependents.";

(2) by striking out in section 1732(a)(2) all after and including "of (A)" and inserting in lieu thereof "prescribed in section 1682(b)(2) of this title for less-than-half-time pursuit of an institutional program by an eligible veteran.";

(3) by striking out in section 1732(b) "$177" and inserting in lieu thereof "$217"; and

(4) by amending section 1742(a) to read as follows:

"(a) While the eligible person is enrolled in and pursuing a full-time course of special restorative training, the parent or guardian shall be entitled to receive on behalf of such person a special training allowance computed at the basic rate of $210 per month. If the charges for tuition and fees applicable to any such course are more than $85 per calendar month, the basic monthly allowance may be increased by the amount that such charges exceed $85 a month, upon election by the parent or guardian of the eligible person to have such person's period of entitlement reduced by one day for each $9.02 that the special training allowance paid exceeds the basic monthly allowance.".

SEC. 104. Chapter 36 of title 38, United States Code, is amended as follows:

(1) by striking out in section 1786(a)(2) "$220" and inserting in lieu thereof "$270";

(2) by amending the table contained in paragraph (1) of section 1787(b) to read as follows:

"Column I	Column II	Column III	Column IV	Column V
Periods of training	No dependents	One dependent	Two dependents	More than two dependents
				The amount in column IV, plus the following for each dependent in excess of two:
First 6 months	$196	$220	$240	$10
Second 6 months	147	171	191	10
Third 6 months	98	122	148	10
Fourth and any succeeding 6-month periods	49	73	93	10"

and

(3) by amending section 1787(b)(2) to read as follows:

"(2) The monthly training assistance allowance of an eligible person pursuing a program described under subsection (a) shall be completed at the rate prescribed in paragraph (1) of this subsection for an eligible veteran with no dependents pursuing such a course.".

SEC. 105. (a) The Administrator shall carry out directly a thorough study and investigation of the administrative difficulties and opportunities or abuse that would be occasioned by enactment of some form of variable tuition assistance allowance program, with reference to such difficulties and abuses experienced by the Veterans' Administration after the end of World War II in carrying

out the provisions of Veterans' Regulation Numbered 1(a), relating to the payment of tuition and related expenses for veterans of World War II pursuing a program of education or training under the Servicemen's Readjustment Act of 1944, and to any such difficulties and abuses presently being experienced by the Veterans' Administration in carrying out existing tuition assistance programs under title 38, United States Code, including chapter 31 vocational rehabilitation, correspondence courses, flight training and PREP, and of ways in which any such difficulties and abuses could be avoided or minimized through legislation or administrative action so as to ensure an expeditious, orderly, and effective implementation of any tuition assistance allowance program.

(b) In carrying out the study and investigation required by subsection (a), the Administrator shall consult with and solicit the views and suggestions of interested veterans' organizations, educational groups and associations, persons receiving assistance under chapters 31, 34, 35 and 36 of title 38, United States Code, other Federal departments and agencies, and other interested parties.

(c) The Administrator shall report to the Congress and the President not later than one year after the date of enactment of this Act on the results of the study and investigation carried out under this section, including any recommendations for legislative or administrative action.

TITLE II—EDUCATIONAL ASSISTANCE PROGRAM ADJUSTMENTS

SEC. 201. Section 1652(a)(3) of title 38, United States Code, is amended by striking out the period at the end of such section and inserting in lieu thereof "unless at some time subsequent to the completion of such period of active duty for training such individual served on active duty for a consecutive period of one year or more (not including any service as a cadet or midshipman at one of the service academies).".

SEC. 202. Section 1661 of title 38, United States Code, is amended by—

(1) striking out in subsection (a) "36 months" and inserting in lieu thereof "45 months"; and

(2) striking out in subsection (c) "thirty-six" and inserting in lieu thereof "45".

SEC. 203. Section 1673 of title 38, United States Code, is amended as follows:

"(2) any sales or sales management course which does not provide specialized training within a specific vocational field, or in any other course with a vocational objective, unless the eligible veteran or the institution offering such course submits justification showing that at least one-half of the persons who completed such course over the preceding two-year period, and who are not unavailable for employment, have been employed in the occupational category for which the course was designed to provide training (but in computing the number of persons who completed such course over any such two-year period, there shall not be included the number of persons who completed such course with assistance under this title while serving on active duty); or";

(2) by inserting in subsection (a)(3) "(or the advertising for which he finds contains significant avocational or recreational themes)" after "character"; and

(3) by amending subsection (d) to read as follows:

"(d) The Administrator shall not approve the enrollment of any eligible veteran, not already enrolled, in any course (other than one offered pursuant to subchapter V or subchapter VI of this chapter) which does not lead to a standard college degree and which is offered by a proprietary profit or proprietary nonprofit educational institution for any period during which the Administrator finds that more than 85 per centum of the students enrolled in the course are having all or part of their tuition, fees, or other charges paid to or for them by the educational institution or the Veterans' Administration under this title.".

SEC. 204. Section 1682 of title 38, United States Code, is amended by adding at the end thereof the following new subsection:

"(d)(1) Notwithstanding the prohibition in section 1671 of this title prohibiting enrollment of an eligible veteran in a program of education in which such veteran has 'already qualified,' a veteran shall be allowed up to six months of educational assistance (or the equivalent thereof in part-time assistance) for the pursuit of refresher training to permit such veteran to update such veteran's knowledge and skills and to be instructed in the technological advances which have occurred in such veteran's field of employment during and since the period of such veteran's active military service.

"(2) A veteran pursuing refresher training under this subsection shall be paid an educational assistance allowance based upon the rate prescribed in the table in subsection (a)(1) or in subsection (c)(2) of this section, whichever is applicable.

"(3) The educational assistance allowance paid under the authority of this subsection shall be charged against the period of entitlement the veteran has earned pursuant to section 1661(a) of this title.".

SEC. 205. Section 1685 of title 38, United States Code, is amended as follows:

(1) by striking out in subsection (a) all of that portion of the second sentence preceding "during a semester" and inserting in lieu thereof "Such work-study allowance shall be paid in the amount of $625 in return for such veteran-student's agreement to perform services, during or between periods of enrollment, aggregating two hundred and fifty hours";

(2) by striking out the last sentence of subsection (a) and inserting in lieu thereof the following: "An agreement may be entered into for the performance of services for periods of less than two hundred and fifty hours, in which case the amount of the work-study allowance to be paid shall bear the same ratio to the number of hours of work agreed to be performed as $625 bears to two hundred and fifty hours. In the case of any agreement providing for the performance of services for one hundred hours or more, the veteran student shall be paid $250 in advance, and in the case of any agreement for the performance of services for less than one hundred hours, the amount of the advance payment shall bear the same ratio to the number of hours of work agreed to be performed as $625 bears to two hundred and fifty hours."; and

(3) by striking out in subsection (c) "(not to exceed eight hundred man-years or their equivalent in man-hours during any fiscal year)".

SEC. 206. Section 1692(b) of title 38, United States Code, is amended as follows:

(1) by striking out "$50" and inserting in lieu thereof "$60";

(2) by striking out "nine months" and inserting in lieu thereof "twelve months"; and

(3) by striking out "$450" and inserting in lieu thereof "$720".

SEC. 207. Section 1723 of title 38, United States Code, is amended as follows:

(1) by amending subsection (a)(2) to read as follows:

"(2) any sales or sales management course which does not provide specialized training within a specific vocational field, or in any other course with a vocational objective, unless the eligible person or the institution offering such course submits justification showing that at least one-half of the persons who completed such course over the preceding two-year period, and who are not unavailable for employment, have been employed in the occupational category for which the course was designed to provide training (but in computing the number of persons who completed such course over any such two-year period, there shall not be included the number of persons who completed such course with assistance under this title while serving on active duty); or";

(2) by inserting in subsection (a)(3) "(or the advertising for which he finds contains significant avocational or recreational themes)" after "character";

(3) by striking out in subsection (c) "any course of institutional on-farm training,"; and

(4) by striking out in subsection (d) "to be pursued below the college level" and inserting in lieu thereof "not leading to a standard college degree".

SEC. 208. Section 1732 of title 38, United States Code, is amended by redesignating subsection (c) as subsection (d) and by inserting after subsection (b) the following new subsection:

"(c)(1) An eligible person who is enrolled in an educational institution for a 'farm cooperative' program consisting of institutional agricultural courses prescheduled to fall within forty-four weeks of any period of twelve consecutive months and who pursues such program on—

"(A) a full-time basis (a minimum of ten clock hours per week or four hundred and forty clock hours in such year prescheduled to provide not less than eighty clock hours in any three-month period),

"(B) a three-quarter-time basis (a minimum of seven clock hours per week), or

"(C) a half-time basis (a minimum of five clock hours per week),

shall be eligible to receive an educational assistance allowance at the appropriate rate provided in paragraph (2) of this subsection, if such eligible person is concurrently engaged in agricultural employment which is relevant to such institutional agricultural courses as determined under standards prescribed by the Administrator. In computing the foregoing clock hour requirements there shall be included the time involved in field trips and individual and group instruction sponsored and conducted by the educational institution through a duly authorized instructor of such institution in which the person is enrolled.

"(2) The monthly educational assistance allowance to be paid on behalf of an eligible person pursuing a farm cooperative program under this chapter shall be computed at the rate prescribed in section 1682(c)(2) of this title for full-time, three-quarter-time, or half-time pursuit, as appropriate, of a farm cooperative program by an eligible veteran with no dependents.".

SEC. 209. Section 1780(a)(2) is amended by inserting "(or customary vacation periods connected therewith)" after "holidays".

SEC. 210. Chapter 36 of title 38, United States Code, is amended as follows:

(1) by amending section 1774(b) to read as follows:

"(b) The allowance for administrative expenses incurred pursuant to subsection (a) of this section shall be paid in accordance with the following formula:

"Total salary cost reimbursable under this section	Allowable for administrative expense
$5,000 or less	$550.
Over $5,000 but not exceeding $10,000	$1,000.
Over $10,000 but not exceeding $35,000	$1,000 for the first $10,000 plus $925 for each additional $5,000 or fraction thereof.
Over $35,000 but not exceeding $40,000	$6,050.
Over $40,000 but not exceeding $75,000	$6,050 for the first $40,000 plus $800 for each additional $5,000 or fraction thereof.
Over $75,000 but not exceeding $80,000	$12,000.
Over $80,000	$12,000 for the first $80,000 plus $700 for each addition $5,000 or fraction thereof.";

and

(2) by amending section 1734(b) to read as follows:

"(b) The Administrator may pay to any educational institution, or to any joint apprenticeship training committee acting as a training establishment, furnishing education or training under either this chapter or chapter 34 or 35 of this title, a reporting fee which will be in lieu of any other compensation or reimbursement for reports or certifications which such educational institution or joint apprenticeship training committee is required to submit to him by law or regulation. Such reporting fee shall be computed for each calendar year by multiplying $3 by the number of eligible veterans or eligible persons enrolled under this chapter or chapter 34 or 35 of this title, or $4 in the case of those eligible veterans and eligible persons whose educational assistance checks are directed in care of each institution for temporary custody and delivery and are delivered at the time of registration as provided under section 1780(d)(5) of this title, on October 31 of that year; except that the Administrator may, where it is established by such educational institution or joint apprenticeship training committee that eligible veteran plus eligible person enrollment on such date varies more than 15 per centum from the peak eligible veteran enrollment plus eligible person enrollment in such educational institution or joint apprenticeship training committee during such calendar year, establish such other date as representative of the peak enrollment as may be justified for such educational institution or joint apprenticeship training committee. The reporting fee shall be paid to such educational institution or joint apprenticeship training committee as soon as feasible after the end of the calendar year for which it is applicable.".

SEC. 211. Section 1788(a) of title 38, United States Code, is amended as follows:

(1) by striking out in clause (1) "below the college level" and inserting in lieu thereof a comma and "not leading to standard college degree,";

(2) by striking out in clause (2) "below the college level" and inserting in lieu thereof a comma and "not leading to a standard college degree,";

(3) by striking out in clause (6) "below the college level" and inserting in lieu thereof "not leading to a standard college degree"; and

(4) by adding at the end of such subsection the following:

"Notwithstanding the provisions of clause (1) or (2) of this subsection, an educational institution offering courses not leading to a standard college degree may measure such courses on a quarter- or semester-hour basis (with full time measured on the same basis as provided by clause (4) of this subsection); but (A) the academic portions of such courses must require outside preparation and be measured on not less than one quarter or one semester hour for each fifty minutes net of instruction per week or quarter or semester; (B) the laboratory portions of such courses must be measured on not less than one quarter or one semester hour for each two hours of attendance per week per quarter or semester; and (C) the shop portions of such courses must be measured on not less than one quarter or one semester hour for each three hours of attendance per week per quarter or semester. In no event shall such course be considered a full-time course when less than twenty-hours per week of attendance is required.".

SEC. 212. (a) Chapter 36 of title 38, United States Code, is amended by inserting at the end thereof the following new section:

"§ 1796. Limitation on certain advertising, sales, and enrollment practices

"(a) The Administrator shall not approve the enrollment of an eligible veteran or eligible person in any course offered by an institution which utilizes advertising, sales, or enrollment practices of any type which are erroneous, deceptive, or misleading either by actual statement, omission, or intimation.

"(b) The Administrator shall, pursuant to section 1974 of this title, enter into an agreement with the Federal Trade Commission to utilize, where appropriate, its services and facilities, consistent with its available resources, in carrying out investigations and making his determinations under subsection (a) of this section. Such agreement shall provide that cases arising under subsection (a) of this section or any similar matters with respect to any of the requirements of this chapter or chapters 34 and 35 of this title shall be referred to the Federal Trade Commission which in its discretion will conduct an investigation and make preliminary findings. The findings and results of any such investigations shall be referred to the Administrator who shall take appropriate action in such cases within ninety days after such referral.

"(c) Not later than sixty days after the end of each fiscal year, the Administrator shall report to Congress on the nature and disposition of all cases arising under this section.".

(b) The table of sections at the beginning of chapter 36 of such title is amended by inserting

"1796. Limitation on certain advertising, sales and enrollment practices."

below

"1795. Limitation on period of assistance under two or more programs.".

SEC. 213. (a) Subchapter II of chapter 3 of title 38, United States Code, is amended by adding at the end thereof the following new sections:

"§ 219. Evaluation and data collection

"(a) The Administrator, pursuant to general standards which he shall prescribe in regulations, shall measure and evaluate on a continuing basis the impact of all programs authorized under this title, in order to determine their effectiveness in achieving stated goals in general, and in achieving such goals in relation to their cost, their impact on related programs, and their structure and mechanisms for delivery of services. Such information as the Administrator may deem necessary for purposes of such evaluations shall be made available to him, upon request, by all departments, agencies, and instrumentalities of the executive branch.

"(b) In carrying out this section, the Administrator shall collect, collate, and analyze on a continuing basis full statistical data regarding participation (including the duration thereof), provision of services, categories of beneficiaries, planning and construction of facilities, acquisition of real property, proposed excessing of land, accretion and attrition of personnel, and categorized expenditures attributable thereto, under all programs carried out under this title.

"(c) The Administrator shall make available to the public and on a regular basis provide to the appropriate committees of the Congress copies of all completed evaluative research studies and summaries of evaluations of program impact and effectiveness carried out, and tabulations and analyses of all data collected, under this section.

"§ 220. Coordination of other Federal programs affecting veterans and their dependents

"The Administrator shall seek to achieve the maximum feasible effectiveness, coordination, and interrelationship of services among all programs and activities affecting veterans and their dependents carried out by and under all other departments, agencies, and instrumentalities of the executive branch and shall seek to achieve the maximum feasible coordination of such programs with programs carried out under this title."

(b) The table of sections at the beginning of chapter 3 of such title is amended by adding

"219. Evaluation and data collection.
"220. Coordination of other Federal programs affecting veterans and their dependents."

below

"218. Standards of conduct and arrests for crimes at hospitals, domiciliaries, cemeteries, and other Veterans' Administration reservations.".

SEC. 214. Subchapter IV of chapter 3 of title 38, United States Code, is amended as follows:

(1) by inserting in section 241 "in carrying out the purposes of this subchapter (including the provision, to the maximum feasible extent, of such services, in areas where a significant number of eligible veterans and eligible dependents speak a language other than English as their principal language, in the principal language of such persons)" after "outreach services";

(2) by inserting in clause (2) "to eligible veterans and eligible dependents" after "information" the first time it appears;

(3) by striking out in section 242(b) "may implement such special telephone service" and inserting in lieu thereof "shall establish and carry out all possible programs and services, including special telephone facilities,";

(4) redesignating sections 243 and 244 as 244 and 245, respectively, and adding the following new section after section 242:

"§ 243. Veterans' representatives

"(a)(1) Except as otherwise provided in paragraph (4) of this subsection, the Administrator shall assign, with appropriate clerical secretarial support, to each educational institution (as defined in section 1652(c) except for correspondence schools) where at least five hundred persons are enrolled under chapters 31, 34, 35, and 36 of this title such number of full-time veterans' representatives as will provide at least one such veterans' representative per each five hundred such persons so enrolled at each such institution; and the Administrator shall also assign to other such veterans' representatives responsibility for carrying out the functions set forth in paragraph (3) of this subsection with respect to groups of institutions with less than five hundred such persons so enrolled, on the basis of such proportion of such veterans' representatives' time to such persons so enrolled as he deems appropriate to

be adequate to perform such functions at such institutions.

"(2) In selecting and appointing veterans' representatives under this subsection, preference shall be given to veterans of the Vietnam era with experience in veterans affairs' counseling, outreach, and other related veterans' services.

"(3) The functions of such veterans' representatives shall be to—

"(A) answer all inquiries related to Veterans' Administration educational assistance and other benefits, and take all necessary action to resolve such inquiries expeditiously, especially those relating to payments of educational assistance benefits;

"(B) assure correctness and proper handling of applications, completion of certifications of attendance, and submission of all necessary information (including changes in status or program affecting payments) in support of benefit claims submitted;

"(C) maintain active liaison, communication, and cooperation with the officials of the educational institution to which assigned, in order to alert veterans to changes in law and Veterans' Administration policies or procedures;

"(D) supervise and expeditiously resolve all difficulties relating to the delivery of advance educational assistance payments authorized under this title;

"(E) coordinate Veterans' Administration matters with, and provide appropriate briefings to, all on-campus veterans' groups, working particularly closely with veterans' coordinators at educational institutions receiving veterans' cost-of-instruction payments under section 420 of the Higher Education Act of 1965, as amended (hereinafter referred to as 'V.C.I. institutions');

"(F) provide necessary guidance and support to veteran-student services personnel assigned to the campus under section 1685 of this title;

"(G) where such functions are not being adequately carried out by existing programs at such institutions (i) provide appropriate motivational and other counseling to veterans (informing them of all available benefits and services, as provided for under section 241 of this title) and (ii) carry out outreach activities under this subchapter; and

"(H) carry out such other activities as may be assigned by the director of the Veterans' Administration regional office, established under section 230 of this title.

"(4) Based on the extent to which the functions set forth in paragraph (3) of this subsection are being adequately carried out at a particular educational institution or in consideration of other factors indicating the inappropriateness of assignment of veterans' representatives to a particular educational institution, the director of the appropriate Veterans' Administration regional office shall, notwithstanding the formula set forth in paragraph (1) of this subsection, either reallocate such veterans' representatives to other educational institutions in such region where he determines that such additional veterans' representatives are necessary, or, with the approval of the chief benefits officer of the Veterans' Administration, assign such veterans' representatives to carry out such functions or related activities at the regional office in question, with special responsibility for one or more than one particular educational institution.

"(5) The functions of a veterans' representative assigned under this subsection shall be carried out in such a way as to complement and not interfere with the statutory responsibilities and duties of persons carrying out veterans affairs' functions at V.C.I. institutions.

"(b) The Administrator shall establish rules and procedures to guide veterans' representatives in carrying out their functions under this section. Such rules and procedures shall contain provisions directed especially to assuring that the activities of veterans' representatives carried out under this section complement, and do not interfere with, the established responsibilities of representatives recognized by the Administrator under section 3402 of this title."; and

(5) amending section 244 (as redesignated by clause (4) of this subsection) of such title by—

(A) striking out "may" and inserting in lieu thereof "shall"; and

(B) inserting "and provide for" after "conduct" in paragraph (5).

(b) The table of sections at the beginning of such chapter is amended by striking out

"243. Utilization of other agencies.
"244. Report to Congress."

and inserting in lieu thereof

"243. Veterans' representatives.
"244. Utilization of other agencies.
"245. Report to Congress.".

TITLE III—VETERANS AND DEPENDENTS EDUCATION LOAN PROGRAM

SEC. 301. (a) Chapter 36 of title 38, United States Code, is amended by adding at the end thereof the following new subchapter:

"Subchapter III—Education Loans to Eligible Veterans and Eligible Persons

"§ 1798. Eligibility for loans; amount and conditions of loans; interest rate on loans

"(a) Each eligible veteran and eligible person shall be entitled to a loan under this subchapter in an amount determined under, and subject to the conditions specified in, subsection (b)(1) of this section if the veteran or person satisfies the requirements set forth in subsection (c) of this section.

"(b)(1) Subject to paragraph (3) of this subsection, the amount of the loan to which an eligible veteran or eligible person shall be entitled under this subchapter for any academic year shall be equal to the amount needed by such veteran or person to pursue a program of education at the institution at which he is enrolled, as determined under paragraph (2) of this subsection.

"(2)(A) The amount needed by a veteran or person to pursue a program of education at an institution for any academic year shall be determined by subtracting (i) the total amount of financial resources (as defined in subparagraph (B) of this paragraph) available to the veteran or person which may be reasonably expected to be expended by such veteran or person for educational purposes in any year from (ii) the actual cost of attendance (as defined in subparagraph (C) of this paragraph) at the institution in which such veteran or person is enrolled.

"(B) The term 'total amount of financial resources' of any veteran or person for any year means the total of the following:

"(i) The annual adjusted effective income of the veteran or person less Federal income tax paid or payable by such veteran or person with respect to such income.

"(ii) The amount of cash assets of the veteran or person.

"(iii) The amount of financial assistance received by the veteran or person under the provisions of title IV of the Higher Education Act of 1965, as amended.

"(iv) Educational assistance received by the veteran or person under this title other than under this subchapter.

"(v) Financial assistance received by the veteran or person under any scholarship or grant program other than those specified in clauses (iii) and (iv).

"(C) The term 'actual cost of attendance' means, subject to such regulations as the Administrator may provide, the actual per-student charges for tuition, fees, room and board (or expenses related to reasonable commuting), books, and an allowance for such other expenses as the Administrator determines by regulation to be reasonably related to attendance at the institution at which the veteran or person is enrolled.

"(3) The aggregate of the amounts any veteran or person may borrow under this subchapter may not exceed $270 multiplied by the number of months such veteran or person is entitled to receive educational assistance under section 1661 or subchapter II of chapter 35, respectively, of this title, but not in excess of $1,000 in any one regular academic year.

"(c) An eligible veteran or person shall be entitled to a loan under this subchapter if such veteran or person—

"(1) is in attendance at an educational institution on at least a half-time basis and (A) is enrolled in a course leading to a standard college degree, or (B) is enrolled in a course, the completion of which requires six months or longer, leading to an identified and predetermined professional or vocational objective;

"(2) has sought and is unable to obtain a loan, in the full amount needed by such veteran or person, as determined under subsection (b) of this section, under a student loan program insured pursuant to the provisions of part B of title IV of the Higher Education Act of 1965, as amended, or any successor authority; and

"(3) enters into an agreement with the Administrator meeting the requirements of subsection (d) of this section.

requirements of subsection (d) of this section.

No loan shall be made under this subchapter to an eligible veteran or person pursuing a program of correspondence, flight, apprentice or other on-job, or PREP training.

"(d) Any agreement between the Administrator and a veteran or person under this subchapter—

"(1) shall include a note or other written obligation which provides for repayment to the Administrator of the principal amount of, and payment of interest on, the loan in installments over a period beginning nine months after the date on which the borrower ceases to be at least a half-time student and ending ten years and nine months after such date;

"(2) shall include provision for acceleration of repayment of all or any part of the loan, without penalty, at the option of the borrower;

"(3) shall provide that the loan shall bear interest, on the unpaid balance of the loan, at a rate prescribed by the Administrator, with the concurrence of the Secretary of the Treasury, but at a rate not less than the rate paid by such Secretary on Treasury notes and obligations being purchased by the Fund at the time the loan agreement is made, except that no interest shall accrue prior to the beginning date of repayment; and

"(4) shall provide that the loan shall be made without security and without endorsement.

"(e)(1) Except as provided in paragraph (2) of this subsection, whenever the Administrator determines that a default has occurred on any loan made under this subchapter, he shall declare an overpayment, and such overpayment shall be recovered from the veteran or person concerned in the same manner as any other debt due the United States.

"(2) If a veteran or person who has received a loan under this section dies or becomes permanently and totally disabled, then the Administrator shall discharge the veteran's or person's liability on such loan by repaying the amount owed on such loan.

"(3) The Administrator shall submit to the Committees on Veterans' Affairs of the Senate and the House of Representatives, not later than one year after the date of

enactment of the Vietnam Era Veterans' Readjustment Assistance Act of 1974 and annually thereafter, a separate report specifying the default experience and default rate at each educational institution along with a comparison of the collective default experience and default rate at all such institutions.

"§ 1799. Sources of funds; insurance

"(a) Loans made by the Administrator under this subchapter shall be made from funds available under subsection (b) of this section for such purpose, and repayment shall be guaranteed as provided in subsection (c) of this section.

"(b)(1) Any funds in the National Service Life Insurance Fund continued under section 720 (in this subchapter referred to as the 'Fund') shall be available to the Administrator for making loans under section 1798 of this title. The Administrator shall set aside out of the Fund such amounts, not in excess of limitations in appropriations Acts, as may be necessary to enable him to make all the loans to which veterans or persons are entitled under section 1798 of this title.

"(2) Any funds set aside under paragraph (1) of this subsection shall be considered as investments of the Fund and while so set aside shall bear interest at a rate determined by the Secretary of the Treasury, but at a rate not less than the rate paid by such Secretary on other Treasury notes and obligations being purchased by the Fund at the time such funds are set aside.

"(c) The Administrator shall guarantee repayment to the Fund of any amounts set aside under subsection (b) of this section for loans under section 1798 of this title and of any interest accrued thereon. In order to discharge his responsibility under any such guarantee, he is authorized to issue to the Secretary of the Treasury notes or other obligations in such forms and denominations, bearing such maturities, and subject to such terms and conditions as may be prescribed by the Secretary of the Treasury. Such notes or other obligations shall bear interest at a rate determined by the Secretary of the Treasury, but at a rate not less than the rate paid by such Secretary on other Treasury notes and obligations being purchased by the Fund at the time the loan agreement is made. The Secretary of the Treasury is authorized and directed to purchase such notes and other obligations.

"(d) There are authorized to be appropriated to the Administrator such sums as may be necessary to enable him to repay to the Fund any amounts set aside under subsection (b) of this section together with any interest accrued thereon. Any funds paid to the Administrator pursuant to an agreement made under section 1798(d) of this title shall be deemed to have been appropriated pursuant to this subsection.

"(e) A fee shall be collected from each veteran or person obtaining a loan made under this subchapter for the purpose of insuring against defaults on loans made under this chapter, and no loan shall be made under this subchapter until the fee payable with respect to such loan has been collected and remitted to the Administrator. The amount of the fee shall be established from time to time by the Administrator, but shall in no event exceed 3 per centum of the total loan amount. The amount of the fee may be included in the loan to the veteran or person and paid from the proceeds thereof. The Administrator shall deposit all fees collected hereunder in the Fund, and amounts so deposited shall be available to the Administrator to discharge his obligations under subsection (c) of this section.".

(b) The table of sections at the beginning of such chapter is amended by adding at the end thereof

"SUBCHAPTER III—EDUCATION LOANS TO ELIGIBLE VETERANS AND ELIGIBLE PERSONS

"1798. Eligibility for loans; amount and conditions of loans; interest rate on loans.

"1799. Source of funds; insurance.".

SEC. 302. (a) Subchapter IV of chapter 34 of title 38, United States Code, is amended by adding at the end thereof the following new section:

"§ 1686. Education loans

"Any eligible veteran shall be entitled to an education loan (if the program of education is pursued in a State) in such amount and on such terms and conditions as provided in sections 1798 and 1799 of this title.".

(b) The table of sections at the beginning of such chapter is amended by inserting

"1685. Education loans."

below

"1685. Veteran-student services.".

SEC. 303. (a) Subchapter IV of chapter 35 of title 38, United States Code, is amended by adding at the end thereof the following new section:

"§ 1737. Education loans

"Any eligible person shall be entitled to an education loan (if the program of education is pursued in a State) in such amount and on such terms and conditions as provided in sections 1798 and 1799 of this title.".

(b) The table of sections at the beginning of such chapter is amended by inserting

"1737. Education loans."

below

"1736. Specialized vocational training courses.".

TITLE IV—VETERANS, WIVES, AND WIDOWS EMPLOYMENT ASSISTANCE AND PREFERENCE AND VETERANS' REEMPLOYMENT RIGHTS

SEC. 401. Chapter 41 of title 38, United States Code, is amended as follows:

(a) Section 2001 is amended by redesignating paragraph (2) as paragraph (3) and adding after paragraph (1) a new paragraph (2) as follows:

"(2) The term 'eligible person' means—

"(A) the spouse of any person who died of a service-connected disability,

"(B) the spouse of any member of the Armed Forces serving on active duty who, at the time of application for assistance under this chapter, is listed, pursuant to section 556 of title 37 and regulations issued thereunder, by the Secretary concerned in one or more of the following categories and has been so listed for a total of more than ninety days: (i) missing in action, (ii) captured in line of duty by a hostile force, or (iii) forcibly detained or interned in line of duty by a foreign government or power, or

"(C) the spouse of any person who has a total disability permanent in nature resulting from a service-connected disability or the spouse of a veteran who died while a disability so evaluated was in existence.".

(b) Section 2002 is amended by (1) inserting "and eligible persons" after "eligible veterans" and (2) inserting "and persons" after "such veterans".

(c) Section 2003 is amended by—

(1) striking out in the first sentence "$250,000 veterans" and inserting in lieu thereof "250,000 veterans and eligible persons";

(2) striking out in the fourth sentence "veterans' " and inserting in lieu thereof "veterans' and eligible persons' ";

(3) inserting in clauses (1), (2), (4), (5), and (6) of the fifth sentence "and eligible persons" after "eligible veterans" each time the latter term appears in such clauses;

(4) inserting in clause (3) of the fifth sentence "or an eligible person's" after "eligible veteran's"; and

(5) inserting in clause (4) of the fifth sentence "and persons" after "such veterans".

(d) Section 2005 is amended by inserting "and eligible persons" after "eligible veterans".

(e) The last sentence of section 2006(a) is amended by striking out "veterans" and inserting in lieu thereof "eligible veterans and eligible persons".

(f) Section 2007 is amended by—

(1) inserting in subsection (a)(1) "and each eligible person" after "active duty,";

(2) redesignating subsection (b) as subsection (c) and inserting the following new subsection (b):

"(b) The Secretary of Labor shall establish definitive performance standards for determining compliance by the State public employment service agencies with the provisions of this chapter and chapter 42 of this title. A full report as to the extent and reasons for any noncompliance by any such State agency during any fiscal year, together with the agency's plan for corrective action during the succeeding year, shall be included in the annual report of the Secretary of Labor required by subsection (c) of this section."; and

(3) striking out in the second sentence of subsection (c) (as redesignated by clause (2) of this subsection) "and other eligible veterans" and inserting in lieu thereof "other eligible veterans, and eligible persons".

SEC. 402. Chapter 42 of title 38, United States Code, is amended as follows:

(1) by inserting in the first sentence of section 2012(a) "in the amount of $10,000 or more" after "contract" where it first appears, by striking out ", in employing persons to carry out such contract," in such sentence, and by striking out "give special emphasis to the employment of" and inserting in lieu thereof "take affirmative action to employ and advance in employment" in such sentence;

(2) by striking out in the third sentence of section 2012(a) "The" and inserting in lieu thereof "In addition to requiring affirmative action to employ such veterans under such contracts and subcontracts and in order to promote the implementation of such requirement, the"; and

(3) by striking out in the first sentence of section 2012(b) "giving special emphasis in employment to" and inserting in lieu thereof "the employment of".

SEC. 403. (a) Chapter 42 of title 38, United States Code, is amended by adding at the end thereof the following new section:

"§ 2014. Employment within the Federal Government

"(a) It is the policy of the United States and the purpose of this section to promote the maximum of employment and job advancement opportunities within the Federal Government for qualified disabled veterans and veterans of the Vietnam era.

"(b) To further this policy, veterans of the Vietnam era shall be eligible, in accordance with regulations which the Civil Service Commission shall prescribe, for veterans readjustment appointments up to and including the level GS-5, as specified in subchapter II of chapter 51 of title 5, and subsequent career-conditional appointments, under the terms and conditions specified in Executive Order Numbered 11521 (March 26, 1970), except that in applying the one-year period of eligibility specified in section 2(a) of such order to a veteran or disabled veteran who enrolls, within one year following separation from the Armed Forces or following release from hospitalization or treatment immediately following separation from the Armed Forces, in a program of education (as defined in section 1652 of this title) on more than a half-time basis (as defined in section 1788 of this title), the time spent in such program of education (including customary periods of vacation and permissible absences) shall not be counted. The eligibility of such a veteran for a readjustment appointment shall con-

tinue for not less than six months after such veteran first ceases to be enrolled therein on more than a half-time basis. No veterans readjustment appointment may be made under authority of this subsection after June 30, 1978.

"(c) Each department, agency, and instrumentality in the executive branch shall include in its affirmative action plan for the hiring, placement, and advancement of handicapped individuals in such department, agency, or instrumentality as required by section 501(b) of Public Law 93-112 (87 Stat. 391), a separate specification of plans (in accordance with regulations which the Civil Service Commission shall prescribe in consultation with the Administrator, the Secretary of Labor, and the Secretary of Health, Education, and Welfare, consistent with the purposes, provisions, and priorities of such Act) to promote and carry out such affirmative action with respect to disabled veterans in order to achieve the purpose of this section.

"(d) The Civil Service Commission shall be responsible for the review and evaluation of the implementation of this section and the activities of each such department, agency, and instrumentality to carry out the purpose and provisions of this section. The Commission shall periodically obtain and publish (on at least a semiannual basis) reports on such implementation and activities from each such department, agency, and instrumentality, including specification of the use and extent of appointments made under subsection (b) of this section and the results of the plans required under subsection (c) thereof.

"(e) The Civil Service Commission shall submit to the Congress annually a report on activities carried out under this section, except that, with respect to subsection (c) of this section, the Commission may include a report of such activities separately in the report required to be submitted by section 501(d) of such Public Law 93-112, regarding the employment of handicapped individuals by each department, agency, and instrumentality.

"(f) Notwithstnding section 2011 of this title, the terms 'veteran' and 'disabled veterans' as used in this section shall have the meaning provided for under generally applicable civil service law and regulations."

(b) The table of sections at the beginning of such chapter is amended by adding at the end thereof

"2014. Employment within the Federal Government.".

SEC. 404. (a) Part III of title 38, United States Code, is amended by adding at the end thereof a new chapter as follows:

"Chapter 43—Veterans' Reemployment Rights

"Sec.

"2021. Right to reemployment of inducted persons; benefits protected.
"2022. Enforcement procedures.
"2023. Reemployment by the United States, territory, possession, or the District of Columbia.
"2024. Rights of persons who enlist or are called to active duty; Reserves.
"2025. Assistance in obtaining reemployment.
"2026. Prior rights for remployment.

"§ 2021. Right to reemployment of inducted persons; benefits protected

"(a) In the case of any person who is inducted into the Armed Forces of the United States under the Military Selective Service Act (or under any prior or subsequent corresponding law) for training and service and who leaves a position (other than a temporary position) in the employ of any employer in order to perform such training and service, and (1) receives a certificate described in section 9(a) of the Military Selective Service Act (relating to the satisfactory completion of military service), and (2) makes application for reemployment within ninety days after such person is relieved from such training and service or from hospitalization continuing after discharge for a period of not more than one year—

"(A) if such position was in the employ of the United States Government, its territories, or possessions, or political subdivisions thereof, or the District of Columbia, such person shall—

"(i) if still qualified to perform the duties of such position, be restored to such position or to a position of like seniority, status, and pay; or

"(ii) if not qualified to perform the duties of such position, by reason of disability sustained during such service, but qualified to perform the duties of any other position in the employ of thet employer, be offered employment and, if suc person so requests, be employed in such other position the duties of which such person is qualified to perform as will provide such person like seniority, status, and pay, or the nearest approximation thereof consistent with the circumstances in such person's case;

"(B) if such position was in the employ of a State, or political subdivision thereof, or a private employer, such person shall—

"(i) still qualified to perform the duties of such position, be restored by such employer or his successor in interest to such position or to a position of like seniority, status, and pay; or

"(ii) if not qualified to perform the duties of such position, by reason of disability sustained during such service, but qualified to perform the duties of any other position in the employ of such employer or his successor in interest, be offered employment and, if such person so requests, be employed by such employer or his successor in interest in such other position the duties of which such person is qualified to perform as will provide such person like seniority, status, and pay, or the nearest approximation thereof consistent with the circumstances in such person's case,

unless the employer's circumstances have so changed as to make it impossible or unreasonable to do so. Nothing in this chapter shall excuse noncompliance with any statute or ordinance of a State or political subdivision thereof establishing greater or additional rights or protection than the rights and protections established pursuant to this chapter.

"(b)(1) Any person who is restored to or employed in a position in accordance with the provisions of clause (A) or (B) of subsection (a) of this section shall be considered as having been on furlough or leave of absence during such person's period of training and service in the Armed Forces, shall be so restored or reemployed without loss of seniority, shall be entitled to participate in insurance or other benefits offered by the employer pursuant to the established rules and practices relating to employees on furlough or leave of absence in effect with the employer at the time such person was inducted into such forces, and shall not be dischanged from such position without cause within one year after such restoration or reemployment.

"(2) It is hereby declared to be the sense of the Congress that any person who is restored to or employed in a position in accordance with the provisions of clause (A) or (B) of subsection (a) of this section should be so restored or reemployed in such manner as to give such person such status in his employment as he would have enjoyed if such person had continued in such employment continuously from the time of such person's entering the Armed Forces until the time of such person's restoration to such employment; or reemployment.

"(3) Any person who holds a position described in clause (A) or (B) of subsection (a) of this section shall not be denied retention in employment or any promotion or other incident or advantage of employment because of any obligation as a member of a Reserve component of the Armed Forces.

"(c) The rights granted by subsections (a) and (b) of this section to persons who left the employ of a State or political subdivision thereof and were inducted into the Armed Forces shall not diminish any rights such persons may have pursuant to any statute or ordinance of such State or political subdivision establishing greater or additional rights or protections.

"§ 2022. Enforcement procedures

"If any employer, who is a private employer or a State or political subdivision thereof, fails or refuses to comply with the provisions of section 2021 (a), (b)(1), or (b)(3), or section 2024, the district court of the United States for any district in which such private employer maintains a place of business, or in which such State or political subdivision thereof exercises authority or carries out its functions, shall have the power, upon the filing of a motion, petition, or other appropriate pleading by the person entitled to the benefits of such provisions, specifically to require such employer to comply with such provisions and to compensate such person for any loss of wages or benefits suffered by reason of such employer's unlawful action. Any such compensation shall be in addition to and shall not be deemed to diminish any of the benefits provided for in such provisions. The court shall order speedy hearing in any such case and shall advance it on the calendar. Upon application to the United States attorney or comparable official for any district in which such private employer maintains a place of business, or in which such State or political subdivision thereof exercises authority or carries out its functions by any person claiming to be entitled to the benefits provided for in such provisions, such United States attorney or official, if reasonably satisfied that the person so applying is entitled to such benefits, shall appear and act as attorney for such person in the amicable adjustment of the claim or in the filing of any motion, petition, or other appropriate pleading and the prosecution thereof specifically to require such employer to comply with such provisions. No fees or court costs shall be taxed against any person who may apply for such benefits. In any such action only the employer shall be deemed a necessary party respondent. No State statute of limitations shall apply to any proceedings under this chapter.

"§ 2023. Reemployment by the United States, territory, possession, or the District of Columbia

"(a) Any person who is entitled to be restored to or employed in a position in accordance with the provisions of clause (A) of section 2021(a) and who was employed, immediately before entering the Armed Forces, by any agency in the executive branch of the Government or by any territory or possession, or political subdivision thereof, or by the District of Columbia, shall be so restored or reemployed by such agency or the succesor to its functions, or by such territory, possession, political subdivision, or the District of Columbia. In any case in which, upon appeal of any person who was employed, immediately before entering the Armed Forces, by any agency in the executive branch of the Government or by the District of Columbia, the United States Civil Service Commission finds that—

"(1) such agency is no longer in existence and its functions have not been transferred to any other agency; or

"(2) for any reason it is not feasible for such person to be restored to employment by such agency or by the District of Columbia,

the Commission shall determine whether or not there is a position in any other agency in the executive branch of the Government

or in the government of the District of Columbia for which such person is qualified and which is either vacant or held by a person having a temporary appointment thereto. In any case in which the Commission determines that there is such a position, such person shall be offered employment and, if such person so requests, be employed in such position by the agency in which such position exists or by the government of the District of Columbia, as the case may be. The Commission is authorized and directed to issue regulations giving full force and effect to the provisions of this section insofar as they relate to persons entitled to be restored to or employed in positions in the executive branch of the Government or in the government of the District of Columbia, including persons entitled to be reemployed under the last sentence of subsection (b) of this section. The agencies in the executive branch of the Government and the government of the District of Columbia shall comply with such rules, regulations, and orders issued by the Commission pursuant to this subsection. The Commission is authorized and directed whenever it finds, upon appeal of the person concerned, that any agency in the executive branch of the Government or the government of the District of Columbia has failed or refuses to comply with the provisions of this section, to issue an order specifically requiring such agency or the government of the District of Columbia to comply with such provisions and to compensate such person for any loss of salary or wages suffered by reason of failure to comply with such provisions, less any amounts received by such person through other employment, unemployment compensation, or readjustment allowances. Any such compensation ordered to be paid by the Commission shall be in addition to and shall not be deemed to diminish any of the benefits provided for in such provisions, and shall be paid by the head of the agency concerned or by the government of the District of Columbia out of appropriations currently available for salary and expenses of such agency or government, and such appropriations shall be available for such purpose. As used in this chapter, the term 'agency in the executive branch of the Government' means any department, independent establishment, agency, or corporation in the executive branch of the United States Government (including the United States Postal Service and the Postal Rate Commission).

"(b) Any person who is entitled to be restored to or employed in a position in accordance with the provisions of clause (A) of section 2021(a), and who was employed, immediately before entering the Armed Forces, in the legislative branch of the Government, shall be so rest red or employed by the officer who appointed such person to the position which such person held immediately before entering the Armed Forces. In any case in which it is not possible for any such person to be restored to or employed in a position in the legislative branch of the Government and such person is otherwise eligible to acquire a status for transfer to a position in the competitive service in accordance with section 3304(c) of title 5, the United States Civil Service Commission shall, upon appeal of such person, determine whether or not there is a position in the executive branch of the Government for which such person is qualified and which is either vacant or held by a person having a temporary appointment thereto. In any case in which the Commission determines that there is such a position, such person shall be offered employment and, if such person so requests, be employed in such position by the agency in which such position exists.

"(c) Any person who is entitled to be restored to or employed in a position in accordance with the provisions of clause (A) of section 2021(a) and who was employed, immediately before entering the Armed Forces, in the judicial branch of the Government, shall be so restored or reemployed by the officer who appointed such person to the position which such person held immediately before entering the Armed Forces.

"§ 2021. Rights of persons who enlist or are called to active duty; Reserves

"(a) Any person who, after entering the employment on the basis of which such person claims restoration or reemployment, enlists in the Armed Forces of the United States (other than in a Reserve component) shall be entitled upon release from service under honorable conditions to all of the reemployment rights and other benefits provided for by this section in the case of persons inducted under the provisions of the Military Selective Service Act (or prior or subsequent legislation providing for the involuntary induction of persons into the Armed Forces), if the total of such person's service performed between June 24, 1948, and August 1, 1961, did not exceed four years, and the total of any service, additional or otherwise, performed by such person after August 1, 1961, does not exceed five years, and if the service in excess of four years after August 1, 1961, is at the request and for the convenience of the Federal Government (plus in each case any period of additional service imposed pursuant to law).

"(b)(1) Any person who, after entering the employment on the basis of which such person claims restoration or reemployment, enters upon active duty (other than for the purpose of determining physical fitness and other than for training), whether or not voluntarily, in the Armed Forces of the United States or the Public Health Service in response to an order or call to active duty shall, upon such person's relief from active duty under honorable conditions, be entitled to all of the reemployment rights and benefits provided for by this chapter in the case of persons inducted under the provisions of the Military Selective Service Act (or prior or subsequent legislation providing for the involuntary induction of persons into the Armed Forces), if the total of such active duty performed between June 24, 1948, and August 1, 1961, did not exceed four years, and the total of any such active duty, additional or otherwise, performed after August 1, 1961, does not exceed four years (plus in each case any additional period in which such person was unable to obtain orders relieving such person from active duty).

"(2) Any member of a Reserve component of the Armed Forces of the United States who voluntarily or involuntarily enters upon active duty (other than for the purpose of determining physical fitness and other than for training) or whose active duty is voluntarily or involuntarily extended during a period when the President is authorized to order units of the Ready Reserve or members of a Reserve component to active duty shall have the service limitation governing eligibility for reemployment rights under subsection (b)(1) of this section extended by such member's period of such active duty, but not to exceed that period of active duty to which the President is authorized to order units of the Ready Reserve or members of a Reserve Component. With respect to a member who voluntarily enters upon active duty or whose active duty is voluntarily extended, the provisions of this subsection shall apply only when such additional active duty is at the request and for the convenience of the Federal Government.

"(c) Any member of a Reserve component of the Armed Forces of the United States who is ordered to an initial period of active duty for training of not less than three consecutive months shall, upon application for reemployment within thirty-one days after (1) such member's release from such active duty for training after satisfactory service, or (2) such member's discharge from hospitalization incident to such active duty for training, or one year after such member's scheduled release from such training, whichever is earlier, be entitled to all reemployment rights and benefits provided by this chapter for persons inducted under the provisions of the Military Selective Service Act (or prior or subsequent legislation providing for the involuntary induction of persons into the Armed Forces), except that (A) any person restored to or employed in a position in accordance with the provisions of this subsection shall not be discharged from such position without cause within six months after that restoration, and (B) no reemployment rights granted by this subsection shall entitle any person to retention, preference, or displacement rights over any veteran with a superior claim under those provisions of title 5 relating to veterans and other preference eligibles.

"(d) Any employee not covered by subsection (c) of this section who holds a position described in clause (A) or (B) of section 2021(a) shall upon request be granted a leave of absence by such person's employer for the period required to perform active duty for training or inactive duty training in the Armed Forces of the United States. Upon such employee's release from a period of such active duty for training or inactive duty training, or upon such employee's discharge from hospitalization incident to that training, such employee shall be permitted to return to such employee's position with such seniority, status, pay, and vacation as such employee would have had if such employee had not been absent for such purposes. Such employee shall report for work at the beginning of the next regularly scheduled working period after expiration of the last calendar day necessary to travel from the place of training to the place of employment following such employee's release, or within a reasonable time thereafter if delayed return is due to factors beyond the employee's control. Failure to report for work at such next regularly scheduled working period shall make the employee subject to the conduct rules of the employer pertaining to explanations and discipline with respect to absence from scheduled work. If such an employee is hospitalized incident to active duty for training or inactive duty training, such employee shall be required to report for work at the beginning of the next regularly scheduled work period after expiration of the time necessary to travel from the place of discharge from hospitalization to the place of employment, or within a reasonable time thereafter if delayed return is due to factors beyond the employee's control, or within one year after such employee's release from active duty for training or inactive duty training, whichever is earlier. If an employee covered by this subsection is not qualified to perform the duties of such employee's position by reason of disability sustained during active duty for training or inactive duty training, but is qualified to perform the duties of any other position in the employ of the employer or his successor in interest, such employee shall be offered employment and, if such person so requests, be employed by that employer or his successor in interest in such other position the duties of which such employee is qualified to perform as will provide such employee like seniority, status, and pay, or the nearest approximation thereof consistent with the circumstances in such employee's case.

"(e) Any employee not covered by subsection (c) of this section who holds a position described in clause (A) or (B) of section 2021(a) shall be considered as having been on leave of absence during the period required to report for the purpose of being

inducted into, entering, or determining, by a preinduction or other examination, physical fitness to enter the Armed Forces. Upon such employee's rejection, upon completion of such employee's preinduction or other examination, or upon such employee's discharge from hospitalization incident to such rejection or examination, such employee shall be permitted to return to such employee's position in accordance with the provisions of subsection (d) of this section.

"(f) For the purposes of subsections (c) and (d) of this section, full-time training or other full-time duty performed by a member of the National Guard under section 316, 503, 504, or 505 of title 32, is considered active duty for training; and for the purpose of subsection (d) of this section, inactive duty training performed by that member under section 502 of title 32 or section 206, 301, 309, 402, or 1002 of title 37, is considered inactive duty training.

"§ 2025. Assistance in obtaining reemployment

"The Secretary of Labor, through the Office of Veterans' Reemployment Rights, shall render aid in the replacement in their former positions or reemployment of persons who have satisfactorily completed any period of active duty in the Armed Forces or the Public Health Service. In rendering such aid, the Secretary shall use existing Federal and State agencies engaged in similar or related activities and shall utilize the assistance of volunteers.

"§ 2026. Prior rights for reemployment

"In any case in which two or more persons who are entitled to be restored to or employed in a position under the provisions of this chapter or of any other law relating to similar reemployment benefits left the same position in order to enter the Armed Forces, the person who left such position first shall have the prior right to be restored thereto or reemployed on the basis thereof, without prejudice to the reemployment rights of the other person or persons to be restored or reemployed.".

(b) The table of chapters at the beginning of title 38, United States Code, and the table of chapters at the beginning of part III of such title are each amended by adding at the end thereof,

"43. Veterans' Reemployment Rights- 2021".

SEC. 405. Section 9 of the Military Selective Service Act is amended by—

(1) repealing subsections (b) through (h); and

(2) redesignating subsections (i) and (j) as subsections (b) and (c), respectively.

TITLE V—EFFECTIVE DATES

SEC. 501. Title I of this Act shall become effective on September 1, 1974.

SEC. 502. Title III of this Act shall become effective on November 1, 1974, except that eligible persons shall, upon application, be entitled (and all such persons shall be notified by the Administrator of Veterans' Affairs of such entitlement) to a loan under the new subchapter III of chapter 36 of title 38, United States Code, as added by section 301 of this Act, the terms of which take into account the full amount of the actual cost of attendance (as defined in section 1798(b)(2)(C) of such title) which such persons incurred for the academic year beginning on or about September 1, 1974.

SEC. 503. Titles II and IV of this Act shall become effective on the date of their enactment.

And the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate to the title of the bill, and agree to the same with an amendment as follows:

In lieu of the matter proposed to be inserted by the amendment of the Senate to the title of the bill, insert the following:

"An Act to amend title 38, United States Code, to increase vocational rehabilitation subsistence allowances, educational and training assistance allowances, and special allowances paid to eligible veterans and persons under chapters 31, 34, and 35 of such title; to improve and expand the special programs for educationally disadvantaged veterans and servicemen under chapter 34 of such title; to improve and expand the veteran-student services program; to establish an education loan program for veterans and persons eligible for benefits under chapter 34 or 35 of such title; to make other improvements in the educational assistance program and in the administration of educational benefits; to promote the employment of veterans and the wives and widows of certain veterans by improving and expanding the provisions governing the operation of the Veterans Employment Service, by increasing the employment of veterans by Federal contractors and subcontractors, and by providing for an action plan for the employment of disabled and Vietnam era veterans within the Federal Government; to codify and expand veterans reemployment rights; and for other purposes.".

And the Senate agree to the same.

WM. J. BRYAN DORN,
OLIN E. TEAGUE,
JAMES A. HALEY,
THADDEUS J. DULSKI,
HENRY HELSTOSKI,
JOHN PAUL HAMMERSCHMIDT,
MARGARET M. HECKLER,
JOHN M. ZWACH,
CHALMERS P. WYLIE,
Managers on the Part of the House.

VANCE HARTKE,
H. E. TALMADGE,
JENNINGS RANDOLPH,
HAROLD E. HUGHES,
ALAN CRANSTON,
CLIFFORD P. HANSEN,
STROM THURMOND,
ROBERT T. STAFFORD,
JAMES A. MCCLURE,
Managers on the Part of the Senate.

JOINT EXPLANATORY STATEMENT OF THE COMMITTEE ON CONFERENCE

The managers on the part of the House and the Senate at the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 12628) to amend title 38, United States Code, to increase the rates of vocational rehabilitation, educational assistance, and special training allowances paid to eligible veterans and other persons; to make improvements in the educational assistance programs and for other purposes, submit the following joint statement to the House and Senate in explanation of the effect of the action agreed upon by the managers and recommended in the accompanying conference report:

The Senate amendment struck out all of the House bill after the enacting clause and inserted a substitute text and made a title amendment.

The House recedes from its disagreement to the amendment of the Senate with an amendment which is a substitute for the House bill and the Senate amendment and with a title amendment. The differences between the House bill, the Senate amendment, and the substitute agreed to in conference are noted below, except for clerical corrections, conforming changes made necessary by agreements reached by the conferees, and minor drafting and clarifying changes.

TITLE I—VOCATIONAL REHABILITATION AND EDUCATIONAL, AND TRAINING ASSISTANCE ALLOWANCE RATE ADJUSTMENTS

Both the House bill and the Senate amendment liberalize eligibility requirements for disabled Vietnam era and post-Korean conflict veterans to receive training under the vocational rehabilitation program in chapter 31 so as to provide all post-Korean conflict veterans equal treatment for purposes of these benefits with veterans of service during World War II and the Korean conflict. The conference agreement provides for this liberalization of chapter 31 benefits—made available to any veteran with a 10-percent compensable service-connected disability or higher—for any veteran of World War II service or later service.

The House bill provides for increasing the rates of monthly educational assistance and training allowances by 13.6 percent for eligible veterans and dependents under chapters 34 and 35 and a comparable percentage increase for the vocational rehabilitation subsistence allowance under chapter 31 for service-connected disabled veterans. (This would increase the monthly educational assistance allowance for a single veteran with no dependents from $220 to $250 for full-time institutional study.) The Senate amendment provides for an increase in these rates of 18.2 percent and includes as an integral part of the rate increase package a partial tuition assistance allowance program, under which an additional allowance of up to $720 per school year would be paid to eligible veterans and persons under chapters 34 and 35, the VA paying according to the following formula: 80 percent of a school's yearly tuition charges up to $1,000 after excluding the first $100 of tuition. (The basic monthly educational assistance allowance for a single veteran with no dependents under the Senate amendment is increased from $220 to $260 for full-time institutional study plus the tuition assistance allowance entitlement, as appropriate, which would average out to approximately $31 more per average veteran per month—a total educational assistance average payment of $291 per month.)

The conference agreement provides for an increase in the monthly educational assistance, training, and vocational rehabilitation subsistence allowances of 22.7 percent, an increase for the single veteran with no dependents of from $220 to $270 for full-time institutional study. The conference did not approve the tuition assistance allowance portion of the Senate amendment, after the most extensive and careful consideration. The conferees instead substituted a provision (section 105) directing the Veterans' Administration to carry out a thorough study, and to report to the Congress and the President within 12 months, on the opportunities for abuse and administrative difficulties arising from a tuition assistance program if one were to be enacted. Various interested organizations and agencies would be consulted and their views solicited as part of the study process. The study would draw its context from the findings of abuses in connection with the World War II GI bill program and from an investigation of these problems as presently being experienced under GI bill tuition assistance programs such as chapter 31 vocational rehabilitation, correspondence courses, flight training, and PREP, and would include recommendations by the Veterans' Administration as to legislative or administrative ways in which any such abuses and difficulties could be prevented or mitigated under present or future programs.

TITLE II. EDUCATIONAL ASSISTANCE PROGRAM ADJUSTMENTS

The Senate amendment clarifies and liberalizes the circumstances under which service-connected disabled veterans training under the vocational rehabilitation program in chapter 31 may qualify for individualized tutorial assistance. The House bill contains no comparable provision. The House recedes.

Both the House bill and the Senate amendment, by an amendment to the section 1661 (a) entitlement provision, permit the initial six months of active duty training by Re-

serve and National Guard members to be counted for entitlement for educational assistance under chapter 34 if such members subsequently serve on active duty for 12 or more consecutive months. The conference agreement provides for this new eligibility by amending the definition of "active duty" in section 1652(a)(3) in order to provide greater clarity.

The Senate amendment extends the maximum entitlement to educational assistance for eligible veterans and eligible dependents from 36 to 45 months. The House bill contains no comparable provision. The House recedes.

Both the House bill and the Senate amendment extend to 10 years the current 8-year delimiting date for veterans and chapter 35 eligible dependents to complete their programs of education (and exclude in computing such delimiting date the period of time that such veteran-civilians were held as prisoners of war during the Vietnam conflict). The conference agreement does not contain such a provision since the conferees decided during the course of their deliberations to separate this agreed-upon item and proceeded to pass S. 3705 in early July, which has now been enacted into law as Public Law 93-337 (July 10, 1974).

The Senate Amendment clarifies and strengthens certain administrative provisions governing the chapters 34 and 35 educational assistance program in order to prevent and mitigate against abuses by requiring that courses with vocational objectives must demonstrate a 50-percent placement record over the preceding two-year period in the specific occupational category for which the course was designed to provide training; by prohibiting enrollment in courses which utilize significant avocational or recreational themes in their advertising; and by providing that not more than 85 percent of eligible students enrolled in proprietary below-college level courses may be wholly or partially subsidized by the Veterans' Administration or the institution. The House bill contains no comparable provisions. The conference agreement includes these provisions, clarifying that the 50-percent placement requirement does not apply where it is clear that the individual graduate is not available for employment or trained during active duty. Situations in which a graduate could be regarded as not available for employment would include a graduate who becomes disabled, is continuing schooling, is pregnant, or undergoes a change in marital status which compels the graduate to forego a new career. In addition, a graduate who unreasonably refuses to cooperate by seeking employment should not be counted in determining whether the placement percentage has been attained. Such a lack of cooperation can include unreasonable demands as to job location, remuneration, or working conditions. (The "reasonableness" of graduate cooperation should be tested, in part, against normal expectations created by the nature of the training offered by the institution and the advertsing, sales, or enrollment practices which it utilizes.)

In addition, the conferees have agreed to add a parenthetical provision so as to exclude from the computation of the 50-percent placement requirement those numbers of persons who receive their vocational training while on active duty military service. The purpose of this modification is merely to avoid imposing an unreasonable requirement on such vocational institutions to follow such servicemen throughout their period of military service—which might be a matter of several years—in order to determine whether appropriate job placement had been secured following release from active duty. On the other hand, the conferees do not intend by this modification to manifest any less concern about the quality of training which active duty servicemen obtain under the GI bill, and the conferees continue to expect, as expressed in connection with consideration of Public Law 92-540 in 1972, that the base education officers and education program of the Defense Department will generally continue adequately to counsel active duty servicemen and to monitor closely the utilization by such servicemen of their GI bill entitlements.

The conference agreement also deletes the word "specific" in modification of the term "occupational category". This deletion was agreed to in order to permit the Veterans' Administration somewhat more latitude in writing regulations to carry out this requirement. The conference has been made aware that use of the Dictionary of Titles is in some cases obsolete or unduly restrictive. Accordingly, as defined by VA regulations, closely related employment obtained by course graduates could also qualify in determining placement figures. In providing for this flexibility, however, the conferees stress that it is still their intention that this requirement be interpreted in light of the very specific discussion and examples contained in the Senate committee report (No. 93-907) on pages 64 through 72.

The conferees are aware of the inherent difficulties in locating all course graduates and intend that a statistically valid and reliable sample approved and verified by the Veterans' Administration will satisfy the requirement of this section without necessitating that the institution secure information about each course graduate. The conferees would also anticipate that, in implementing the placement requirement under this section, the Veterans' Administration will allow schools a reasonable period of time to collect and submit the required data.

Both the House bill and the Senate amendment authorize up to six months of refresher training for veterans with current GI bill eligibility in order to update knowledge and skills in light of the technological advances occurring in their fields of employment during and since the period of their active military service; however, the House bill permitted such refresher training to be initiated not later than 6 months after the veteran's discharge. The House recedes.

Both the House bill and the Senate amendment liberalize the veteran-student services program by raising the maximum work-study allowance (the House bill from $250 to $500 and the Senate amendment to $625), commensurately increasing the maximum number of hours a veteran-student may work (the House bill from 100 to 200 hours and the Senate amendment to 250 hours), and removing any statutory ceiling on the number of veterans permitted to participate in this program. The Senate amendment also limited to $250 the amount of the work-study educational assistance allowance which may be paid to a participating veteran in advance. The House recedes.

The Senate amendment liberalizes the tutorial assistance program by extending the maximum assistance period from 9 to 12 months and increasing the maximum monthly tutorial assistance allowance from $50 to $60. The House bill contains no comparable provision. The House recedes.

The Senate amendment liberalizes permissible absences from courses not leading to a standard college degree by excluding customary vacation period established by institutions in connection with Federal or State legal holidays. The House bill contains no comparable provision. The House recedes.

In this connection, the conferees note that in numerous places in the bill, the Senate amendment and the conference report have deleted the words "below the college level" and inserted in lieu thereof "leading to a standard college degree". The House conferees have agreed to these stylistic changes only with the very explicit understanding, which is also shared by the Senate conferees, that this change in terminology makes no substantive alteration in the scope and applicability of all of the sections being so modified.

Both the House bill and the Senate amendment extend to eligible dependents under chapter 35 eligibility for farm cooperative training under the same terms and conditions as apply to eligible veterans under chapter 34. The conference agreement contains this provision.

The Senate amendment increases the allowance payable by the Administrator for the administrative expenses incurred by State approving agencies and administering benefits under title 38. The House bill contains no comparable provision. The House recedes.

Both the House bill and the Senate amendment permit any joint apprenticeship training committee which acts as a training establishment to receive the annual reporting fee of $3 for each eligible veteran or person enrolled in educational assistance programs in return for furnishing the VA with required reports and certificates of enrollment, attendance, and termination regarding such eligible veterans. The conference agreement includes this provision.

Both the House bill and the Senate amendment permit an educational institution offering courses not leading to a standard college degree to measure such courses on a quarter- or semester-hour basis provided certain specific measurements of the academic, laboratory, and shop portions of such courses meet minimum requirements. The House bill adds a proviso that in no event shall such course be considered a full-time course when less than 25 hours of attendance per week is required; the Senate amendment reduces this minimum requirement to 18 hours. The conference agreement provides that 22 hours of attendance per week shall be required.

The Senate amendment repeals the current 48-month limitation on any person training under more than one VA educational assistance program. The House bill contains no comparable provision. The Senate recedes.

The Senate amendment provides that the Administrator shall not approve the enrollment of any eligible veteran or dependent in any course offered by an institution which utilizes erroneous, deceptive, or misleading advertising, sales, or enrollment practices of any type and provides that a final cease and desist order entered by the Federal Trade Commission shall be conclusive as to disapproval of such a course for GI bill enrollment purposes. The House bill contains no comparable provision. The conference agreement contains the Senate provision without the above described FTC-order-conclusiveness provision.

The Senate amendment provides for a new subchapter under which the Administrator is directed to measure and evaluate all programs authorized by title 38 with respect to their effectiveness, impact, and structure and mechanisms for service delivery, and to collect, collate, and analyze on a continuing basis, full data regarding the operation of all such programs and to make available to the public the results of his findings. The House bill contains no comparable provision. The conference agreement embodies the essence of the Senate provision, although somewhat revising and condensing the language in order to provide for greater focus and more specificity.

The conferees wish to stress that in condensing the new section 219 (evaluation and data collection), as added in section 213 of the conference report, the requirement in subsection (c) of the original Senate pro-

vision, that, whenever feasible, the Administrator should arrange to obtain the specific views of program beneficiaries and program participants with respect to evaluations of such programs, was deleted as unnecessary. The conferees believe that the Administrator already possesses inherent authority to do this, and that it would be desirable for him to exercise that authority. The conferees also believe that the most effective evaluations are those conducted by fully independent personnel.

The Senate amendment clarifies and strengthens the Administrator's functions and responsibilities under the VA outreach program provisions to include a greater use of telephone and mobile facilities and peer-group contact, as well as providing for certain stress on bilingual services in certain areas and providing explicit contract authority with respect to certain outreach activities. The House bill contains no comparable provision. The conference agreement contains the Senate provisions, except that it eliminates the requirement that contract authority be exercised for outreach activities, and any statutory specification of mobile facilities.

The conferees do not intend by the deletion of specific statutory reference to the use of "mobile" facilities to indicate in any way their disapproval of or lack of support for the appropriate use of such facilities as mobile vans and wish to stress, moreover, their belief that these vans, which hitherto have generally been employed only in rural areas, could serve as useful a purpose in urban areas with high population concentrations.

The Senate amendment establishes a veterans representative (Vet Rep) program to provide for a full-time VA employee at, or in connection with, each educational institution where at least 500 GI bill trainees are enrolled, to serve as a liaison between the VA and the institution and to identify and resolve various problems with respect to VA benefits, especially educational assistance, for veterans attending each such institution. The House bill contains no comparable provision. The House recedes.

In adopting this provision, the conferees were keenly aware of the concerns which have been expressed to members of both bodies about the implementation of this program which has already been undertaken administratively by the VA, and of the assurances received from the Office of Management and Budget, the White House, and the VA with respect to the intended operation of this program. Of specific concern is the understanding, most recently embodied in the Senate Appropriations Committee report (No. 93-1056) on H.R. 15572, the Fiscal Year 1975 HUD-Space-Science-Veterans Appropriations Act, that VA regional offices, with the concurrence of the Chief Benefits Director, will have considerable flexibility in the assignment of these new Vet Reps in terms of particular campus needs. This same flexibility is provided for in the conference report. In those instances where a Vet Rep can perform more effectively in terms of carrying out the special responsibilities of liaison with the campus veterans, assignment of the Vet Reps to regional offices should be carried out in order to improve the capacity of those offices to provide effective services. At the same time, the conferees wish to call attention to the conference report provision which is intended to avoid any situation in which an educational institution might be in any way compelled to accept such an on-campus assignment by the VA (new section 243(a)(4) provides that the "inappropriateness of assignment of veterans' representatives to a particular educational institution" shall be grounds for reallocation of such Vet Reps to other educational institutions or to the regional office). The conferees expect that such assignment matters will be resolved amicably in close consultation and coordination with individual institutions, GI bill trainees at such institutions, and other interested parties.

The Senate amendment establishes an Inter-Agency Advisory Committee on Veterans Service to be composed of the heads of various Federal departments and agencies (with the Administrator as Chairman) to promote maximum feasible effectiveness and coordination of and interrelationship among all Federal programs affecting veterans and dependents, and to make recommendations to the President and the Congress regarding the annual budget and the development, coordination, and improvement of Federal programs and laws affecting veterans and their dependents. The House bill contains no comparable provision. The conference agreement provides that the Administrator shall seek to achieve the maximum feasible effectiveness, coordination, and interrelationship of services among all Federal programs and activities affecting veterans and seek to achieve the maximum coordination of their programs with the programs carried out by the Veterans' Administration. The conferees expect the Administrator to specify in his annual report the results of this new process.

TITLE III. VETERAN AND DEPENDENTS EDUCATION LOAN PROGRAM

The Senate amendment authorizes supplementary assistance to veterans and eligible dependents by direct loans to them from the VA (utilizing the National Service Life Insurance Trust Fund) of up to $2,000 a year to cover educational costs not otherwise provided for in title 38 or other Federal loan or grant programs. The House bill contains no comparable provision. The conference agreement provides for such a supplementary loan program, reducing the maximum yearly loan to $1,000, increasing the maximum amount of the loan fee which the Administrator may charge for such loans, directing the Administrator to collect any delinquent amounts in loan principal and interest payments in the same manner as any other debt due the United States, and directing the Administrater to report to the Congress annually on the default experience at each institution.

The conferees are concerned that excessive default rates at certain institutions might jeopardize the success of the program, and both Committees will closely monitor default experience and expect the Administrator to do so as well. In this connection, the conferees direct the Administrator to utilize his new authority under new section 1796, added to title 38 by section 212 of the conference report, with respect to deceptive and misleading advertising, to take affirmative steps to prevent any questionable sales or enrollment practices utilizing advertising about the availability of the new loan program as a promotional technique. The Administrator should, in this regard and as part of fulfilling his notification requirement under section 502 of the conference report, promulgate in regulations a model loan description which shall be used by institutions in their advertising if they wish to refer to the loan availability.

TITLE IV. VETERANS, WIVES, AND WIDOWS EMPLOYMENT ASSISTANCE AND PREFERENCE AND VETERANS' REEMPLOYMENT RIGHTS

The Senate amendment extends chapter 41 benefits (job counselling, training, and placement services) to wives and widows eligible for educational assistance benefits under chapter 35. The House bill contains no comparable provision. The House recedes.

The Senate amendment expands and strengthens the administrative controls which the Secretary of Labor is directed to establish under chapter 41 in order to insure that eligible veterans, wives, and widows are promptly placed in a satisfactory job or job training opportunity or receive some other specific form of employment assistance, and requires the Secretary to publish standards for determining compliance by State Public Employment Service agencies with the provisions of chapters 41 and 42. The House bill contains no comparable provision. The House recedes.

The Senate amendment clarifies and strengthens existing law requiring that Federal contractors and all of their subcontractors take particular actions in addition to job listing in order to give "special emphasis" to the employment of qualified service-connected disabled and Vietnam era veterans. The House bill contains no comparable provision. The conference agreement provides further clarification in this provision by making clear the intention of the Congress that affirmative action is to be taken by all Federal contractors and all of their subcontractors with respect to their employment practices in order to promote the greatest possible employment and advancement in employment of qualified service-connected disabled veterans and veterans of the Vietnam era. It is the conferees' objective in making this clarification to ensure that the goals of the program, as spelled out above, will be achieved according to an orderly and effective timetable, backed up by an effective compliance mechanism. The provision in the conference report is thus substantially identical in language and intended scope with the provisions of section 503 of the Rehabilitation Act of 1973 (Public Law 93-112).

The Senate amendment includes a provision stating that it is the policy of the United States to promote maximum employment and job advancement opportunities within the Federal Government for qualified service-connected disabled and Vietnam era veterans, and providing for special Federal appointment authority and other mechanisms to carry out such policy. The House bill contains no comparable provision. The House recedes.

The Senate amendment provides for the codification into title 38 of existing law on veterans' reemployment rights, and further extends such rights to veterans who were employed by States, or their political subdivisions. The House bill contains no comparable provision. The House recedes.

TITLE V. EFFECTIVE DATES

The House bill makes all amendments effective on the date of enactment except for rate increases which are to be effective on the first day of the second calendar month which begins after the date of enactment. The Senate amendment makes the provisions in titles II and IV of the Senate amendment effective on the date of enactment (improvements in GI bill provisions and in employment assistance), the new loan program in title III effective on September 1, 1974, and the rate increases and other provisions of title I effective on July 1, 1974. The conference agreement makes all amendments effective on the date of enactment except that the rate increase will be effective September 1, 1974, and the new loan program will be effective November 1, 1974 (except that veterans or dependents eligible for such loan entitlement on or after November 1, 1974, shall be entitled to a loan amount reflective of the full amount of their tuition and all other costs of attendance which they incurred for the academic year beginning on or about September 1, 1974).

TITLE AMENDMENT

The Senate amendment amends the title of the bill to reflect the provisions in the Senate amendment. The conference agreement amends the title to reflect the provisions in the conference report.

CHANGES IN EXISTING LAW MADE BY H.R. 12628 AS AGREED TO IN CONFERENCE

For the information of the Members of Congress, changes in existing law made by the bill (H.R. 12628) as agreed to in conference, are shown as follows (existing law proposed to be omitted is enclosed in black brackets, new matter is printed in italics, existing law in which no change is proposed is shown in roman):

TITLE 38—UNITED STATES CODE

* * * * *

PART III. READJUSTMENT AND RELATED BENEFITS

Chapter	Sec.
31. Vocational Rehabilitation	1501
34. Veterans Educational Assistance	1650
25. War Orphans' and Widows' Educational Assistance	1700
36. Administration of Educational Benefits	1770
37. Home, Farm, and Business Loans	1801
39. Automoiles and Adaptive Equipment for Certain Disabled Veterans and Members of the Armed Forces	1901
41. Job Counseling, Training, and Placement Service for Veterans	2001
42. Employment and Training of Disabled and Vietnam Era Veterans	2011
43. Veterans Reemployment Rights	*2021*

CHAPTER 3—VETERANS' ADMINISTRATION; OFFICERS AND EMPLOYEES

* * * * *

SUBCHAPTER II—ADMINISTRATOR OF VETERANS' AFFAIRS

Sec.
210. Appointment and general authority of Administrator; Deputy Administrator.
211. Decisions by Administrator; opinions of Attorney General.
212. Delegation of authority and assignment of duties.
213. Contracts and personal services.
214. Report to the Congress.
215. Publication of laws relating to veterans.
216. Research by Administrator; indemnification of contractors.
217. Studies of rehabilitation of disabled persons.
218. Standards of conduct and arrests for crimes at hospitals, domiciliaries, cemeteries, and other Veterans' Administration reservations.
219. Evaluation and data collection.
220. Coordination of other Federal programs affecting veterans and their dependents.

SUBCHAPTER IV—VETERANS OUTREACH SERVICES PROGRAM

Sec.
240. Purpose; definitions.
241. Outreach services.
242. Veterans assistance offices.
243. Veterans' representatives.
[243] *244.* Utilization of other agencies.
[244] *245.* Report to Congress.

* * * * *

Subchapter II—Administrator of Veterans' Affairs

* * * * *

§ 219. Evaluation and data collection

(a) The Administrator, pursuant to general standards which he shall prescribe in regulations, shall measure and evaluate on a continuing basis the impact of all programs authorized under this title, in order to determine their effectiveness in achieving stated goals in general, and in achieving such goals in relation to their cost, their impact on related programs, and their structure and mechanisms for delivery of services. Such information as the Administrator may deem necessary for purposes of such evaluations shall be made available to him, upon request, by all departments, agencies, and instrumentalities of the executive branch.

(b) In carrying out this section, the Administrator shall collect, collate, and analyze on a continuing basis full statistical data regarding participation (including the duration thereof), provision of services, categories of beneficiaries, planning and construction of facilities, acquisition of real property, proposed excessing of land, accretion and attrition of personnel, was categorized expenditures attributable thereto, under all programs carried out under this title.

(c) The Administrator shall make available to the public and on a regular basis provide to the appropriate committees of the Congress copies of all completed evaluative research studies and summaries of evaluations of program impact and effectiveness caried out, and tabulations and analyses of all data collected, under this section.

§ 220. Coordination of other Federal programs affecting veterans and their dependents.

The Administrator shall seek to achieve the maximum feasible effectiveness, coordination, and interrelationship of services among all programs and activities affecting veterans and their dependents carried out by and under all other departments, agencies, and instrumentalities of the executive branch and shall seek to achieve the maximum feasible coordination of such programs with programs caried out under this title.

* * * * *

Subchapter IV—Veterans Outreach Services Program

* * * * *

§ 241. Outreach services

The Administrator shall provide the following outreach services in *carrying out the purposes of this subchapter (including the provision, to the maximum feasible extent of such services, in areas where a significant number of eligible veterans and eligible dependents speaks a language other than English as their principal language, in the principal language of such persons)*:

(1) by letter advise each veteran at the time of his discharge or release from active military, naval, or air service, or as soon as possible thereafter, of all benefits and services under laws administered by the Veterans' Administration for which the veteran may be eligible and, in carying out this paragraph, the Administrator shall insure, through the utilization of veteran-student services under section 1685 of this title, that contact, in person or by telephone, is made with those veterans who, on the basis of their military service records, do not have a high school education or equivalent at the time of discharge or release;

(2) distribute full information *to eligible veterans and eligible dependents* regarding all benefits and services to which they may be entitled under laws administered by the Veterans' Administration and may, to the extent feasible, distribute information on other governmental programs (including manpower and training programs) which he determines would be beneficial to veterans; and

(3) provide, to the maximum extent possible, aid and assistance (including personal interviews) to members of the Armed Forces, veterans, and eligible dependents in respect to clauses (1) and (2) above and in the preparation and presentation of claims under laws administered by the Veterans' Administration.

§ 242. Veterans assistance offices

(a) The Administrator shall establish and maintain veterans assistance offices at such places throughout the United States and its territories and possessions, and the Commonwealth of Puerto Rico, as he determines to be necessary to carry out the purposes of this subchapter, with due regard for the geographical distribution of veterans recently discharged or released from active military, naval, or air service, the special needs of educationally disadvantaged veterans (including their need for accessibility of outreach services), and the necessity of providing appropriate out-reach services in less populated areas.

(b) The Administrator [may implement such special telephone service] *shall establish and carry out all possible programs and services, including special telephone facilities,* as may be necessary to make the outreach services provided for under this subchapter as widely available as possible.

§ 243. Veterans' representatives

(a)(1) Except as otherwise provided in paragraph (4) of this subsection, the Administrator shall assign, with appropriate clerical/secretarial support, to each educational institution (as defined in section 1652(c) except for correspondence schools) where at least five hundred persons are enrolled under chapter 31, 34, 35, and 36 of this title such number of full-time veterans' representatives as will provide at least one such veterans' representative per eahc five hundred such persons so enrolled at each such institution; and the Administrator shall also assign to other such veterans' representatives responsibility for carrying out the functions set forth in paragraph (3) of this subsection with respect to groups of institutions with less than five hundred such persons so enrolled, on the basis of such proportion of such veterans' representatives' time to such persons so enrolled as he deems appropriate to be adequate to perform such functions at such institutions.

(2) In selecting and appointing veterans' representatives under this subsection, preference shall be given to veterans of the Vietnam era with experience in veterans affairs' counselling, out-reach, and other related veterans' services.

(3) The functions of such veterans' representatives shall be to—

(A) answer all inquiries related to Veterans' Administration educational assistance and other benefits, and take all necessary action to resolve such inquiries expeditiously, especially those relating to payments of educational assistance benefits;

(B) assure correctness and proper handling of applications, completion of certifications of attendance, and submission of all necessary information (including changes in status or program affecting payments) in support of benefit claims submitted;

(C) maintain active liaison, communication, and cooperation with the officials of the educational institution to which assigned, in order to alert veterans to changes in law and Veterans' Administration policies or procedures;

(D) supervise and expeditiously resolve all difficulties relating to the delivery of advance educational assistance payments authorized under this title;

(E) coordinate Veterans' Administration matters with, and provide appropriate briefings to, all on-campus veterans' groups working particularly closely with veterans' coordinators at educational institutions receiving veterans' cost-of-instruction payments under section 420 of the Higher Education Act of 1965, as amended (hereinafter referred to as "V.C.I. institutions");

(F) provide necessary guidance and support to veteran-student services personnel assigned to the campus under section 1685 of this title;

(G) where such functions are not being

adequately carried out by existing programs at such institutions (i) provide appropriate motivational and other counseling to veterans (informing them of all available benefits and services, as provided for under section 241 of this title) and (ii) carry out outreach activities under this subchapter; and

(H) carry out such other activities as may be assigned by the director of the Veterans' Administration regional office, established under section 230 of this title.

(4) Based on the extent to which the functions set forth in paragraph (3) of this subsection are being adequately carried out at a particular educational institution or in consideration of other factors indicating the inappropriateness of assignment of veterans' representatives to a particular educational institution, the director of the appropriate Veterans' Administration regional office shall, notwithstanding the formula set forth in paragraph (1) of this subsection, either reallocate such veterans' representatives to other educational institutions in such region where he determines that such additional veterans' representatives are necessary, or, with the approval of the chief benefits officer of the Veterans' Administration, assign such veterans' representatives to carry out such functions or related activities at the regional office in question, with special responsibility for one or more than one particular educational institution.

(5) The functions of a veterans' representative assigned under this subsection shall be carried out in such a way as to complement and not interfere with the statutory responsibilities and duties of persons carrying out veterans affairs' functions at V.C.I. institutions.

(b) The Administrator shall establish rules and procedures to guide veterans' representatives in carrying out their functions under this section. Such rules and procedures shall contain provisions directed especially to assuring that activities of veterans' representatives carried out under this section complement, and do not interfer with, the established responsibilities of representatives recognized by the Administrator under section 3402 of this title.

[§ 243.] § *244.* Utilization of other agencies

In carrying out the purposes of this subchapter, the Administrator [may] *shall*—

(1) arrange with the Secretary of Labor for the State employments service to match the particular qualifications of an eligible veteran or eligible dependent with an appropriate job or job training opportunity, to include where possible, arrangements for outstationing the State employment personnel who provide such assistance at appropriate facilities of the Veterans' Administration;

(2) cooperate with and use the services of any Federal department or agency or any State or local governmental agency or recognized national or other organization;

(3) where appropriate, make referrals to any Federal department or agency or State or local governmental unit or recognized national or other organization;

(4) at his discretion, furnish available space and office facilities for the use of authorized representatives of such governmental unit or other organization providing services; and

(5) conduct *and provide for* studies in consultation with appropriate Federal departments and agencies to determine the most effective program design to carry out the purposes of this subchapter.

[§ 244.] § *245.* Report to Congress

The Administrator shall include in the annual report to the Congress required by section 214 of this title a report on the activities carried out under this subchapter, each report to include an appraisal of the effectiveness of the programs authorized herein and recommendations for the improvement or more effective administration of such programs.

CHAPTER 31—VOCATIONAL REHABILITATION

* * * * *

§ 1501. Definitions

For the purposes of this chapter—

(1) The term "World War II" means the period beginning on September 16, 1940, and ending on July 25, 1947.

(2) The term "vocational rehabilitation" means training (including educational and vocational counseling, *all appropriate individualized tutorial assistance,* and other necessary incidental services) for the purpose of restoring employability to the extent consistent with the degree of disablement, lost by virtue of a handicap due to service-connected disability.

§ 1502. Basic entitlement

(a) Every veteran who is in need of vocational rehabilitation on account of a service-connected disability which is, or but for the receipt of retirement pay would be, compensable under chapter 11 of this title shall be furnished such vocational rehabilitation as may be prescribed by the Administrator, [if such disability—] *arose out of service during World War II or thereafter.*

[(1) arose out of service during World War II or the Korean conflict; or

[(2) arose out of service (*A*) after World War II, and before the Korean conflict, or (*B*) after the Korean conflict, and is raised for compensation purposes as 30 per centum or more, or if less than 30 per centum, is clearly shown to have caused a pronounced employment handicap.]

(b) Unless a longer period is prescribed by the Administrator, no course of vocational rehabilitation may exceed four years. If the veteran has pursued an educational or training program under chapter 33 (prior to its repeal), 34, 35, or 36 of this title, such program shall be utilized to the fullest extent practical in determining the character and duration of the vocational rehabilitation to be furnished him under this chapter.

(c) Vocational rehabilitation may not be afforded outside of a State to a veteran on account of post-World War II service if the veteran, at the time of such service, was not a citizen of the United States.

(d) Veterans pursuing a program of vocational rehabilitation training under the provisions of this chapter shall also be eligible, where feasible, to perform veteran-student services pursuant to section 1685 of this title and for advance subsistence allowance payments as provided by section 1780 of this title.

* * * * *

§ 1504. Subsistence allowances

(a) While pursuing a course of vocational rehabilitation training and for two months after his employability is determined, each veteran shall be paid a subsistence allowance as prescribed in this section.

(b) The subsistence allowance of a veteran-trainee is to be determined in accordance with the following table, and shall be the monthly amount shown in column II, III, IV, or V (whichever is applicable as determined by the veteran's dependency status) opposite the appropriate type of training as specified in column I:

Column I	Column II	Column III	Column IV	Column V
Type of training	No dependents	One dependent	Two dependents	More than two dependents
				The amount in column IV, plus the following for each dependent in excess of two:
Institutional:				
Full-time	$170	$212	$248	$18
Three-quarter-time	128	159	187	14
Half-time	85	106	124	9
Farm cooperative, apprentice, or other on-job training: Full-time	148	179	207	14

Column I	*Column II*	*Column III*	*Column IV*	*Column V*
Type of training	*No dependents*	*One dependent*	*Two dependents*	*More than two dependents*
				The amount in column IV, plus the following for each dependent in excess of two:
Institutional:				
Full-time	*$201*	*$243*	*$283*	*$21*
Three-quarter-time	*151*	*183*	*221*	*17*
Half-time	*100*	*125*	*147*	*11*
Farm cooperative, apprentice, or other on-the-job training:				
Full-time	*175*	*213*	*245*	*17*

CHAPTER 34—VETERANS' EDUCATIONAL ASSISTANCE

* * * * *

SUBCHAPTER IV—PAYMENTS TO ELIGIBLE VETERANS; VETERAN-STUDENT SERVICES

Sec.
1681. Educational assistance allowance.
1682. Computation of educational assistance allowances.
1683. Approval of courses.
1684. Apprenticeship or other on-job training; correspondence courses.
1685. Veteran-student services.
1686. Education loans.

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Subchapter I—Purpose—Definitions

* * * * *

§ 1652. Definitions

For the purposes of this chapter—

(a) (1) The term "eligible veteran" means any veteran who (A) served on active duty

for a period of more than 180 days any part of which occurred after January 31, 1955, and who was discharged or released therefrom under conditions other than dishonorable or (B) was discharged or released from active duty after such date for a service-connected disability.

(2) The requirement of discharge or release, prescribed in paragraph (1)(A), shall be waived in the case of any individual who served more than one hundred and eighty days in an active-duty status for so long as he continues on active duty without a break therein.

(3) For purposes of paragraph (1)(A) and section 1661(a), the term "active duty" does not include any period during which an individual (A) was assigned full time by the Armed Forces to a civilian institution for a course of education which was substantially the same as established courses offered to civilians, (B) served as a cadet or midshipman at one of the service academies, or (C) served under the provisions of section 511(d) of title 10 pursuant to an enlistment in the Army National Guard or the Air National Guard or as a Reserve for service in the Army Reserve, Naval Reserve, Air Force Reserve, Marine Corps Reserve, or Coast Guard Reserve[.] *unless at some time subsequent to the completion of such period of active duty for training such individual served on active duty for a consecutive period of one year or more (not including any service as a cadet or midshipman at one of the service academies).*

(b) The term "program of education" means any curriculum or any combination of unit courses or subjects pursued at an educational institution which is generally accepted as necessary to fulfill requirements for the attainment of a predetermined and identified educational professional, or vocational objective. Such term also means any curriculum of unit courses or subjects pursued at an educational institution which fulfill requirements for the attainment of more than one predetermined and identified educational, professional, or vocational objective if all the objectives pursued are generally recognized as being reasonably related to a single career field. Such term also means any unit course or subject, or combination of courses or subjects, pursued by an eligible veteran at an educational institution, required by the Administrator of the Small Business Administration as condition to obtaining financial assistance under the provisions of 402(a) of the Economic Opportunity Act of 1964 (42 U.S.C. 2902(a)).

(c) The term "educational institution" means any public or private elementary school, secondary school, vocational school, correspondence school, business school, junior college, teachers' college, college, normal school, professional school, university, or scientific or technical institution, or other institution furnishing education for adults.

(d) The term "dependent" means—

(1) a child of an eligible veteran;

(2) a dependent parent of an eligible veteran; and

(3) the wife of an eligible veteran.

(e) For the purposes of this chapter and chapter 36 of this title, the term "training establishment" means any establishment providing apprentice or other training on the job, including those under the supervision of a college or university or any State department of education, or any State apprenticeship agency, or any State board of vocational education, or any joint apprenticeship committee, or the Bureau of Apprenticeship and Training established pursuant to chapter 4C of title 29, United States Code, or any agency of the Federal Government authorized to supervise such training.

SUBCHAPTER II—ELIGIBILITY AND ENTITLEMENT

§ 1661. Eligibility; entitlement; duration

Entitlement

(a) Except as provided in subsection (c) and in the second sentence of this subsection, each eligible veteran shall be entitled to educational assistance under this chapter or chapter 36 for a period of one and one-half months (or the equivalent thereof in part-time educational assistance) for each month or fraction thereof of his service on active duty after January 31, 1955. If an eligible veteran has served a period of 18 months or more on active duty January 31, 1955, and has been released from such service under conditions that would satisfy his active duty obligation, he shall be entitled to educational assistance under this chapter for a period of 36 months (or the equivalent thereof in part-time educational assistance) plus an additional number of months, not exceeding nine, as may be utilized in pursuit of a program of education leading to a standard undergraduate college degree.

Entitlement Limitations

(b) Whenever the period of entitlement under this section of an eligible veteran who is enrolled in an educational institution regularly operated on the quarter or semester system ends during a quarter or semester, such period shall be extended to the termination of such unexpired quarter or semester. In educational institutions not operated on the quarter or semester system, whenever the period of eligibility ends after a major portion of the course is completed such period shall be extended to the end of the course or for twelve weeks, whichever is the lesser period.

(c) Except as provided in [subsection] *subsections (a) and (b)* and in subchapters V and VI of this chapter, no eligible veteran shall receive educational assistance under this chapter in excess of thirty-six months.

* * * * *

SUBCHAPTER III—ENROLLMENT

* * * * *

§ 1673. Disapproval of enrollment in certain courses

(a) The Administrator shall not approve the enrollment of an eligible veteran in—

(1) any bartending course or personality development course;

(2) any sales or sales management course which does not provide specialized training within a specific vocational field, *or in any other course with a vocational objective,* unless the eligible veteran or the institution offering such course submits justification showing that at least one-half of the persons [completing] *who completed* such course over the preceding two-year period, *and who are not unavailable for employment,* have been employed in the [sales or sales management field] *occupational category for which the course was designed to provide training (but in computing the number of persons who completed such course over any such two-year period, there shall not be included the number of persons who completed such course with assistance under this title while serving on active duty);* or

(3) any type of course which the Administrator finds to be avocational or recreational in character (*or the advertising for which he finds contains significant avocational or recreational themes*) unless the veteran submits justification showing that the course will be of bona fide use in the pursuit of his present or contemplated business or occupation.

(b) Except as provided in section 1677 of this title, the Administrator shall not approve the enrollment of an eligible veteran in any course of flight training other than one given by an educational institution of higher learning for credit toward a standard college degree the eligible veteran is seeking.

(c) The Administrator shall not approve the enrollment of an eligible veteran in any course to be pursued by open circuit television (except as herein provided) or radio. The Administrator may approve the enrollment of an eligible veteran in a course, to be pursued in residence, leading to a standard college degree which includes, as an integral part thereof, subjects offered through the medium of open circuit television, if the major portion of the course requires conventional classroom or laboratory attendance.

(d) The Administration shall not approve the enrollment of any eligible veteran, not already enrolled, in any [nonaccredited] course [below the college level] (*other than one offered pursuant to subchapter V or subchapter VI of this chapter*) *which does not lead to a standard college degree and which is* offered by a proprietary profit or proprietary nonprofit educational institution for any period during which the Administrator finds that more than 85 per centum of the students enrolled in the course are having all or part of their tuition, fees, or other charges paid to or for them by the educational institution or the Veterans' Administration under this title.

* * * * *

§ 1677. Flight training

(a) The Administrator may approve the pursuit by an eligible veteran of flight training where such training is generally accepted as necessary for the attainment of a recognized vocational objective in the field of aviation or where generally recognized as ancillary to the pursuit of a vocational endsaver other than aviation, subject to the following conditions:

(1) the eligible veterans must possess a valid private pilot's license and meet the medical requirements necessary for a commercial pilot's license; and

(2) the flight school courses must meet the Federal Aviation Administration standards and be approved both by the Agency and the appropriate State approving agency.

(b) Each eligible veteran who is pursuing a program of education consisting exclusively of flight training approved as meeting the requirements of subsection (a) hereof, shall be paid an educational assistance allowance to be computed at the rate of 90 per centum of the established charges for tuition and fees which similarly circumstanced nonveterans enrolled in the same flight course are required to pay. Such allowance shall be paid monthly upon receipt of a certification as required by section 1681(c) of this title. In each such case the eligible veteran's period of entitlement shall be charged with one month for each [$220] *$260* which is paid to the veteran as an educational assistance allowance for such course.

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SUBCHAPTER IV—PAYMENTS TO ELIGIBLE VETERANS; VETERAN-STUDENT SERVICES

* * * * *

Flight Training

§ 1682. Computation of educational assistance allowances

(a)(1) Except as provided in subsection (b), or (c) of this section, or section 1677 or 1787 of this title, while pursuing a program of education under this chapter of half-time or more, each eligible veteran shall be paid the monthly educational assistance allowance set forth in column II, III, IV, or V (whichever is applicable as determined by the veteran's dependency status) opposite the applicable type of program as shown in column I:

Column I	Column II	Column III	Column IV	Column V
Type of program	No dependents	One dependent	Two dependents	More than two dependents
				The amount in column IV, plus the following for each dependent in excess of two:
Institutional:				
Full-time	$220	$261	$298	$18
Three-quarter-time	165	196	224	14
Half-time	110	131	149	9
Cooperative	177	208	236	14

Column I	*Column II*	*Column III*	*Column IV*	*Column V*
Type of program	*No dependents*	*One dependent*	*Two dependents*	*More than two dependents*
				The amount in column IV, plus the following for each dependent in excess of two:
Institutional:				
Full-time	*$370*	*$349*	*$396*	*$22*
Three-quarter-time	*203*	*249*	*279*	*17*
Half-time	*135*	*160*	*182*	*11*
Cooperative	*247*	*255*	*289*	*71*

(2) A "cooperative" program, other than a "farm cooperative" program, means a full-time program of education which consists of institutional courses and alternate phases of training in the business or industrial establishment with the training in the business or industrial establishment being strictly supplemental to the institutional portion.

(b) The educational assistance allowance of an individual pursuing a program education—

(1) while on active duty, or

(2) on less than a half-time basis.

shall be computed at the rate of (A) the established charges for tuition and fees which the institution requires similarly circumstanced nonveterans enrolled in the same program to pay, or (B) [$220] *$260* per month for a full-time course, whichever is the lesser.

(c)(1) An eligible veterans who is enrolled in an educational institution for a "farm cooperative" program consisting of institutional agricultural courses prescheduled to fall within 44 weeks of any period of 12 consecutive months and who pursues such program on—

(A) a full-time basis (a minimum of ten clock hours per week or four hundred and forty clock hours in such year prescheduled to provide not less than eighty clock hours in any 3-month period),

(B) a three-quarter-time basis (a minimum of 7 clock hours per week), or

(C) a half-time basis (a minimum of 5 clock hours per week) shall be eligible to receive an educational assistance allowance at the appropriate rate provided in the table in paragraph (2) of this subsection, if such eligible veteran is concurrently engaged in agricultural employment which is relevant to such institutional agricultural courses as determined under standards prescribed by the Administrator. In computing the foregoing clock hour requirements there shall be included the time involved in field trips and individual and group instruction sponsored and conducted by the educational institution through a duly authorized instructor of such institution in which the veteran is enrolled.

(2) The monthly educational assistance allowance of an eligible veteran pursuing a farm cooperative program under this chapter shall be paid as set forth in column II, III, IV, or V (whichever is applicable as determined by the veteran's dependency status) opposite the basis shown in column I:

Column I	Column II	Column III	Column IV	Column V
Type of training	No dependents	One dependent	Two dependents	More than two dependents
				The amount in column IV, plus the following fo each dependent in excess of two:
Full-time	$177	$208	$236	$11
Three-quarter-time	133	156	177	11
Half-time†††	89	104	118	4

Column I	*Column II*	*Column III*	*Column IV*	*Column V*
Basis	*No dependents*	*One dependent*	*Two dependents*	*More than two dependents*
				The amount in column IV, plus the following for each dependent in excess of two:
Full-time	*$217*	*$255*	*$284*	*$17*
Three-quarter-time	*163*	*191*	*218*	*13*
Half-time†	*109*	*128*	*145*	*9*

(d)(1) Notwithstanding the prohibition in section 1671 of this title prohibiting enrollment of an eligible veteran in a program of education in which such veteran has "already qualified," a veteran shall be allowed up to six months of educational assistance (or the equivalent thereof in part-time assistance) for the pursuit of refresher training to permit such veteran to update such veterans' knowledge and skills and to be instructed in the technological advances which have occurred in such veterans' field of employment during and since the period of such veteran's active military service.

(2) A veteran pursuing refresher training under this subsection shall be paid an educational assistance allowance based upon the rate *prescribed in the* table in subsection (a)(1) or in subsection (c)(2) of this section, whichever is applicable.

(3) The educational assistance allowance paid under the authority of this subsection shall be charged against the period of entitlement the veteran has earned pursuant to section 1661(a) of this title.

* * * * *

§ 1685. Veteran-student services

(a) Veteran-students utilized under the authority of subsection (b) of this section shall be paid an additional educational assistance allowance (hereafter referred to as "work-study allowance"). Such work-study allowance shall be paid [in advance] in the amount of [$250] *$625* in return for such veteran-student's agreement to perform services, during or between periods of enrollment, aggregating [one] *two* hundred *and fifty* hours during a semester or other applicable enrollment period, required in connection with (1) the outreach services program under subchapter IV of chapter 3 of this title as carried out under the supervision of a Veterans' Administration employee, (2) the preparation and processing of necessary papers and other documents at educational institutions or regional offices or facilities of the Veterans' Administration, (3) the provision of hospital and domiciliary care and medical treatment under chapter 17 of this title, or (4) any other activity of the Veterans' Administration as the Administrator shall determine appropriate. [Advances of lesser amounts may be made in return for agreements to perform services for periods of less than one hundred hours, the amount of such advance to bear the same ratio to the number of hours of work agreed to be performed as $250 bears to one hundred hours] *An agreement may be entered into for the performance of services for periods of less than two hundred and fifty hours, in which case the amount of the work-study allowance to be paid shall bear the same ratio to the number of hours of work agreed to be performed as $625 bears to two hundred and fifty hours. In the case of any agreement providing for the performance of services for one hundred hours or more, the veteran student shall be paid $250 in advance, and in the case of any agreement for the performance of services for less than one hundred hours, the amount of the advance payment shall bear the same ratio to the number of hours of work agreed to be performed as $625 bears to two hundred and fifty hours.*

(b) Notwithstanding any other provision of law, the Administrator shall utilize, in connection with the activities specified in subsection (a) of this section, the services of veteran-students who are pursuing full-time programs of education or training under chapters 31 and 34 of this title. In carrying out this section, the Administrator, whereever feasible, shall give priority to veterans with disabilities rated at 30 per centum or more for purposes of chapter 11 of this title.

(c) The Administrator shall determine the number of veterans whose services the Veterans' Administration can effectively utilize [(not to exceed eight hundred man-year or their equivalent in man-hours during any fiscal year)] and the types of services that such veterans may be required to perform, on the basis of a survey, which he shall conduct annually, of each Veterans'

Administration regional office in order to determine the numbers of veteran-students whose services can effectively be utilized during an enrollment period in each geographical area where Veterans' Administration activities are conducted, and shall determine which veteran-students shall be offered agreements under this section in accordance with regulations which he shall prescribe, including as criteria (1) the need of the veterans to augment his educational assistance or subsistence allowance; (2) the availability to the veteran of transportation to the place where his services are to be performed; (3) the motivation of the veteran; and (4) in the case of a disabled veteran pursuing a course of vocational rehabilitation under chapter 31 of this title, the compatibility of the work assignment to the veteran's physical condition.

(d) While performing the services authorized by this section, veteran-students shall be deemed employees of the United States for the purposes of the benefits of chapter 81 of title 5 but not for the purposes of laws administered by the Civil Service Commission.

§ 1686. Education loans

Any eligible veteran shall be entitled to an education loan (if the program of education is pursued in a State) in such amount and on such terms and conditions as provided in sections 1798 and 1799 of this title.

Subchapter V—Special Assistance for the Educationally Disadvantaged

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§ 1692. Special supplementary assistance

(a) In the case of any eligible veteran who—

(1) is enrolled in and pursuing a post-secondary course of education on a half-time or more basis at an educational institution; and

(2) has a deficiency in a subject required as a part of, or which is a prerequisite to, or which is indispensable to the satisfactory pursuant of, an approved program of education,

the Administrator may approve individualized tutorial assistance for such veteran if such assistance is necessary for the veteran to complete such program successfully.

(b) The Administrator shall pay to an eli-

(b) The Administrator shall pay to an eli-pursuant to subsection (a) of this section, in addition to the educational assistance allowance provided in section 1682 of this title, the cost of such tutorial assistance in an amount not to exceed [$50] *$60* per month, for a maximum of [nine] *twelve* months, or until a maximum of [$450] *$720* is utilized upon certification by the educational institution that—

(1) the individualized tutorial assistance is essential to correct a deficiency of the eligible veteran in a subject required as a part of, or which is prerequisite to, or which is indispensable to the satisfactory pursuit of, an approved program of education;

(2) the tutor chosen to perform such assistantce is qualified; and

(3) the charges for such assistance do not exceed the customary charges for such tutorial assistance.

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§ 1969. Payment of educational assistance allowance

(a) The Administrator shall, under such regulations as he shall prescribe after consultation with the Secretary of Defense, pay the educational assistance allowance as computed in subsection (b) of this section to an eligible person enrolled in and pursuing (1) a course or courses offered by an educational institution (other than by correspondence) and required to receive a secondary school diploma, or (2) any deficiency, remedial, or refresher course or courses offered by an educational institution and required for or preparatory to the pursuit of an appropriate course or training program in an approved eductional institution or training establishment.

(b) The educational assistance allowance of an eligible person pursuing education or training under this subchapter shall be computed at the rate of (1) the established charges for tuition and fees which the educational institution requires similarly circumstanced nonveterans enrolled in the same or a similar program to pay, and the cost of books and supplies peculiar to the course which such educational institution requires similarly circumstanced nonveterans enrolled in the same or similar program to have, or (2) [$220] *$260* per month for a full-time course, whichever is the lesser. Where it is determined that there is no same program, the Administrator shall establish appropriate rates for tuition and fees designed to allow reimbursement for reasonable costs for the education or training institution.

(c) The educational assistance allowance authorized by this section shall be paid without charge to any period of entitlement earned pursuant to section 1661(a) of this title.

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CHAPTER 35—WAR ORPHANS' AND WIDOWS' EDUCATIONAL ASSISTANCE

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SUBCHAPTER IV—PAYMENTS TO ELIGIBLE PERSONS

Sec.
1731. Educational asistance allowance.
1732. Computation of educational assistance allowance.
1733. Special assistance for the educationally disadvantaged.
1734. Apprenticeship or other on-job training; correspondence courses.
1735. Approval of courses.
1736. Specialized vocational training courses.
1737. Education loans.

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SUBCHAPTER III—PROGRAM OF EDUCATION

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§ 1723. Disapproval of enrollment in certain courses

(a) The Administrator shall not approve the enrollment of an eligible person in—

(1) any bartending course or personality development course;

(2) any sales or sales management course which does not provide specialized training within a specific vocational field, *or in any other course with a vocational objective,* unless the eligible person or the institution offering such course submits justification showing that at least one-half of the persons [completing] *who completed* such course over the preceding two-year period, *and who are not unavailable for employment,* have been employed in the [sales or sales management field] *occupational category for which the course was designed to provide training (but in computing the number of persons who completed such course over any such two-year period, there shall not be included the number of persons who completed such course with assistance under this title while serving on active duty)*; or

(3) any type of course which the Administrator finds to be avocational or recreational in character *(or the advertising for which he finds contains significant avocational or recreational themes)* unless the eligible person submits justification showing that the course will be of bona fide use in the pursuit of his present or contemplated business or occupation.

(b) The Administrator shall not approve the enrollment of an eligible person in any course of flight training other than one given by an educational institution of higher learning for credit toward a standard college degree the eligible person is seeking.

(c) The Administrator shall not approve the enrollment of an eligible person in [any course of institutional on-farm training,] any course to be pursued by correspondence (except as provided in section 1786 of this title), open circuit television (except as herein provided), or a radio, or any course to be pursued at an educational institution not located in a State or in the Republic of the Philippines (except as herein provided). The Administrator may approve the enrollment of an eligible person in a course, to be pursued in residence, leading to a standard college degree which includes, as an integral part thereof, subjects offered through the medium of open circuit televised instruction, if the major portion of the course requires conventional classroom or laboratory attendance. The Administrator may approve the enrollment at an educational institution which is not located in a State or in the Republic of the Philippines if such program is pursued at an approved educational institution of higher learning. The Administrator in his discretion may deny or discontinue the educational asistance under this chapter of any eligible person in a foreign educational institution if he finds that such enrollment is not in the best interest of the eligible person or the Government.

(d) The Administrator shall not approve the enrollment of an eligible person in any course which is to be pursued as a part of his regular secondary school education (except as provided in section 1733 of this title), but this subsection shall not prevent the enrollment of an eligible person in a course [to be pursued below the college level] *not leading to a standard college degree* if the Administrator finds that such person has ended his secondary school education (by completion or otherwise) and that such course is a specialized vocational course pursued for the purpose of qualifying in a bona fide vocational objective.

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SUBCHAPTER IV—PAYMENTS TO ELIGIBLE PERSONS

§ 1731. Educational assistance allowance

(a) The Administrator shall, in accordance with the provisions of section 1780 of this title, pay to the parent or guardian of each eligible person who is pursuing a program of education under this chapter, and who applies therefor on behalf of such eligible person, an educational assistance allowance to meet, in part, the expenses of the eligible person's subsistence, tuition, fees, supplies, books, equipment, and other educational costs.

(b) No educational assistanc allowance shall be paid on behalf of an eligible person enrolled in a course in an educational institution which does not lead to a standard college degree for any period until the Administrator shall have received—

(1) from the eligible person a certification as to his actual attendance during such period; and

(2) from the educational institution, a certification, or an endorsement on the eligible person's certificate, that he was enrolled in and pursuing a course of education during such period.

§ 1732. Computation of educational assistance allowance

(a) (1) The educational assistance allowance on behalf of an eligible person who is pursuing a program of education consisting of institutional courses shall be computed at the rate [of (A) $220 per month if pursued on a full-time basis, (B) $165 per month if pursued on a three-quarter-time basis, and (C) $110 per month if pursued on a half-time basis.] *prescribed in section 1682 (a) (1) of this title for full-time, three-quarter-time, or half-time pursuit, as appropriate, of an institutional program by an eligible veteran with no dependents.*

(2) The educational assistance allowance on behalf of an eligible person pursuing a program of education on less than a half-time basis shall be computed at the rate [of (A) the established charges for tuition and fees which the institution requires other individuals enrolled in the same program to pay, or (B) $220 per month for a full-time course, whichever is the lesser.] *prescribed in section 1682(b)(2) of this title for less-than-half-time pursuit of an institutional program by an eligible veteran.*

(b) The educational assistance allowance to be paid on behalf of an eligible person who is pursuing a full-time program of education which consists of institutional courses and alternate phases of training in a business or industrial establishment with the training in the business or industrial establishment being strictly supplemental to the institutional portion, shall be computed at the rate of [$177] *$209* per month.

(c) (1) An eligible person who is enrolled in an educational institution for a "farm cooperative" program consisting of institutional agricultural courses prescheduled to fall within forty-four weeks of any period of twelve consecutive months and who pursues such program on—

(A) a full-time basis (a minimum of ten clock hours per week or four hundred and forty clock hours in such year prescheduled to provide not less than eighty clock hours in any three-month period).

(B) a three-quarter-time basis (a minimum of seven clock hours per week), or

(C) a half-time basis (a minimum of five clock hours per week),

shall be eligible to receive an educational assistance allowance at the appropriate rate provided in paragraph (2) of this subsection, if such eligible person is concurrently engaged in agricultural employment which is relevant to such institutional agricultural courses as determined under standards prescribed by the Administrator. In computing the foregoing clock hour requirements there shall be included the time involved in field trips and individual and group instruction sponsored and conducted by the industrial institution through a duly authorized instructor of such institution in which the person is enrolled.

(2) The monthly educational assistance allowance to be paid on behalf of an eligible person pursuing a farm cooperative program under this chapter shall be computed at the rate prescribed in section 1682 (c)(2) of this title for full-time, three-quarter-time, or half-time pursuit, as appropriate, of a farm cooperative program by an eligible veteran with no dependents.

[c](*d*) If a program of education is pursued by an eligible person at an institution located in the Republic of the Philippines, the educational assistance allowance computed for such person under this section shall be paid at a rate in Philippines pesos equivalent to $0.50 for each dollar.

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§ 1737. Education loans

Any eligible person shall be entitled to an education loan (if the program of education is pursued in a State) in such amount and on such terms and conditions as provided in sections 1798 and 1799 of this title.

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SUBCHAPTER V—SPECIAL RESTORATIVE TRAINING

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§ 1732. Special training allowance

(a) While the eligible person is enrolled in and pursuing a full-time course of special restorative training, the parent or guardian shall be entitled to receive on [his] behalf *of such person* a special training allowance computed at the basic rate of [$220] *$260* per month. If the charges for tuition and fees applicable to any such course are more than [$69] *$82* per calendar month, the basic monthly allowance may be increased by the amount that such charges exceed [$69] *$83* a month, upon election by the [parents] *parent* or guardian of the eligible person to have such person's period of entitlement reduced by one day for each [$7.35] *$8.69* that the special training allowance paid exceeds the basic monthly allowance.

(d) No payments of a special training allowance shall be made for the same period for which the payment of an educational assistance allowance is made or for any period during which the training is pursued on less than a full-time basis.

(c) Full-time training for the purpose of this section shall be determined by the Administrator with respect to the capacities of the individual trainee.

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CHAPTER 36—ADMINISTRATION OF EDUCATIONAL BENEFITS

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SUBCHAPTER II—MISCELLANEOUS PROVISIONS

Sec.
1780. Payment of educational or subsistence assistance allowances.
1781. Limitation of educational assistance.
1782. Control by agencies of the United States.
1783. Conflicting interests.
1784. Reports by institutions; reporting fee.
1785. Overpayments to eligible person or veterans.
1786. Correspondence courses.
1787. Appenticeship or other on-job training.
1788. Measurement of courses.
1789. Period of operation for approval.
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1793. Institutions listed by Attorney General.
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1795. Limitation on period of assistance under two or more programs;
1796. Limitation on certain advertising, sales, and enrollment practices.

Subchapter III—Education Loans to Eligible Veterans and Eligible Persons

1798. Eligibility for loans; amount and conditions of loans; interest rates on loans.
1799. Revolving fund; insurance.

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SUBCHAPTER I—STATE APPROVING AGENCIES

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§ 1774. Reimbursement of expenses

(a) The Administrator is authorized to enter into contracts or agreements with State and local agencies to pay such State and local agencies for reasonable and necessary expenses of salary and travel incurred by employees of such agencies and an allowance for administrative expenses in accordance with the formula contained in subsection (b) of this section in (1) rendering necessary services in ascertaining the qualifications of educational institutions for furnishing courses of education to eligible persons or veterans under this chapter and chapters 34 and 35, and in the supervision of such educational institutions, and (2) furnishing, at the request of the Administrator, any other services in connection with chapters 34 and 35. Each such contract or agreement shall be conditioned upon compliance with the standards and provisions of chapters 34 and 35.

(b) The allowance for administrative expenses incurred pursuant to subsection (a) of this section shall be paid in accordance with the following formula:

Total salary cost reimbursable under this section	[Allowance] *Allowable* for administrative expense
$5,000 or less	[$500.] *$550.*
Over $5,000 but not exceeding $10,000	[$900.] *$1,000.*
Over $10,000 but not exceeding $35,000	[$900] *$1,000* for the first $10,000 plus [$800] $925 for each additional $5,000 or fraction thereof.
Over $35,000 but not exceeding $40,000	[$5,250.] *$6,050.*
Over $40,000 but not exceeding $75,000	[$5,250] *$6,050* for the first $40,000 plus [$700] *$800* for each additional $5,000 or fraction thereof.
Over $75,000 but not exceeding $80,000	[$10,450.] *$12,000.*
Over $80,000	[$10,450] *$12,000* for the first $80,000 plus [$600] *$700* for each additional $5,000 or fraction thereof.

SUBCHAPTER II—MISCELLANEOUS PROVISIONS

§ 1780. Payment of education assistance or subsistence allowances

Period for Which Payment May be Made

(a) Payment of educational assistance or subsistence allowances to eligible veterans or eligible persons pursuing a program of education or training, other than a program by correspondence or a program of flight training, in an educational institution under chapter 31, 34, or 35 of this title shall be paid as provided in this section and, as applicable, in section 1504, 1682, 1691, or 1732 of this title. Such payments shall be paid only for the period of such veterans' or persons' enrollment, but no amount shall be paid—

(1) to any eligible veteran or eligible person enrolled in a course which leads to a standard college degree for any period when such veteran or person is not pursuing his course in accordance with the regularly established policies and regulations of the educational institution and the requirements of this chapter or of chapter 34 or 35 of this title; or

(2) to any eligible veteran or eligible person enrolled in a course which does not lead to a standard college degree (excluding programs of apprenticeship and programs of other on-job training authorized by section 1787 of this title) for any day of absence in excess of thirty days in a twelve-month period, not counting as absences weekends or legal holidays (*or customary vacation periods connected therewith*) established by Federal or State law (or in the case of the Republic of the Philippines, Philippine law) during which the institution is not regularly in session.

Notwithstanding the foregoing, the Administrator may, subject to such regulations as he shall prescribe, continue to pay allowances to eligible veterans and eligible persons enrolled in courses set forth in clause (1) or (2) of this subsection during periods when the schools are temporarily closed under an established policy based upon an Executive order of the President or due to an emergency situation, and such periods shall not be counted as absences for the purposes of clause (2).

Correspondence Training Certifications

(b) No educational assistance allowance shall be paid to an eligible veteran or wife or widow enrolled in and pursuing a program of education exclusively by correspondence until the Administrator shall have received—

(1) from the eligible veterans or wife or widow a certificate as to the number of lessons actually completed by the veteran or wife or widow and serviced by the educational institution; and

(2) from the training establishment a certification or an endorsement on the veteran's or wife's or widow's certificate, as to the number of lessons completed by the veteran or wife or widow and serviced by the institution.

Apprenticeship and Other On-Job Training

(c) No training assistance allowance shall be paid to an eligible veteran or eligible person enrolled in and pursuing a program of apprenticeship or other on-job training until the Administrator shall have received—

(1) from such veteran or person a certification as to his actual attendance during such period; and

(2) from the training establishment a certification, or an endorsement on the veteran's or person's certificate, that such veteran or person was enrolled in and pursuing a program of apprenticeship or other on-job training during such period.

Advance Payment of Initial Educational Assistance or Subsistence Allowance

(d) (1) The educational assistance or subsistence allowance advance payment provided for in this subsection is based upon a finding by the Congress that eligible veterans and eligible persons need additional funds at the beginning of a school term to meet the expenses of books, travel, deposits, and payment for living quarters, the initial installment of tuition, and the other special expenses which are concentrated at the beginning of a school term.

(2) Subject to the provisions of this subsection, and under regulations which the Administrator shall prescribe, an eligible veteran or eligible person shall be paid an educational assistance allowance or subsistence allowance, as appropriate, advance payment. Such advance payment shall be made in an amount equivalent to the allowance for the month or fraction thereof in which pursuit of the program will commence, plus the allowance for the succeeding month. In the case of a serviceman on active duty, who is pursuing a program of education (other than under subchapter VI of chapter 34), the advance payment shall be in a lump sum based upon the amount payable for the entire quarter, semester, or term, as applicable. In no event shall an advance payment be made under this subsection to a veteran or person intending to pursue a program of education on less than a half-time basis. The application for advance payment, to be made on a form prescribed by the Administrator, shall—

(A) in the case of an initial enrollment of a veteran or person in an educational institution, contain information showing that the veteran or person (i) is eligible for educational benefits, (ii) has been accepted by the institution, and (iii) has notified the institution of his intention to attend that institution; and

(B) in the case of a re-enrollment of a veteran or person, contain information showing that the veteran or person (i) is eligible to continue his program of education or training and (ii) intends to re-enroll in the same institution.

and, in either case, shall also state the number of semester or clock-hours to be pursued by such veterans or person.

(3) Subject to the provisions of this subsection, and under regulations which the Administrator shall prescribe, a person eligible for education or training under the provisions of subchapter VI of chapter 34 of this title shall be entitled to lump-sum educational assistance allowance advance payment, such advance payment shall in no event be made earlier than thirty days prior to the date on which pursuit of the person's program of education or training is to commence. The application for the advance payment, to be made on a form prescribed by the Administrator, shall in addition to the information prescribed in paragraph (2) (A), specify—

(A) that the program to be pursued has been approved;

(B) the anticipated cost and the number of Carnegie, clock, or semester hours to be pursued; and

(C) where the program to be pursued is other than a high school, credit course, the need of the person to pursue the course or courses to be taken.

(4) For purposes of the Administrator's determination whether any veteran or person is eligible for an advance payment under this section, the information submitted by the institution, the veteran or person, shall establish his eligibility unless there is evidence in his file in the processing office establishing that he is not eligible for such advance payment.

(5) The advance payment authorized by paragraphs (2) and (3) of this subsection shall, in the case of an eligible veteran or eligible person, be (A) drawn in favor of the veteran or person; (B) mailed to the educational institution listed on the application form for temporary care and delivery to the veterans or person by such institution; and (C) delivered to the veteran or person upon his registration at such institution, but in no event shall such delivery be made earlier than thirty days before the program of education is to commence.

(6) Upon delivery of the advance payment purusant to paragraph (5) of this subsection, the institution shall submit to the Administrator a certification of such delivery. If such delivery is not affected within thirty days after commencement of the program of education in question, such institution shall return such payment to the Administrator forthwtih.

Prepayment of Subsequent Educational Assistance or Subsistence Allowance

(e) Except as provided in subsection (g) of this section, subsequent payments of educational assistance or subsistence allowance to an eligible veteran or eligible person shall be prepaid each month, subject to such reports and proof of enrollment in and satisfactory pursuit of such programs as the Administrator may require. The Administrator may withhold the final payment for a period of enrollment until such proof is received and the amount of the final payment appropriately adjusted.

Recovery of Erroneous Payments

(f) If an eligible veteran or eligible person fails to enroll in or pursue a course for which an educational assistance or subsistence allowance, advance payment is made, the amount of such payment and any amount of subsequent payments which, in whole or in part, are due to erroneous information required to be furnished under subsection (d) (2) and (3) of this section, shall become an overpayment and shall constitute a liability of such veteran or person to the United States and may be recovered, unless waived pursuant to section 3102 of this title, from any benefit otherwise due him under any law administered by the Veterans' Administration or may be recovered in the same manner as any other debt due the United States.

Payments for Less Than Half-Time Training

(g) Payment of educational assistance allowance in the case of any eligible veteran or eligible person pursuing a program of education on less than a half-time basis (except as provided by subsection (d) (3) of this section) shall be made in an amount computed for the entire quarter, semester, or term during the month immediately following the month in which certification is received from the educational institution that such veteran or person has enrolled in and is pursuing a program at such institution. Such lump sum payment shall be computed at the rate provided in section 1682(b) or 1732(a)(2) of this title, as applicable.

Determination of Enrollment, Pursuit, and Attendance

(h) The Administrator, may, pursuant to regulations which he shall prescribe, determine enrollment in, pursuit of, and attendance at, any program of education or training or course by an eligible veteran or eligible person for any period for which he receives an educational assistance or subsistence allowance under this chapter for pursuing such program or course.

* * * * *

§ 1784. Reports by institutions; reporting fee

(a) Educational institutions shall, without delay, report to the Administrator in the form prescribed by him, the enrollment, interruption, and termination of the education of each eligible person or veteran enrolled therein under chapter 34, 35, or 36.

(b) The Administrator may pay to any educational institution, *or to any joint apprenticeship training committee acting as a training establishment,* furnishing education *or training* under either *this chapter or* chapter 34[,] *or* 35[,] [or 36] of this title, a reporting fee which will be in lieu of any other compensation or reimbursement for reports or certifications which such educational institution *or joint apprenticeship training committee* is required to [report] *submit* to him by law or regulation. Such reporting fee shall be computed for each calendar year by multiplying $3 by the number of eligible veterans or eligible persons enrolled under [chapters] *this chapter or chapter* 34[,] *or* 35[, and] of this title, or $4 in the case of those eligible veterans and eligible persons whose educational assistance checks are directed in care of each institution for temporary custody and delivery and are delivered at the time of registration as provided under section 1780(d)(5) of this title, on October 31 of that year; except that the Administrator may, where it is established by [the] *such* educational institution *or joint apprenticeship training committee* that eligible veteran plus eligible person enrollment on such date varies more than 15 per centum from the peak eligible veteran *enrollment* plus eligible person enrollment in such *educational* institution *or joint apprenticeship training committee* during such calendar year, establish such other date as representative of the peak enrollment as may be justified for [that] *such educational* institution *or joint apprenticeship training committee.* The reporting fee shall be paid to [the] *such* educational institution *or joint apprenticeship training committee* as soon as feasible after the end of the calendar year for which it is applicable.

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§ 1786. Correspondence courses

(a)(1) Each eligible veteran (as defined in section 1652(a) (1) and (2) of this title) and each eligible wife or widow (as defined in section 1701(a)(1) (B), (C), or (D) of this title) who enters into an enrollment agreement to pursue a program of education exclusively by correspondence shall be paid an educational assistance allowance com-

puted at the rate of 90 per centum of the established charge which the institution requires nonveterans to pay for the course or courses pursued by the eligible veteran or wife or widow. The term "established charge" as used herein means the charge for the course or courses determined on the basis of the lowest extended time payment plan offered by the institution and approved by the appropriate State approving agency or the actual cost to the veteran or wife or widow, whichever is the lesser. Such allowance shall be paid quarterly on a prorata basis for the lessons completed by the veteran or wife or widow and serviced by the institution.

(2) The period of entitlement of any veteran or wife or widow who is pursuing any program of education exclusively by correspondence shall be charged with one month for each [$220] *$260* which is paid to the veteran or wife or widow as an educational assistance allowance for such course.

(b) The enrollment agreement shall fully disclose the obligation of both the institution and the veteran or wife or widow and shall prominently display the provisions for affirmance, termination, refunds, and the conditions under which payment of the allowance is made by the Administrator to the veteran or wife or widow. A copy of the enrollment agreement shall be furnished to each such veteran or wife or widow at the time such veteran or wife or widow signs such agreement.

No such agreement shall be effective unless such veteran or wife or widow shall, after the expiration of ten days after the enrollment agreement is signed, have signed and submitted to the Administrator a written statement, with a signed copy to the institution specifically affirming the enrollment agreement. In the event the veteran or wife or widow at any time notifies the institution of his intention not to affirm the agreement in accordance with the preceding sentence, the institution, without imposing any penalty or charging any fee shall promptly make a full refund of all amounts paid.

(c) In the event veteran or wife or widow elects to terminate his enrollment under an affirmed enrollment agreement, the institution (other than one subject to the provisions of section 1776 of this title) may charge the veteran or wife or widow a registration or similar fee not in excess of 10 per centum of the tuition for the course, or $50, whichever is less. Where the veteran or wife or widow elects to terminate the agreement after completion of one or more but less than 25 percentum of the total number of lessons comprising the course, the institution may retain such registration or similar fee plus 25 per centum of the tuition for the course. Where the veteran or wife or widow elects to terminate the agreement after completion of 25 per centum but less than 50 per centum of the lessons comprising the course, the institution may retain the full registration or similar fee plus 50 per centum of the course tuition. If 50 per centum or more of the lessons are completed, no refund of tuition is required.

§ 1787. Apprenticeship or other on-job training

(a) An eligible veteran (as defined in section 1652(a)(1) of this title) or an eligible person (as defined in section 1701(a) of this title) shall be paid a training assistance allowance as prescribed by subsection (b) of this section while pursuing a full-time—

(1) program of apprenticeship approved by a State approving agency as meeting the standards of apprenticeship published by the Secretary of Labor pursuant to section 50a of title 29, or

(2) program of other on-job training approved under provisions of section 1777 of this title.

subject to the conditions and limitations of chapters 34 and 35 with respect to educational assistance.

(b)(1) The monthly training assistance alowance of an eligible veteran pursuing a program described under subsection (a) shall be as follows:

Column I	Column II	Column III	Column IV	Column V
Periods of training	No dependents	One dependent	Two dependents	More than two dependents
				The amount in column IV, plus the following for each dependent in excess of two:
First 6 months	$160	$170	$196	$8
Second 6 months	120	130	156	8
Third 6 months	80	90	116	8
Fourth and any succeeding 6-month periods	40	50	76	8

Column I	*Column II*	*Column III*	*Column IV*	*Column V*
Type of training	*No dependents*	*One dependent*	*Two dependents*	*More than two dependents*
				The amount in column IV, plus the following for each dependent in excess of two:
First 6 months	*$189*	*$213*	*$237*	*$9*
Second 6 months	*142*	*164*	*184*	*9*
Third 6 months	*95*	*117*	*137*	*9*
Fourth and any succeeding 6-month periods	*47*	*70*	*90*	*9*

(2) The monthly training assistance allowance of an eligible person pursuing a program described under subsection (a) shall be [(A) $160 during the first six-month period, (B) $120 during the second six-month period, (C) $80 during the third six-month, and (D) $40 during the fourth and any succeeding six-month period.] *computed at the rate prescribed in paragraph (1) of this subsection for an eligible veteran with no dependents pursuing such a course.*

(3) In any month in which an eligible veteran or person pursuing a program of apprenticeship or a program of other on-job training fails to complete one hundred and twenty hours of training in such month, the monthly training assistance allowance set forth in subsection (b) (1) or (2) of this section, as applicable, shall be reduced proportionately in the proportion that the number of hours worked bears to one hundred and twenty hours rounded off to the nearest eight hours.

(c) For the purpose of this chapter, the terms "program of apprenticeship" and "program of other on-job training" shall have the same meaning as "program of education"; and the term "training assistance allowance" shall have the same meaning as "educational assistance allowance" as set forth in chapters 34 and 35 of this title.

§ 1788. Measurement of courses

(a) For the purposes of this chapter and chapters 34 and 35 of this title—

(1) an institutional trade or technical course offered on a clock-hour basis [below the college level], *not leading to a standard college degree,* involving shop practice as an integral part thereof, shall be considered a full-time course when a minimum of thirty hours per week of attendance is required with no more than two and one-half hours of rest periods per week allowed;

(2) an institutional course offered on a clock-hour basis [below the college level], *not leading to a standard college degree,* in which theoretical or classroom instruction predominates shall be considered a full-time course when a minimum of twenty-five hours per week net of instruction (which may include customary intervals not to exceed ten minutes between hours of instruction) is required;

(3) An academic high school course requiring sixteen units for a full course shall be considered a full-time course when (A) a minimum of four units per year is required or (B) an individual is pursuing a program of education leading to an accredited high school diploma at a rate which, if continued, would result in receipt of such a diploma in four ordinary school years. For the purpose of subclause (A) of this clause, a unit is defined to be not less than one hundred and twenty sixty-minute hours or their equivalent of study in any subject in one academic year;

(4) an institutional undergraduate course offered by a college or university on a quarter- or semester-hour basis shall be considered a full-time course when a minimum of fourteen semester hours or the equivalent thereof (including such hours for which no credit is granted but which are required to be taken to correct an eduactional deficiency and which the educational institution considers to be quarter or semester hours for other administrative purposes), for which credit is granted toward a standard college degree, is required, except that where such college or university certifies, upon the request of the Administrator, that (A) full-time tuition is charged to all undergraduate students carrying a minimum of less than fourteen such semester hours or the equivalent thereof, or (B) all undergraduate students carrying a minimum of less than fourteen such semester hours or the equivalent thereof, are considered to be pursuing a full-time course for other administrative purposes, then such an institutional undergraduate course offered by such college or university with such minimum number of such semester hours shall be considered a full-time course, but in the event such minimum number of semester hours is less than twelve semester hours or the equivalent thereof, then twelve semester hours or the equivalent thereof shall be considered a full-time course;

(5) a program of apprenticeship or a program of other on-job training shall be considered a full-time program when the eligible veteran or person is required to work the number of hours constituting the standard workweek of the training establishment, but a workweek of less than thirty hours shall not be considered to constitute full-time training unless a lesser number of hours has been established as the standard workweek for the particular establishment through bona fide collective bargaining; and

(6) an institutional course offered as part of a program of education [below the college level] *not leading to a standard college degree* under section 1691(a)(2) or 1696(a)(2) of this title shall be considered a full-time course on the basis of measurement criteria provided in clause (2), (3), or (4) as determined by the educational institution. *Notwithstanding the provisions of clause (1) or (2) of this subsection, an educational institution offering courses not leading to a standard college degree may measure such courses on a quarter- or semester-hour basis (with full time measured on the same basis as provided by clause (4) of this subsection); but (A) the academic portions of such courses must require outside preparation and be measured on not less than one quarter or one semester hour of attendance per week per quarter or semester hour for each fifty minutes net of instruction per week or quarter or semester; (B) the laboratory portions of such courses must be measured on not less than one quarter or one semester hour for each two hours of attendance per week per quarter or semester; and (C) the shop portions of such courses must be measured on not less than one quarter or one semester hour for each three hours of attendance per week per quarter or semester. In no event shall such course be considered a full-time course when less than twenty-two hours per week of attendance is required.*

* * * * *

§ 1796. Limitation on certain advertising, sales, and enrollment practices

(a) The Administrator shall not approve the enrollment of an eligible veteran or eligible person in any course offered by an institution which utilizes advertising, sales, or enrollment practices of any type which are erroneous, deceptive, or misleading either by actual statement, omission, or intimation.

(b) The Administrator shall pursuant to section 1794 of this title, enter into an agreement with the Federal Trade Commission to utilize, where appropriate, its services and facilities, consistent with its available resources, in carrying out investigations and making his determinations under subsection (a) of this section. Such agreement shall provide that cases arising under subsection (a) of this section or any similar matters with respect to any of the requirements of this chapter or chapters 34 and 35 of this title shall be referred to the Federal Trade Commission which in its discretion will conduct an investigation and make preliminary findings. The findings and results of any such investigations shall be referred to the Administrator who shall take appropriate action in such cases within ninety days after such referral.

(c) Not later than sixty days after the end of each fiscal year, the Administrator shall report to Congress on the nature and disposition of all cases arising under this section.

SUBCHAPTER III—EDUCATION LOANS TO ELIGIBLE VETERANS AND ELIGIBLE PERSONS

§ 1798. Eligibility for loans; amount and conditions of loans; interest rate on loans

(a) Each eligible veteran and eligible person shall be entitled to a loan under this subchapter in an amount determined under, and subject to the conditions specified in, subsection (b)(1) of this section if the veteran or person satisfies the requirements set forth in subsection (c) of this section.

(b)(1) Subject to paragraph (3) of this subsection, the amount of the loan to which an eligible veteran or eligible person shall be entitled under this subchapter for any academic year shall be equal to the amount needed by such veteran or person to pursue a program of education at the institution at which he is enrolled, as determined under paragraph (2) of this subsection.

(2)(A) The amount needed by a veteran or person to pursue a program of education at an institution for any academic year shall be determined by subtracting (i) the total amount of financial resources (as defined in subparagraph (B) of this paragraph) available to the veteran or person which may be reasonably expected to be expended by such veteran or person for educational purposes in any year from (ii) the actual cost of attendance (as defined in subparagraph (C) of this paragraph) at the institution in which such veteran or person is enrolled.

(B) The term "total amount of financial resources" of any veteran or person for any year means the total of the following:

(i) The annual adjusted effective income of the veteran or person less Federal income tax paid or payable by such veteran or person with respect to such income.

(ii) The amount of cash assets of the veteran or person.

(iii) The amount of financial assistance received by the veteran or person under the provisions of title IV of the Higher Education Act of 1965, as amended.

(iv) Educational assistance received by the veteran or person under this title other than under this subchapter.

(v) Financial assistance received by the veteran or person under any scholarship or grant program other than those specified in clauses (iii) and (iv).

(C) The term "actual cost of attendance" means, subject to such regulations as the Administrator may provide, the actual per-student charges for tuition, fees, room and board (or expenses related to reasonable commuting), books and an allowance for such other expenses as the Administrator determines by regulation to be reasonably related to attendance at the institution at which the veteran or person is enrolled.

(3) The aggregate of the amounts any veteran or person may borrow under this subchapter may not exceed $270 multiplied by the number of months such veteran or person is entitled to receive educational assistance under section 1661 or subchapter II of chapter 35, respectively, of this title, but not in excess of $600 in any one regular academic year.

(c) An eligible veteran or person shall be entitled to a loan under this subchapter if such veteran or person—

(1) is in attendance at an educational institution on at least a half-time basis and (A) is enrolled in a course leading to a standard college degree, or (B) is enrolled in a course, the completion of which requires six months or longer, leading to an identified and predetermined professional or vocational objective;

(2) has sought and is unable to obtain a loan, in the full amount needed by such veteran or person, as determined under subsection (b) of this section, under a student loan program insured pursuant to the provisions of part B of title IV of the Higher Education Act of 1965, as amended, or any successor authority; and

(3) enters into an agreement with the Administrator meeting the requirements of subsection (d) of this section.

No loan shall be made under this subchapter to an eligible veteran or person pursuing a program of correspondence, flight, apprentice or other on-job, or PREP training.

(d) Any agreement between the Administrator and a veteran or person under this subchapter—

(1) shall include a note or other written obligation which provides for repayment to the Administrator of the principal amount of, and payment of interest on, the loan in installments over a period beginning nine months after the date on which the borrower ceases to be at least a half-time student and ending ten years and nine months after such date;

(2) shall include provision for acceleration of repayment of all or any part of the loan, without penalty, at the option of the borrower;

(3) shall provide that the loan shall bear interest, on the unpaid balance of the loan, at a rate prescribed by the Administrator, with the concurrence of the Secretary of the Treasury, but at a rate not less than a rate determined by the Secretary, taking into consideration the current average market yield on outstanding marketable obligations of the United States with remaining periods to maturity comparable to the maturity of loans made under this subchapter, except that no interest shall accrue prior to the beginning date of repayment; and

(4) shall provide that the loan shall be made without security and without endorsement.

(e)(1) Except as provided in paragraph (2) of this subsection, whenever the Administrator determines that a default has occurred on any loan made under this subchapter, he shall decline an overpayment, and such overpayment shall be recovered from the veteran or person concerned in the same manner as any other debt due the United States.

(2) If a veteran or person who has received a loan under this section dies or becomes permanently and totally disabled, then the Administrator shall discharge the veteran's or person's liability on such loan by repaying the amount owed on such loan.

(3) The Administrator shall submit to the Committees on Veterans' Affairs of the Senate and the House of Representatives, not later than one year after the date of enactment of the Vietnam Era Veterans' Readjustment Assistance Act of 1974 and annually thereafter, a separate report specifying the default experience and rate at each educational institution along with a comparison of the collective default experience and rate at all such institutions.

§ 1799. Revolving fund; insurance

(a) There is hereby established in the Treasury of the United States a revolving fund to be known as the "Veterans' Administration Education Loan Fund" (hereinafter in this section referred to as the "Fund").

(b) The Fund shall be available to the Administrator, without fiscal year limitation, for the making of loans under this subchapter.

(c) There shall be deposited in the Fund (1) by transfer from current and future appropriations for readjustment benefits such amounts as may be necessary to establish and supplement the Fund in order to meet the requirements of the Fund, and (2) all collections of fees and principal and interest (including overpayments declared under section 1798(e) of this title) on loans made under this subchapter.

(d) The Administrator shall determine annually whether there has developed in the Fund a surplus which, in his judgment, is more than necessary to meet the needs of the Fund, and such surplus, if any, shall be deemed to have been appropriated for readjustment benefits.

(e) A fee shall be collected from each veteran or person obtaining a loan made under this subchapter for the purpose of insuring against defaults on loans made under this subchapter; and no loan shall be made under this subchapter until the fee payable with respect to such loan has been collected and remitted to the Administrator. The amount of the fee shall be established from time to time by the Administrator, but shall in no

event exceed 3 per centum of the total loan amount. The amount of the fee may be included in the loan to the veteran or person and paid from the proceeds thereof.

CHAPTER 41—JOB COUNSELING, TRAINING, AND PLACEMENT SERVICE FOR VETERANS

* * * * *

§ 2001. Definitions

For the purposes of this chapter—

(1) The term "eligible veteran" means a person who served in the active military, naval, or air service and who was discharged or released therefrom with other than a dishonorable discharge.

(2) *The term "eligible person" means—*

(A) the spouse of any person who died of a service-connected disability.

(B) the spouse of any member of the Armed Forces serving on active duty who, at the time of application for assistance under this chapter, is listed, pursuant to section 556 of title 37 and, regulations issued thereunder, by the Secretary concerned in one or more of the following categories and has been so listed for a total of more than ninety days: (i) missing in action, (ii) captured in line of duty by a hostile force, or (iii) forcibly detained or interned in line of duty by a foreign government or power, or

(C) the spouse of any person who has a total disability permanent in nature resulting from a service-connected disability or the spouse of a veteran who died while a disability so evaluated was in existence.

[(2)] (3) The term "State" means each of the several States of the United States, the District of Columbia, and the Commonwealth of Puerto Rico, and may include, to the extent determined necessary and feasible, American Samoa, the Virgin Island, and the Trust Territory of the Pacific Islands.

§ 2002. Purpose

The Congress declares as its intent and purpose that there shall be an effective (1) job and job training counseling service program, (2) employment placement service program, and (3) job training placement service program for eligible veterans *and eligible persons* and that, to this end policies shall be promulgated and administered through a Veterans Employment Service within the Department of Labor, so as to provide such veterans *and persons* the maximum of employment and training opportunities through existing programs, coordination and merger of programs and implementation of new programs.

§ 2003. Assignment of veterans' employment representative

The Secretary of Labor shall assign to each State a representative of the Veterans' Employment Service to serve as the veterans' employment representative, and shall further assign to each State one assistant veterans' employment representative for each 250,000 *eligible* veterans *and eligible persons* of the State veterans population, and such additional assistant veterans' employment representatives as he shall determine, based on the data collected pursuant to section 2007 of this title, to be necessary to assist the veterans' employment representative to carry out effectively in that State the purposes of this chapter. Each veterans' employment representative and assistant veterans' employment representative shall be an eligible veteran who at the time of appointment shall have been a bona fide resident of the State for at least two years and who shall be appointed in accordance with the provisions of title 5, United States Code, governing appointments in the competitive service, and shall be paid in accordance with the provisions of chapter 51 of subchapter III of chapter 53 of such title, relating to classification and general schedule pay rates. Each such veterans' employment representative and assistant veterans' employment representative shall be attached to the staff of the public employment service in the State to which they have been assigned. They shall be administratively responsible to the Secretary of Labor for the execution of the Secretary's veterans' *and eligible persons'* counseling and placement policies through the public employment service and in cooperation with manpower and training programs administered by the Secretary in the State. In cooperation with the public employment service staff and the staffs of each such other program in the State, the veterans' employment representative and his assistants shall—

(1) be functionally responsible for the supervision of the registration of eligible veterans *and eligible persons* in local employment offices for suitable types of employment and training and for counseling and placement of eligible veterans *and eligible persons* in employment and job training programs;

(2) engage in job development and job advancement activities for eligible veterans *and eligible persons,* including maximum coordination with appropriate officials of the Veterans' Administration in that agency's carrying out of its responsibilities under subchapter IV of chapter 3 of this title and in the conduct of job fairs, job marts, and other special programs to match eligible veterans *and eligible persons* with appropriate job and job training opportunities;

(3) assist in securing and maintaining current information as to the various types of available employment and training opportunities, including maximum use of electronic data processing and telecommunications systems and the matching of an eligible veteran's *or an eligible person's* particular qualifications with an available job or on-job training or appenticeship opportunity which is commensurate with those qualifications;

(4) promote the interest of employers and labor unions in employing eligible veterans *and eligible persons* and in conducting on-job training and apprenticeship programs for such veterans *and persons;*

(5) maintain regular contact with employers, labor unions, training programs and veterans' organizations with a view to keeping them advised of eligible veterans *and eligible persons* available for employment and training and to keeping eligible veterans *and eligible persons* advised of opportunities for employment and training; and

(6) assist in every possible way in improving working conditions and the advancement of employment of eligible veterans *and eligible persons.*

* * * * *

§ 2005. Cooperation of Federal agencies

All Federal agencies shall furnish the Secretary of Labor such records, statistics, or information as he may deem necessary or appropriate in administering the provisions of this chapter, and shall otherwise cooperate with the Secretary in providing continuous employment and training opportunities for eligible veterans *and eligible persons.*

§ 2006. Estimate of funds for administration; authorization of appropriations

(a) The Secretary of Labor shall estimate the funds necessary for the proper and efficient administration of this chapter. Such estimated sums shall include the annual amounts necessary for salaries, rents, printing and binding, travel, and communications. Sums thus estimated shall be included as a special item in the annual budget for the Department of Labor. Estimated funds necessary for proper counseling, placement, and training services to *eligible* veterans *and eligible persons* provided by the various State public employment service agencies shall be separately identified in the budgets of those agencies as approved by the Department of Labor.

(b) There are authorized to be appropriated such sums as may be necessary for the proper and efficient administration of this chapter.

(c) In the event that the regular appropriations Act making appropriations for administrative expenses for the Department of Labor with respect to any fiscal year does not specify an amount for the purposes specified in subsection (b) of this section for that fiscal year, then of the amounts appropriated in such Act there shall be available only for the purposes specified in subsection (b) of this section such amount as was set forth in the budget estimate submitted pursuant to subsection (a) of this section.

(d) Any funds made available pursuant to subsections (b) and (c) of this section shall not be available for any purpose other than those specified in such subsections, except with the approval of the Secretary of Labor based on a demonstrated lack of need for such funds for such purposes.

§ 2007. Administrative controls; annual report

(a) The Secretary of Labor shall establish administrative controls for the following purposes:

(1) To insure that each eligible veteran, especially those veterans who have been recently discharged or released from active duty, *and each eligible person* who requests assistance under this chapter shall promptly be placed in a satisfactory job or job training opportunity or receive some other specific form of assistance designed to enhance his employment prospects substantially, such as individual job development or employment counseling services.

(2) To determine whether or not the employment service agencies in each State have committed the necessary staff to insure that the provisions of this chapter are carried out; and to arrange for necessary corrective action where staff resources have been determined by the Secretary of Labor to be inadequate.

(b) The Secretary of Labor shall establish definite performance standards for determining compliance by the State public employment service agencies with the provisions of this chapter and chapter 42 of this title. A full report as to the extent and reasons for any noncompliance by any such State agency during any fiscal year, together with the agency's plan for corrective action during the succeeding year, shall be included in the annual report of the Secretary of Labor required by subsection (c) of this section.

[(b)] *(c)* The Secretary of Labor shall report annually to the Congress on the success of the Department of Labor and its affiliated State employment service agencies in carrying out the provisions of this chapter. The report shall include, by State, the number of recently discharged or released eligible veterans, veterans with service-connected disabilities, [and] other eligible [veterans] *veterans, and eligible persons* who requested assistance through the public employment service and, of these, the number placed in suitable employment or job training opportunities, or who were otherwise assisted, with separate reference to occupational training under appropriate Federal law. The report shall include any determination by the Secretary under section 2001 or 2006 of this title and a statement of the reasons for such determination.

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CHAPTER 42—EMPLOYMENT AND TRAINING OF DISABLED AND VIETNAM ERA VETERANS

Sec.

2011. Definitions.

2012. Veterans' employment emphasis under Federal contracts.

2013. Eligibility requirements for veterans under certain Federal Manpower training programs.

2014. Employment within the Federal Government.

§ 2012. Veterans' employment emphasis under Federal contracts

(a) Any contract *in the amount of $10,000 or more* entered into by any department or agency for the procurement of personal property and non-personal services (including construction) for the United States, shall contain a provision requiring that [, in employing persons to carry out such contract,] the party contracting with the United States shall [give special emphasis to the employment of] *take affirmative action to employ and advance in employment* qualified disabled veterans and veterans of the Vietnam era. The provisions of this section shall apply to any subcontract entered into by a prime contractor in carrying out any contract for the procurement of personal property and non-personal services (including construction) for the United States. [The] *In addition to requiring affirmative action to employ such veterans under such contracts and subcontracts and in order to promote the implementation of such requirement, the* President shall implement the provisions of this section by promulgating regulations within 60 days after the date of enactment of this section, which regulations shall require that (1) each such contractor undertake in such contract to list immediately with the appropriate local employment service office all of its suitable employment openings, and (2) each such local office shall give such veterans priority in referral to such employment openings.

(b) If any disabled veteran or veteran of the Vietnam era believes any contractor has failed or refuses to comply with the provisions of his contract with the United States, relating to [giving special emphasis in] *the* employment [to] *of* veterans, such veteran may file a complaint with the Veterans' Employment Service of the Department of Labor. Such complaint shall be promptly referred to the Secretary who shall promptly investigate such complaint and shall take such action thereon as the facts and circumstances warrant consistent with the terms of such contract and the laws and regulations applicable thereto.

* * * * *

§ 2014. Employment within the Federal Government.

(a) It is the policy of the United States and the purpose of this section to promote the maximum of employment and job advancement opportunities within the Federal Government for qualified disabled veterans and veterans of the Vietnam era.

(b) To further this policy, veterans of the Vietnam era shall be eligible, in accordance with regulations which the Civil Service Commission shall prescribe, for veterans readjustment appointments up to and including the level GS–5, as specified in subchapter II of chapter 51 of title 5, and subsequent career conditional appointments, under the terms and conditions specified in Executive Order Numbered 11521 (March 26, 1970), except that is applying the one-year period of eligibility specified in section 2(a) of such order to a veteran or disabled veteran who enrolls, within one year following separation from the Armed Forces or following release from hospitalization or treatment immediately following separation from the Armed Forces, in a program of education (as defined in section 1652 of this title) on more than a half-time basis (as defined in section 1788 of this title), the time spent in such program of education (including customary periods of vacation and permissible absences) shall not be counted. The eligibility of such a veteran for a readjustment appointment shall continue for not less than six months after such veteran first ceases to be enrolled therein on more than a half-time basis. No veterans readjustment appointment may be made under authority of this subsection after June 30, 1978.

(c) Each department, agency, and instrumentality in the executive branch shall include in its affirmative action plan for the hiring, placement, and advancement of handicapped individuals in such department, agency, or instrumentality as required by section 501(b) of Public Law 93–112 (87 Stat. 319), a separate specification of plans (in accordance with regulations which the Civil Service Commission shall prescribe in consultation with the Administrator, the Secretary of Labor, and the Secretary of Health, Education, and Welfare, consistent with the purposes, provisions and priorities of such Act) to promote and carry out such affirmative action with respect to disabled veterans in order to achieve the purpose of this section.

(d) The Civil Service Commission shall be responsible for the review and evaluation of the implementation of this section and the activities of each such department, agency, and instrumentality to carry out the purpose and provisions of this section. The Commission shall periodically obtain and publish (on at least a semiannual basis) reports on such implementation and activities from each such department, agency, and instrumentality, including specification of the use and extent of appointments made under subsection (b) of this section and the results of the plans required under subsection (c) thereof.

(e) The Civil Service Commission shall submit to the Congress annually a report on activities carried out under this section, except that, with respect to subsection (c) of this section, the Commission may include a report of such activities separately in the report required to be submitted by section 501 (d) of such Public Law 93–112, regarding the employment of handicapped individuals by each department, agency, and instrumentality.

(f) Notwithstanding section 2011 of this title, the terms "veteran" and "disabled veteran" as used in this section shall have the meaning provided for under generally applicable civil service law and regulations.

Chapter 43—Veterans' Reemployment Rights

Sec.
2021. Right to reemployment of inducted persons; benefits protected.
2022. Enforcement procedures.
2023. Reemployment by the United States, territory, possession, or the District of Columbia.
2024. Rights of persons who enlist or are called to active duty; Reserves.
2025. Assistance in obtaining reemployment.
2026. Prior rights for reemployment.

§ 2021. Right to reemployment of inducted persons; benefits protected

(a) In any case in which any person is inducted into the Armed Forces of the United States under the Military Selective Service Act (or under any prior or subsequent corresponding law) for training and service and who leaves a position (other than a temporary position) in the employ of any employer in order to perform such training and service, and (1) receives a certificate described in section 9(a) of the Military Selective Service Act (relating to the satisfactory completion of military service) and (2) makes application for reemployment within ninety days after such person is relieved from such training and service from hospitalization continuing after discharge for a period of not more than one year—

(A) if such position was in the employ of the United States Government, its territories, or possessions, or political subdivisions thereof, or the District of Columbia, such person shall—

(i) if still qualified to perform the duties of such position, be restored to such position or to a position of like seniority, status, and pay; or

(ii) if not qualified to perform the duties of such position, by reason of disability sustained during such service, but qualified to perform the duties of any other position in the employ of the employer, be offered employment and, if such person so requests, be employed in such other position the duties of which such person is qualified to perform as will provide such person like seniority, status, and pay, or the nearest approximation thereof consistent with the circumstances in such person's case;

(B) if such position was in the employ of a State or political subdivision thereof or a private employer, such person shall—

(i) if still qualified to perform the duties of such position, be restored by such employer or his successor in interest to such position or to a position of like seniority, status, and pay; or

(ii) if not qualified to perform the duties of such position by reason of disability sustained during such service, but qualified to perform the duties of any other position in the employ of such employer or his successor in interest, be offered employment and, if such person so requests, be employed by such employer or his successor in interest in such other position the duties of which such person is qualified to perform as will provide such person like seniority, status, and pay, or the nearest appropriation thereof consistent with the circumstances in such person's case,

urless the employer's circumstances have so changed as to make it impossible or unreasonable to do so. Nothing in this chapter shall excuse noncompliance with any statute or ordinance of a State or political subdivision thereof establishing greater or additional rights or protections than the rights and protections established pursuant to this chapter.

(b)(1) Any person who is restored to or employed in a position in accordance with the provisions of clause (A) or (B) of subsection (a) of this section shall be considered as having been on furlough or leave of absence during such person's period of training and service in the Armed Forces, shall be so restored or reemployed without loss of seniority, shall be entitled to participate in insurance or other benefits offered by the employer pursuant to established rules and practices relating to employees on furlough or leave of absence in effect with the employer at the time such person was inducted into such forces, and shall not be discharged from such position without cause within one year after such restoration or reemployment.

(2) It is hereby declared to be the sense of the Congress that any person who is restored to or employed in a position in accordance with the provisions of clause (A) or (B) of subsection (a) of this section should be so restored or reemployed in such manner as to give such person such status in his employment as he would have enjoyed if such person had continued in such employment continuously from the time of such person's entering the Armed Forces until the time of such person's restoration to such employment or reemployment.

(3) Any person who holds a position described in clause (A) or (B) of subsection (a) of this section shall not be denied retention in employment or any promotion or other incident or advantage of employment because of any obligation as a member of a Reserve component of the Armed Forces.

(c) The rights granted by subsections (a) and (b) of this section to persons who left the employ of a State or political subdivision thereof and were inducted into the Armed Forces shall not diminish any rights such persons may have pursuant to any statute or ordinance of such State or political subdivision establishing greater or additional rights or protections.

§ 2022. Enforcement procedures

If any employer, who is a private employer or a State or political subdivision thereof, fails or refuses to comply with the provisions of section 2021(a) or (b)(1), (b)(3), or section 2024, the district court of the United States for any district in which such private employer maintains a place of business, or in which such State or political subdivision thereof exercises authority or carries out its functions, shall have the power, upon the filing of a motion, petition, or other appropriate pleading by the person entitled to the benefits of such provisions, specifically to require such employer to comply with such provisions and to compensate such person for any loss of wages or benefits suffered by reason of such employer's unlawful action. Any such compensation shall be in addition to and shall not be deemed to diminish any of the benefits provided for in such provisions.

The court shall order speedy hearing in any such case and shall advance it on the calendar. Upon application to the United States attorney or comparable official for any district in which such private employer maintains a place of business, or in which such State or political subdivision thereof exercises authority or carries out its functions, by any person claiming to be entitled to the benefits provided for in such provisions, such United States attorney or official, if reasonably satisfied that the person so applying is entitled to such benefits, shall appear and act as attorney for such person in the amicable adjustment of the claim or in the filing of any motion, petition, or other appropriate pleading and the prosecution thereof specifically to require such employer to comply with such provisions. No fees or court costs shall be taxed against any person who may apply for such benefits. In any such action only the employer shall be deemed a necessary party respondent. No State statute of limitations shall apply to any proceedings under this chapter.

§ 2023. Reemployment by the United States, territory, possession, or the District of Columbia.

(a) Any person who is entitled to be restored to or employed in a position in accordance with the provisions of clause (A) of section 2021(a) and who was employed, immediately before entering the Armed Forces, by any agency in the executive branch of the Government or by any territory or possession, or political subdivision thereof, or by the District of Columbia, shall be so restored or reemployed by any such agency or the successor to its functions, or by such territory, possession, political subdivision, or the District of Columbia. In any case in which, upon appeal of any person who was employed, immediately before entering the Armed Forces, by any agency in the executive branch of the Government or by the District of Columbia, the United States Civil Service Commission finds that—

(1) such agency is no longer in existence and its functions have not been transferred to any other agency; or

(2) for any reason it is not feasible for such person to be restored to employment by such agency or by the District of Columbia,

the Commission shall determine whether or not there is a position in any other agency in the executive branch of the Government or in the government of the District of Columbia for which such person is qualified and which is either vacant or held by a person having a temporary appointment thereto. In any case in which the Commission determines that there is such a position, such person shall be offered employment and, if such person so requests, be employed in such position by the agency in which such position exists or by the government of the District of Columbia, as the case may be. The Commission is authorized and directed to issue regulations giving full force and effect to the provisions of this section insofar as they relate to persons entitled to be restored to or employed in positions in the executive branch of the Government or in the government of the District of Columbia, including persons entitled to be reemployed under the last sentence of subsection (b) of this section. The agencies in the executive branch of the Government and the government of the District of Columbia shall comply with such rules, regulations, and orders issued by the Commission pursuant to this subsection. The Commission is authorized and directed whenever it finds, upon appeal of the person concerned, that any agency in the executive branch of the Government or the government of the District of Columbia has failed or refuses to comply with the provisions of this section, to issue an order specifically requiring such agency or the government of the District of Columbia to comply with such provisions and to compensate such person for any loss of salary or wages suffered by reason of failure to comply with such provisions, less any amounts received by such person through other employment, unemployment compensation, or readjustment allowances. Any such compensation ordered to be paid by the Commission shall be in addition to and shall not be deemed to diminish any of the benefits provided for in such provisions, and shall be paid by the head of the agency concerned or by the government of the District of Columbia out of appropriations currently available for salary and expenses of such agency or government, and such appropriations shall be available for such purpose. As used in this chapter, the term "agency in the executive branch of the Government" means any department, independent establishment, agency, or corporation in the executive branch of the United States Government (including the States Postal Service and the Postal Rate Commission).

(b) Any person who is entitled to be restored to or employed in a position in accordance with the provisions of clause (A) of section 2021(a), and who was employed, immediately before entering the Armed Forces, in the legislative branch of the Government, shall be so restored or employed by the officer who appointed such person to the position which such person held immediately before entering the Armed Forces. In any case in which it is not possible for any such person to be restored to or employed in a position in the legislative branch of the Government and such person is otherwise eligible to acquire a status for transfer to a position in the competitive service in accordance with section 304(c) of title 5, the United States Civil Service Commission shall, upon appeal of such person, determine whether or not there is a position in the executive branch of the Government for which such person is qualified and which is either vacant or held by a person having a temporary appointment thereto. In any case in which the Commission determines that there is such a position, such person shall be offered employment and, if such person so requests, be employed in such position by the agency in which such position exists.

(c) Any person who is entitled to be restored to or employed in a position in accordance with the provisions of clause (A) of section 2021(a) and who was employed, immediately before entering the Armed Forces, in the judicial branch of the Government, shall be so restored or reemployed by the officer who appointed such person to the position which such person held immediately before entering the Armed Forces.

§ 2024. Rights of persons who enlist or are called to active duty; Reserves

(a) Any person who, after entering the employment on the basis of which such person claims restoration or reemployment, enlists in the Armed Forces of the United States (other than in a Reserve component) shall be entitled upon release from service under honorable conditions to all the reemployment rights and other benefits provided for by this section in the case of persons inducted under the provisions of the Military Selective Service Act (or prior or subsequent legislation providing for the involuntary induction of persons into the Armed Forces), if the total of such person's service performed between June 24, 1948, and August 1, 1961, did not exceed four years, and the total of any service, additional or otherwise performed by such person after August 1, 1961, does not exceed five years, and if the service in excess of four years after August 1, 1961, is at the request and for the convenience of the Federal Government (plus in each case any period of additional service imposed pursuant to law).

(b)(1) Any person who, after entering the employment on the basis of which such person claims restoration or reemployment enters upon active duty (other than for the purpose of determining physical fitness and other than for training), whether or not voluntarily, in the Armed Forces of the United States or the Public Health Service in response to an order or call to active duty shall, upon such person's relief from active duty under honorable conditions be entitled to all of the reemployment rights and benefits provided by this chapter in the case of persons inducted under the provisions of the Military Selective Service Act (or prior or subsequent legislation providing for the involuntary induction of persons into the Armed Forces), if the total of such active duty performed between June 24, 1948, and August 1, 1961, did not exceed four years, and the total of any such active duty, additional or otherwise, performed after August 1, 1961, does not exceed four year (plus in each case any additional period in which such person was unable to obtain orders relieving such person from active duty).

(2) Any member of a Reserve component of the Armed Forces of the United States who voluntarily or involuntarily enters upon active duty (other than for the purpose of determining physical fitness and other than for training) or whose active duty is voluntary or involuntarily extended during a period when the President is authorized to order units of the Ready Reserve or members of a Reserve or members of a Reserve component to active duty shall have the service limitation governing eligibility for reemployment rights under subsection (b)(1) of this section extended by such member's period of such active duty, but not to exceed that period of active duty to which the President is authorized to order units of the Ready Reserve or members of a Reserve component. With respect to a member who voluntarily enters upon active duty or whose active duty is voluntarily extended, the provisions of this sub-section shall apply only when such additional active duty is at the request and for the convenience of the Federal Government.

(c) Any member of a Reserve component of the Armed Forces of the United States who is ordered to an initial period of active duty for training of not less than three consecutive months shall, upon application for reemployment within thirty-one days after (1) such member's release from such active duty for training after satisfactory service, or (2) such member's discharge from hospitalization incident to such active duty for training, or one year after such member's scheduled release from such training, whichever is earlier, be entitled to all reemployment rights and benefits provided by this chapter for persons inducted under the provisions of the Military Selective Service Act (or prior or subsequent legislation providing for the involuntary induction of persons into the Armed Forces), except that (A) any person

restored to or employed in a position in accordance with the provisions of this subsection shall not be discharged from such position without cause within six months after that restoration, and (B) no reemployment rights by this subsection shall entitle any person to retention, preference, or displacement rights over any veteran with a superior claim under those provisions of title 5 relating to veterans and other preference eligibles.

(d) Any employee not covered by subsection (c) of this section who holds a position described in clause (A) or (B) of section 2021(a) shall upon request be granted a leave of absence by such person's employer for the period required to perform active duty for training or inactive duty training in the Armed Forces of the United States. Upon such employee's release from a period of such active duty for training or inactive duty training, or upon such employee's discharge from hospitalization incident to that training, such employee shall be permitted to return to such employee's position with such seniority, status, pay, and vacation as such employee would have had if such employee had not been absent for such purposes. Such employee shall report for work at the beginning of the next regularly scheduled working period after expiration of the last calendar day necessary to travel from the place of training to the place of employment following such employee's release, or within a reasonable time thereafter if delayed return is due to factors beyond the employee's control. Failure to report for work at such next regularly scheduled working period shall make the employee subject to the conduct rules of the employer pertaining to explanations and discipline with respect to absence from scheduled work. If such an employee is hospitalized incident to active duty for training or inactive duty training, such employee shall be required to report for work at the beginning of the next regularly scheduled work period after expiration of the time necessary to travel from the place of discharge from hospitalization to the place of employment, or within a reasonable time thereafter if delayed return is due to factors beyond the employee's control, or within one year after such employee's release from active duty for training or inactive duty training, whichever is earlier. If an employee covered by this subsection is not qualified to perform the duties of such employee's position by reason of disability sustained during active duty for training or inactive duty training, but is qualified to perform the duties of any other position in the employ of the employer or his successor in interest, such employee shall be offered employment and, if such person so requests, be employed by that employer or his successor in interest in such other position the duties of which such employee is qualified to perform as will provide such employee like seniority, status, and pay, or the nearest approximation thereof consistent with the circumstances in such employee's case.

(e) Any employee not covered by subsection (c) of this section who holds a position described in clause (A) or (B) of section 2021(a) shall be considered as having been on leave of absence during the period required to report for the purpose of being inducted into, entering, or determining, by a preinduction or other examination, physical fitness to enter the Armed Forces. Upon such employee's rejection, upon completion of such employee's preinduction or other examination, or upon such employee's discharge from hospitalization incident to such rejection or examination, such employee shall be permitted return to such employee's position in accordance with the provisions of subsection (d) of this section.

(f) For the purposes of subsections (c) and (d) of this section, full-time training or other full-time duty performed by a member of the National Guard under section 316, 503, 504, or 505 of title 32, is considered active duty for training; and for the purpose of subsection (d) of this section, inactive duty training performed by that member under section 502 of title 32 or section 206, 301, 309, 402, or 1002 of title 37, is considered inactive duty training.

§ 2025. Assistance in obtaining reemployment

The Secretary of Labor, through the Office of Veterans' Reemployment Rights, shall render aid in the replacement in their former positions or reemployment of persons who have satisfactorily completed any period of active duty in the Armed Forces or the Public Health Service. In rendering such aid, the Secretary shall use existing Federal and State agencies engaged in similar or related activities and shall utilize the assistance of volunteers.

§ 2026. Prior rights for reemployment

In any case in which two or more persons who are entitled to be restored to or employed in a position under the provisions of this chapter or of any other law relating to similar reemployment benefits left the same position in order to enter the Armed Forces, the person who left such position first shall have the prior right to be restored thereto or reemployed on the basis thereof, without prejudice to the reemployment rights of the other person or persons to be restored or reemployed.

MILITARY SELECTIVE SERVICE ACT
(Public law 92-129)

* * * * *

Sec. 9. Reemployment.—(a) Any person inducted into the armed forces under this title for training and service, who, in the judgment of those in authority over him, satisfactorily completes his period of training and service under section 4(b) shall be entitled to a certificate to that effect upon the completion of such period of training and service, which shall include a record of any special proficiency or merit attained. In addition, each such person who is inducted into the armed forces under this title for training and service shall be given a physical examination at the beginning of such training and service, and upon the completion of his period of training and service under this title, each such person shall be given another physical examination and, upon his written request, shall be given a statement of physical condition by the Secretary concerned: *Provided*, That such statement shall not contain any reference to mental or other conditions which in the judgment of the Secretary concerned would prove injurious to the physical or mental health of the person to whom it pertains: *Provided further*, That, if upon completion of training and service under this title, such person continues on active duty without an interruption of more than seventy-two hours as a member of the Armed Forces of the United States, a physical examination upon completion of such training and service shall not be required unless it is requested by such person, or the medical authorities of the Armed Force concerned determine that the physical examination is warranted.

[(b) In the case of any such person who, in order to perform such training and service, has left or leaves a position (other than a temporary position) in the employ of any employer and who (1) receives such certificate, and (2) makes application for reemployment within ninety days after he is relieved from such training and service or from hospitalization continuing after discharge for a period of not more than one year—

[(A) if such position was in the employ of the United States Government, its Territories, or possessions, or political subdivisions thereof, or the District of Columbia, such person shall—

[(i) if still qualified to perform the duties of such position, be restored to such position or to a position of like seniority, status, and pay; or

[(ii) if not qualified to perform the duties of such position by reason of disability sustained during such service but qualified to perform the duties of any other position in the employ of the employer, be restored to such other position the duties of which he is qualified to perform as will provide him like seniority, status, and pay, or the nearest approximation thereof consistent with the circumstances in his case;

[(B) if such position was in the employ of a private employer, such person shall—

[(i) if still qualified to perform the duties of such position, be restored by such employer or his successor in interest to such position or to a position of like seniority, status, and pay; or

[(ii) if not qualified to perform the duties of such position, by reason of disability sustained during such service but qualified to perform the duties of any other position in the employ of such employer or his successor in interest, be restored by such employer or his successor in interest to such either position the duties of which he is qualified to perform as will provide him like seniority, status, and pay, or the nearest approximation thereof consistent with the circumstances in his case.

unless the employers' circumstances have so changed as to make it impossible or unreasonable to do so;

[(C) if such position was in the employ of any State or political subdivision thereof, it is hereby declared to be the sense of the Congress that such person should—

[(i) if still qualified to perform the duties of such position, be restored to such position or to a position of like seniority, status, and pay; or

[(ii) if not qualified to perform the duties of such position by reason of disability sustained during such service but qualified to perform the duties of any other position in the employ of the employer, be restored to such other position the duties of which he is qualified to perform as will provide him like seniority, status, and pay, or the nearest approximation thereof consistent with the circumstances in his case.

[(c) (1) Any person who is restored to a position in accordance with the provisions of paragraph (A) or (B) of subsection (b) shall be considered as having been on furlough or leave of absence during his period of training and service in the armed forces, shall be so restored without loss of seniority, shall be entitled to participate in insurance or other benefits offered by the employer pursuant to established rules and practices relating to employees on furlough or leave of absence in effect with the employer at the time such person was inducted into such forces, and shall not be discharged from such position without cause within one year after such restoration.

[(2) It is hereby declared to be the sense of the Congress that any person who is restored to a position in accordance with the provisions of paragraph (A) or (B) of subsection (b) should be so restored in such manner as to give him such status in his employment as he would have enjoyed if he had continued in such employment continuously from the time of his entering the armed forces until the time of his restoration to such employment.

[(3) Any person who holds a position described in paragraph (A) or (B) of subsection (b) shall not be denied retention in employment or any promotion or other incident or advantage of employment because of any obligation as a member of a reserve component of the Armed Forces of the United States.

[(d) In case any private employer fails or refuses to comply with the provisions of subsection (b), subsection (c)(1), subsection (c)(3), or subsection (g) of the district court of the United States for the district in which such private employer maintains a place of business shall have power, upon the filing of a motion, petition, or other appropriate pleading by the person entitled to the benefits of such provisions, specifically to require such employer to comply with such provisions and to compensate such person for any loss of wages or benefits suffered by reason of such employer's unlawful action: *Provided,* That any such compensation shall be in addition to and shall not be deemed to diminish any of the benefits of such provisions. The court shall order speedy hearing in any such case and shall advance it on the calendar. Upon application to the United States Attorney or comparable official for the district in which such private employer maintains a place of business, by any person claiming to be entitled to the benefits of such provisions, such United States Attorney or official, if reasonably satisfied that the person so applying is entitled to such benefits, shall appear and act as attorney for such person in the amicable adjustment of the claim or in the filing of any motion, petition or other appropriate pleading and the prosecution thereof specifically to require such employer to comply with such provisions: *Provided,* That no fees or court costs shall be taxed against any person who may apply for such benefits: *Provided further,* That only the employer shall be deemed a necessary party respondent to any such action.

[(e)(1) Any person who is entitled to be restored to a position in accordance with the provisions of paragraph (A) of subsection (b) and who was employed, immediately before entering the armed forces, by any agency in the executive branch of the Government or by any Territory or possession, or political subdivision thereof, or by the District of Columbia, shall be so restored by such agency or the successor to its functions, or by such Territory, possession, political subdivision, or the District of Columbia. In any case in which, upon appeal of any person who was employed immediately before entering the armed forces by any agency in the executive branch of the Government or by the District of Columbia, the United States Civil Service Commission finds that—

[(A) such agency is no longer in existence and its functions have not been transferred to any other agency; or

[(B) for any reason it is not feasible for such person to be restored to employment by such agency or by the District of Columbia, the Commission shall determine whether or not there is a position in any other agency in the executive branch of the Government or in the government of the District of Columbia for which such person is qualified and which is either vacant or held by a person having a temporary appointment thereto. In any case in which the Commission determines that there is such a position, such person shall be restored to such position by the agency in which such position exists or by the government of the District of Columbia, as the case may be. The Commission is authorized and directed to issue regulations giving full force and effect to the provision of this section insofar as they relate to persons entitled to be restored to positions in the executive branch of the Government or in the government of the District of Columbia, including persons entitled to be restored under the last sentence of paragraph (2) of this subsection. The agencies in the executive branch of the Government and the government of the District of Columbia shall comply with such rules and regulations and orders issued by the Commission pursuant to this subsection. The Commission is authorized and directed whenever it finds, upon appeal of the person concerned, that any agency in the executive branch of the Government or the government of the District of Columbia has failed or refuses to comply with the provisions of this section, to issue an order specifically requiring such agency or the government of the District of Columbia to comply with such provisions and to compensate such person for any loss of salary or wages suffered by reason of failure to comply with such provisions, less any amounts received by him through other employment, unemployment compensation, or readjustment allowances: *Provided,* That any such compensation ordered to be paid by the Commission shall be in addition to and shall not be deemed to diminish any of the benefits of such provisions, and shall be paid by the head of the agency concerned or by the government of the District of Columbia out of appropriations currently available for salary and expenses of such agency or government, and such appropriations shall be available for such purpose. As used in this paragraph, the term "agency in the executive branch of the Government" means any department, independent establishment, agency, or corporation in the executive branch of the United States Government.

[(2) Any person who is entitled to be restored to a position in accordance with the provisions of paragraph (A) of subsection (b), and who was employed, immediately before entering the armed forces, in the legislative branch of the Government, shall be so restored by the officer who appointed him to the position which he held immediately before entering the armed forces. In any case in which it is not possible for any such person to be restored to a position in the legislative branch of the Government and he is otherwise eligible to acquire a status for transfer to a position in the classified (competitive) civil service in accordance with section 2(b) of the Act of November 26, 1940 (54 Stat. 1212), the United States Civil Service Commission shall, upon appeal of such person, determine whether or not there is a position in the executive branch of the Government for which he is qualified and which is either vacant or held by a person having a temporary appointment thereto. In any case in which the Commission determines that there is such a position, such person shall be restored to such position by the agency in which such position exists.

[(3) Any person who is entitled to be restored to a position in accordance with the provisions of paragraph (A) of subsection (b) and who was employed, immediately before entering the armed forces, in the judicial branch of the Government, shall be so restored by the officer who appointed him to the position which he held immediately before entering the armed forces.

[(f) In any case in which two or more persons who are entitled to be restored to a position under the provisions of this section or of any other law relating to similar reemployment benefits left the same position in order to enter the armed forces, the person who left such position first shall have the prior right to be restored thereto, without prejudice to the reemployment rights of the other person or persons to be restored.

[(g)(1) Any person who, after entering the employment to which he claims restoration, enlists in the Armed Forces of the United States (other than in a reserve component) shall be entitled upon release from service under honorable conditions to all the reemployment rights and other benefits provided for by this section in the case of persons inducted under the provision of this title, if the total of his service performed between June 24, 1948, and August 1, 1961, did not exceed four years, and the total of any service, additional or otherwise performed by him after August 1, 1961, does not exceed five years, provided that the service in excess of four years after August 1, 1961, is at the request and for the convenience of the Federal Government (plus in each case any period of additional service imposed pursuant to law).

[(2)(A) Any person who, after entering the employment to which he claims restoration enters upon active duty (other than for the purpose of determining his physical fitness and other than for training), whether or not voluntarily, in the Armed Forces of the United States or the Public Health Service in response to an order or call to active duty shall, upon his relief from active duty under honorable conditions, be entitled to all of the reemployment rights and benefits provided by this section in the case of persons inducted under the provisions of this title, if the total of such active duty performed between June 24, 1948, and August 1, 1961, did not exceed four years, and the total of any such active duty, additional or otherwise, performed after August 1, 1961, does not exceed four years (plus in each case any additional period in which he was unable to obtain orders relieving him from active duty).

[(B) Any member of a Reserve component of the Armed Forces of the United States who voluntarily or involuntarily enters upon active duty (other than for the purpose of determining his physical fitness and other than for training) or whose active duty is voluntarily or involuntarily extended during a period when the President is authorized to order units of the Ready Reserve or members of a Reserve component to active duty shall have the service limitation governing eligibility for reemployment rights under paragraph (2)(A) of this subsection extended by his period of such active duty, but not to exceed that period of active duty to which the President is authorized to order units of the Ready Reserve or members of a Reserve component: *Provided,* That with respect to a member who voluntarily enters upon active duty or whose active duty is voluntarily extended the provisions of this paragraph shall apply only when such additional active duty is at the request and for the convenience of the Federal Government.

[(3) Any member of a reserve component of the Armed Forces of the United States who is ordered to an initial period of active duty for training of not less than three consecutive months shall, upon application for reemployment within thirty-one days after (A) his release from that active duty for training after satisfactory service, or (B) his discharge from hospitalization incident to that active duty for training, or one year after his scheduled release from the training, whichever is earlier, be entitled to all reemployment rights and benefits provided by this section for persons inducted under the provisions of this title, except that (A) any person restored to a position in accordance with the provisions of this paragraph shall not be discharged from such position without cause within six months after that restoration, and (B) no reemployment rights granted by this paragraph shall entitle any person to retention, preference, or displacement rights over any veteran with a superior claim under the Veterans' Preference Act of 1944, as amended (5 U.S.C. 851 and the following).

[(4) Any employee not covered by paragraph (3) of this subsection who holds a position described in paragraph (A) or (B) of subsection (b) of this section shall upon request be granted a leave of absence by his employer for the period required to perform active duty for training or inactive duty training in the Armed Forces of the United States. Upon his release from a period of such active duty for training or inactive duty training, or upon his discharge from hospitalization incident to that training, such employee shall be permitted to return to his position with such seniority, status, pay, and vacation as he would have had if he had not

been absent for such purposes. He shall report for work at the beginning of his next regularly scheduled working period after expiration of the last calendar day necessary to travel from the place of training to the place of employment following his release, or within a reasonable time thereafter if delayed return is due to factors beyond the employee's control. Failure to report for work at such next regularly scheduled working period shall make the employee subject to the conduct rules of the employer pertaining to explanations and discipline with respect to absence from scheduled work. If that employee is hospitalized incident to active duty for training or inactive duty training, he shall be required to report for work at the beginning of his next regularly scheduled work period after expiration of the time necessary to travel from the place of discharge from hospitalization to the place of employment, or within a reasonable time thereafter if delayed return is due to factors beyond the employee's control, or within one year after his release from active duty for training or inactive duty training, whichever is earlier. If any employee covered by this paragraph is not qualified to perform the duties of his position by reason of disability sustained during active duty for training or inactive duty training, but is qualified to perform the duties of any other position in the employ of the employer or his successor in interest, he shall be restored by that employer or his successor in interest to such other position the duties of which he is qualified to perform as will provide him like seniority, status, and pay, or the nearest approximation thereof consistent with the circumstances in his case.

[(5) Any employee not covered by paragraph (3) of this subsection who holds a position described in paragraph (A) or (B) of subsection (b) of this section shall be considered as having been on leave of absence during the period required to report for the purpose of being inducted into, entering or determining by a preinduction or other examination his physical fitness, to enter the Armed Forces of the United States. Upon his rejection, upon completion of his preinduction or other examination, or upon his discharge from hospitalization incident to that rejection or examination, such employee shall be permitted to return to his position in accordance with the provisions of paragraph (4) of this subsection.

[(6) For the purposes of paragraphs (3) and (4), full-time training or other full-time duty performed by a member of the National Guard under section 316, 503, 504, or 505 of title 32, United States Code, is considered active duty for training; and for the purpose of paragraph (4), inactive duty training performed by that member under section 502 of title 32, or section 301 of title 37, United States Code, is considered inactive duty training.

[(h) The Secretary of Labor, through the Bureau of Veterans' Reemployment Rights, shall render aid in the replacement in their former positions of persons who have satisfactorily completed any period of active duty in the armed forces of the United States or the Public Health Service. In rendering such aid, the Secretary shall use the then existing Federal and State agencies engaged in similar or related activities and shall utilize the assistance of volunteers.]

[(i)](b) Right to vote; Poll Tax.—Any person inducted into the armed forces for training and service under this title shall, during the period of such service, be permitted to vote in person or by absentee ballot in any general, special, or primary election occurring in the State of which he is a resident, whether he is within or outside such State at the time of such election, if under the laws of such State he is otherwise entitled to vote in such elections; but nothing in this subsection shall be construed to require granting to any such person a leave of absence or furlough for longer than one day in order to permit him to vote in person in any such election. No person inducted into, or enlisted in, the armed forces for training and service under this title shall, during the period of such service, as a condition of voting in any election for President, Vice President, electors for President or Vice President, or for Senator or Member of the House of Representatives, be required to pay any poll tax or other tax or make any other payment to any State or political subdivision thereof.

[(j)](c) Reports of separation.—The Secretaries of Army, Navy, Air Force, or Transportation shall furnish to the Selective Service System hereafter established a report of separation for each person separated from active duty.

WM. J. BRYAN DORN,
OLIN E. TEAGUE,
JAMES A. HALEY,
THADDEUS J. DULSKI,
HENRY HELSTOSKI,
JOHN PAUL HAMMERSCHMIDT,
MARGARET M. HECKLER,
JOHN M. ZWACH,
CHALMERS P. WYLIE,
Managers on the Part of the House.
VANCE HARTKE,
H. E. TALMADGE,
JENNINGS RANDOLPH,
HAROLD E. HUGHES,
ALAN CRANSTON,
CLIFFORD P. HANSEN,
STROM THURMOND,
ROBERT T. STAFFORD,
JAMES A. MCCLURE,
Managers on the Part of the Senate.

COMPENSATION FOR WORK INJURIES AMENDMENTS

Mr. DOMINICK V. DANIELS. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 13871) to amend chapter 81 of subpart G of title 5, United States Code, relating to compensation for work injuries, and for other purposes, with Senate amendments thereto, and concur in the Senate amendments.

The Clerk read the title of the bill.

The Clerk read the Senate amendments, as follows:

Page 1, line 3, strike out "8101 (2)" and insert: 8101(1)

Page 1, lines 4 and 5, strike out "inserting ", podiatrists," after "surgeons"." and insert: inserting "and" after the semicolon on subsection E(iv) and adding a new paragraph (F) as follows:

"(F) an individual selected pursuant to chapter 121 of title 28, United States Code, and serving as a petit or grand juror and who is otherwise an employee for the purpose of this subchapter as defined by paragraphs (A), (B), (C), (D), and (E) of this subsection.".

Page 1, after line 5, insert:

(b) Section 8101(2) of the Act is amended by inserting ", podiatrists, dentists, clinical psychologists, optometrists, chiropractors," after "surgeons", and adding after the words "State law" a period, and the following: "The term 'physician' includes chiropractors only to the extent that their reimbursable services are limited to treatment consisting of manual manipulation of the spine to correct a subluxation as demonstrated by X-ray to exist, and subject to regulation by the Secretary".

Page 1, line 6, strike out "(b)" and insert: "(c)".

Page 1, line 7, strike out "podiatrists," after "supplies by". and insert: "podiatrists, dentists, clinical psychologists, optometrists, chiropractors," after "supplies by", and by inserting before the semicolon ". Reimbursable chiropractic services are limited to treatment consisting of manual manipulation of the spine to correct a sublaxation as demonstrated by X-ray to exist, and subject to regulation by the Secretary".

Page 1, after line 7, insert:

(d) Section 8101(5) of the Act is amended by inserting before the semicolon ", and damage to or destruction of medical braces, artificial limbs, and other prosthetic devices which shall be replaced or repaired, and such time lost while such device or appliance is being replaced or repaired; except that eyeglasses and hearing aids would not be replaced repaired, or otherwise compensated for, unless the damages or destruction is incident to a personal injury requiring medical services".

Page 1, line 8, strike out "(c)" and insert: "(e)".

Page 2, line 5, strike out "(d)" and insert: "(f)".

Page 2, line 9, strike out "back." and insert: "back; and".

Page 2, after line 15, insert:

(g) Section 8101(1)(D) is amended by deleting the word "and" after the semicolon.

Page 2, line 16, after "2." insert: "(a)".

Page 4, line 7, after "any" insert: "other".

Page 4, line 17, after "employee;" insert: "or".

Page 5, line 21, strike out "with" and insert: "without".

Page 7, line 2, strike out "ends." and insert: "ends.".

Page 7, after line 2, insert:

"(d) If a claim under subsection (a) is denied by the Secretary, payments under this section shall, at the option of the employee, be charged to sick or annual leave or shall be deemed overpayments of pay within the meaning of section 5584 of title 5, United States Code.

Page 7, after line 2, insert:

"(e) Payments under this section shall not be considered as compensation as defined by section 8101(12) of this title."

Page 12, line 10, strike out "and" and insert: "or".

Page 12, line 11, after "if" insert: "no".

Page 13, line 22, strike out "8164" and insert: "8146a".

Page 15, lines 10 and 11, strike out "annuity computation under the civil service retirement provisions,".

Page 15, line 19, strike out "compensation," and insert: compensation or from the time compensable disability recurs if the recurrence begins after the injured employee resumes regular full-time employment with the United States,".

Page 16, after line 7, insert:

(c) Section 3315a of title 5, United States Code, is repealed upon the effective date of this section.

Page 16, line 8, after "23." insert: "(a)".

Page 16, after the line following line 9, insert:

(b) Section 8142(c)(2) of the Act is amended by adding after "Title 22" the phrase ", or a volunteer with one or more minor children as defined in section 2504 of title 22,".

Page 18, after line 4, insert:

Sec. 28. (a) Except as otherwise provided by this section this Act shall take effect on the date of enactment and be applicable to any injury or death occurring on or after such effective date. The amendments made by sections 1 (b) and (c), 2, 3, 7 (a) and (b), 8 (a) and (b), 9, 16, (a) and (b), 17, 19, 20, 21, 22, 24, and 25 shall be applicable to cases where the injury or death occurred prior to the date of enactment but the provisions of these sections shall be applicable only to a period beginning on or after the date of enactment.

(b) Section 11 of this Act shall become effective 60 days from enactment and be applicable to any injury occurring on or after such effective date.

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

Mr. ESCH. Mr. Speaker, reserving the right to object—and I shall not object—I think it is time to ask the chairman of our subcommittee if he would briefly insert in the RECORD at this point the differences between the Senate and the House versions.

It is my understanding that this bill passed by a voice vote in the House of Representatives on May 7, 1974, and that the amendments to the bill from the other body are primary technical.

Mr. Speaker, I will ask that he explain it to us, if he will.

Mr. DOMINICK V. DANIELS. Mr. Speaker, will the gentleman yield?

Mr. ESCH. I yield to the gentleman from New Jersey.

Mr. DOMINICK V. DANIELS. Mr. Speaker, on May 7, 1974, this House by an overwhelming voice vote passed the amendments to the Federal Employees Compensation Act to modernize and upgrade compensation benefits to injured Federal workers. Those revisions were necessitated by changing social and economic conditions and by the recommendations of the National Commission on State Workmen's Compensation Laws. The amendments contained in this legislation will assure that FECA continue as a model of efficient and equitable compensation for workers injured in the scope of their employment.

The bill as passed by the House contains some 27 changes in existing law, the most principal of which would provided for continuation of full pay for up to 45 days where the employees' claim is uncontroverted, and the disability is related to traumatic injury; guarantee the right of an employee to return to his or her former or equivalent position if recovery occurs within 1 year; allow compensation of up to 312 weeks for an impaired internal or external organ not specified by statutory schedule; adjust the Consumer Price Index computation to make it more responsive to cost-of-living increases; and make certain groups, previously excluded, eligible for cost-of-living compensation increases.

This bill was a culmination of testimony and consultation with all significant groups interested in the development of enlightened compensation policy, and the tireless efforts of Mr. ESCH, the ranking minority member of the Select Subcommittee on Labor, Mr. GAYDOS, and Mr. DENT in the House, and my very close friend, Senator HARRISON WILLIAMS, chairman of the Committee on Labor and Public Welfare in the Senate.

The amendments made to this bill in the Senate carry my unqualified endorsement, since they expand the guarantee that injured Federal employees receive the medical services, treatment and benefits to which they are rightfully and fairly entitled. For the benefit of my colleagues, I will outline the additions made by the Senate, and briefly explain their rationale:

SENATE AMENDMENTS—JUSTIFICATION

FOUR NEW PROVISIONS

First, expansion of medical services and facilities: The Senate expanded the act's definition of "physician" and "medical, surgical, and hospital services and supplies" beyond the House's addition of podiatrists by the addition of dentists, clinical psychologists, optometrists, and chiropractors.

The addition of these new categories is a recognition of the need for specialized professional services which should be available directly to the disabled worker. Currently, such services are available only through referral by a treating or supervising medical doctor. A similar provision covering clinical psychologists and optometrists has been enacted into law—Public Law 93-363—in connection with the Federal employee benefits program.

The limitation on chiropractors with respect to spinal subluxation is similar to that contained in the medicare provisions of the Social Security Act, as amended. The committee has made it clear that it expects the Secretary to promulgate regulations with respect to reimbursement for chiropractic services, and will consult with the Secretary of HEW, taking into consideration all studies on chiropractic medicare, both State and Federal.

Second, compensation for damaged prosthetic devices: The present statute does not reimburse Federal employees for loss of personal property due to accident regardless of the fact that the same accident resulted in personal injury. The Senate change, and one that appears equitable under all circumstances, would amend the definition of the term "injury" to include damage to or total loss of medical braces, artificial limbs, and other prosthetic devices. It would require the Government to compensate injured employees for work-related damage to artificial appliances or prosthetic devices. However, damaged eyeglasses and hearing aids would be replaced or repaired only if the damage were related to personal injury requiring medical services—although such personal injury need not necessarily be related to an injury of the eye or ear.

It is noted that the scheduled award provisions of the act would not apply to such damage or loss.

Third, coverage of employees on Federal juries: The Senate amended the House version further to extend coverage to include all otherwise eligible Federal employees who are disabled, or killed while serving as Federal grand or petit jurors. It is intended that this coverage would be applied as if the juror were an employee on a special mission as part of—and an extension of—Federal employment.

The Department of Labor has rejected all such claims for compensation filed by Federal jurors regardless of their regular employment on the basis that Federal jurors do not come within the present statutory definition of Federal employees. It appears that at least to the extent that the Federal jurors are also regular Federal employees, this is an unfair result to those individuals performing a vital civic function.

In addition, the Judicial Conference of the United States adopted a resolution in March 1974 calling for the coverage of all persons serving as Federal jurors; we have taken a lesser step by covering only Federal employees in this capacity.

Fourth, Peace Corps volunteers: Since the last amendment to FECA in 1966, the Peace Corps has recognized a third category of volunteers, generally referred to as the head of household volunteer (22 U.S.C. 2504(c)). A head of household volunteer receives a readjustment allowance of $125 per month, the same figure as the volunteer leader receives. However, at present he or she is compensated under the FECA for disability payments at the same rate as an ordinary volunteer. This change would bring consistency in the application of disability benefits based on monthly earnings. Accordingly, this revision would "deem" head of household volunteer the same as volunteer leaders "to be receiving monthly pay" at GS-11 rates.

I urge the Members of this body to support the Senate changes incorporated into H.R. 13871. Each Member can be satisfied that this bill will advance the cause of fair and progressive compensation for our injured Federal workers.

Mr. ESCH. Mr. Speaker, I would like to ask the chairman of the subcommittee, the gentleman from New Jersey (Mr. DOMINICK V. DANIELS) a question in review, and I simply want to clarify my understanding and the gentleman's understanding that with respect to our purpose in extending coverages to specific services such as chiropractic services, the treatment of the patient is limited to abnormal subluxation of the spine. While this bill would make such services directly available to the patient, such availability is subject to regulations by the Secretary. Is that correct? Is that the understanding of the gentleman?

Mr. DOMINICK V. DANIELS. That is my understanding.

Mr. ESCH. That in terms of these specific services they are subject to the same regulations under medicare and medicaid, and can be determined to be helpful in the treatment of the patient's condition.

Mr. DOMINICK V. DANIELS. The answer to that question is yes, also; the understanding of the gentleman is correct.

Mr. ESCH. Mr. Speaker, continuing the reservation of objection, this bill is a major step forward in the coverage of Federal employees in that it removes a major inequity, but the amendments passed by the Senate are acceptable not only to the members of the committee on this side of the aisle, but there is also indication that they are acceptable to the Office of Management and Budget, and to the Department of Labor.

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

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

Mr. ROUSSELOT. Mr. Speaker, how much does this cost, I would ask the gentleman from Michigan?

Mr. ESCH. I would say to the gentleman from California that the additional figures stemming from the amendments of the Senate I do not believe we know, we do not have a specific price on those, but they cover inequities.

Let me give the gentleman an illustration: Depending if you are the head of a household, a Peace Corps volunteer, you are covered by Federal employee compensation, and this corrects the inequity where all Peace Corps volunteers would not be covered, the leader would be covered, so that it corrects an inequity such as that. And the same correction covers an extension of the services related to coverages, for example, on eyeglasses, if they are damaged while you are under employment and injured in Federal employment, then your eyeglasses would be covered.

Mr. DOMINICK V. DANIELS. If the gentleman will yield, I have just been handed a copy of the report by the staff covering the Senate amendments. I understand the annual cost of amendments added by the committee is estimated as follows: $25,000 for coverage of Federal employees serving as Federal jurors; $10,000 for coverage of the new classification of Peace Corps volunteers; and $50,000 for replacement or repair of damaged prosthetic devices and appliances.

Mr. ESCH. So the annual cost in summary would be less than $100,000?

Mr. DOMINICK V. DANIELS. $85,000.

Mr. ROUSSELOT. Less than $100,000.

If the gentleman will yield further, the overall cost of the whole bill is how much?

Mr. ESCH. The bill as originally passed in the House of Representatives with the additional coverage would be in the neighborhood of $50,000 to $60,000.

Mr. DOMINICK V. DANIELS. If the gentleman will yield, I understand the costs to be as follows: $1 million for fiscal year ending June 30, 1974; $6,777,629 for the fiscal year ending June 30, 1975; $8,266,939 for the fiscal year ending June 30, 1976; $10,283,961 for the fiscal year ending June 30, 1977; $12,785,069 for the fiscal year ending June 30, 1978; and $15,886,433 for the fiscal year ending June 30, 1979.

Mr. ESCH. I would say to the gentleman from California that this is not the addition passed by the Senate; this is the bill as passed by the House which would include this amount, and this would be over a 5-year period.

Mr. ROUSSELOT. Over a 5-year period, and the almost but not quite $100,000 add-on passed by the Senate would be on an annual basis?

Mr. ESCH. On an annual basis.

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

There was no objection.

The Senate amendments were concurred in.

A motion to reconsider was laid on the table.

ABA'S REJECTION OF RESOLUTION CALLING FOR ABOLITION OF HOUSE COMMITTEE ON INTERNAL SECURITY

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

Mr. ICHORD. Mr. Speaker, I wish to call my colleagues' attention to the significant vote of the American Bar Association's House of Delegates which last Thursday rejected a resolution calling for abolition of the House Committee on Internal Security and transfer of its jurisdiction to the Judiciary Committee.

This is particularly noteworthy because you will be called upon in the near future to consider the House reform resolutions of Mr. BOLLING and Mrs. HANSEN which also include provisions for the transfer of the internal security jurisdiction either to the Judiciary or Government Operations committees. The effect in either case would, of course, be the abolition of the Committee on Internal Security but without assurance that the work would be effectively continued in another committee. The fact that the same proposal was rejected by the ABA should be peruasive when the resolutions are considered by you.

I find that the proposed resolution considered by the ABA was primarily a restatement of the objections to the Committee on Internal Security which the gentleman from Massachusetts (Mr. DRINAN) has been unsucessfully advancing for the past 4 years.

First, the resolution insists that the committee's "primary purposes" is "exposure for the sake of exposure" and has no truly legislative purpose. To test the validity of this allegation let me tell you about the current work of the Committee on Internal Security and let you judge whether the committee is engaged in aimless or improper investigations. During this session of the 93d Congress the committee has thus far held 22 days of hearings on the subject of terrorism—which are simply criminal acts for political purposes. No one who reads the papers can deny that this is a new and frightening internal security problem fully justifying the attention of the Congress, which itself has been the object of terrorist attacks. A committee staff study emphasizing the transnational aspects of terrorism and the first volume of the committee's terrorism hearings should be available for your review within the next several weeks. Whether these hearings will lead to specific legislation or recommendations for executive branch action is a matter I am, of course, exploring at this time.

Organizations in the United States which have been involved in terrorist acts or which support such acts "when the time is ripe" are identified in the staff study. I do not consider this "exposure for the sake of exposure," but rather as an essential part of an examination of the problems of terrorism. Terrorist acts are, after all, perpetrated by individuals who are usually responding to the propaganda of their revolutionary organizations.

You will also recall that the Speaker, and others in the House leadership as well as the Select Committee on Committees, have emphasized the necessity for the committees of the House to exercise their oversight responsibilities. This has been described as of equal importance to actual legislation, a view with which I entirely agree. I submit that the Committee on Internal Security is effectively exercising this oversight function in the course of its other current hearings dealing with the internal security work of the executive branch and which to date have focused primarily on the Federal Bureau of Investigation. These hearings are timely, necessary and satisfy an important legislative purpose.

Second, the proposed ABA resolution asserted that the internal security functions of the Congress would be "more appropriately served by other more responsible committees," and in support thereof claimed that the work of the Committee on Internal Security during the first session of the 93d Congress relating to the involvement of revolutionary groups in prison unrest was unnecessary because the Judiciary Committee had earlier found no substance to such allegations.

The facts are that the Judiciary Committee received the allegations during the course of hearings on prison reform but made no effort to investigate them and rather clearly exhibited no desire to do so. It was only after I had satisfied myself that neither the Judiciary Committee nor any other committee of the Congress had examined this problem adequately that I proposed that the Committee on Internal Security proceed with its investigation. It did so and the culmination of its work was seen this past June when over 125 State correctional officers convened at the FBI Academy at Quantico, Va., for a discussion of the problem of revolutionary involvement in prison unrest and a program of continuing dissemination of information by the FBI to State correctional officers was instituted. Director Kelley of the FBI informed me that this conference and the program were the direct result of the hearings, report and recommendations of the Committee on Internal Security.

It was this concrete example which supported my belief that no other committee of the House would have the inclination or expertise to go into such specialized internal security problems and to my belief that this important work can be done most effectively by the existing Committee on Internal Security.

The third objection cited in the rejected bar association resolution was the existence and use of the committee's public files which, as I have repeatedly explained to this body, are simply material from printed public sources compiled to assist the committee in its research and investigative functions. It is not a matter of the committee acquiring private communications and then publicizing them. All material in the files is already in the public domain and available for use by anyone who chooses to collect it.

If this body does not want the committee to maintain these files and to make their contents available to Members of Congress and executive branch investigative agencies then the House should consider a resolution to this effect. I have time and again urged those who complain so loudly about these files to come forward with such a resolution and have it voted upon up or down. No Member has done so and until I receive con-

trary instructions from the House the files will continue to be maintained just as all other committees maintain files pertinent to their mandates.

Lastly, the proposed ABA resolution asserted that the activities of the Committee on Internal Security "inhibit the free exercise of first amendment freedoms." No one has come forward with any evidence to show that revolutionary groups or their supporters and sympathizers are in any way inhibited in the exercise of their first amendment rights because of the work of the Committee on Internal Security. On the contrary, I see a continuous flood of constitutionally protected propaganda from such groups and their ability to grind it out seems to be limited only by the availability of funds to do so. Inhibited they are not.

CHARGES OF RACIAL DISCRIMINATION IN HIRING PRACTICES

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

Mr. THOMSON of Wisconsin. Mr. Speaker, no one abhors racial discrimination more than I do. That is why I was shocked to read a newspaper account charging me and 19 of our colleagues with discriminating against blacks, Catholics, or other minority groups.

Speaking for myself, the charge is malicious and completely without foundation. I have requested a full and impartial investigation of the charges. Coming as it does on the heels of embarrassing fabrications of Members' insertions without the Members' knowledge or consent, one must suspect that another "dirty trick" may have been perpetrated.

For the record: neither I nor any member of my staff has ever placed any racial restrictions on employment in my office.

The placement office apparently received a phone call from a member of my staff in December 1972, requesting applicants for a typist position. The request was made without any racial restriction, yet, the placement office card file record of the request calls for only "white Republican" applicants. I cannot explain the motivation of the person preparing the card, but I think the Members should protect themselves by having the placement office provide them with a form which they could fill out and sign, detailing the qualifications which they are seeking in job applicants.

I will include in the RECORD at this point my letter requesting the Speaker to conduct an investigation into this matter, since the Justice Department has already indicated that it lacks jurisdiction on this matter.

HOUSE OF REPRESENTATIVES.
Washington, D.C., August 19, 1974.

Hon. CARL ALBERT,
Speaker of the House of Representatives, Rayburn House Office Building, Washington, D.C.

DEAR MR. SPEAKER: The reputations of several of the Members have been tarnished by charges of employment discrimination. I can only speak for myself, of course, but I consider the charge malicious and completely without foundation. Neither I nor any member of my staff has ever placed any racial restriction on employment in my office.

Coming on the heels of last week's *Record* fabrications and falsifications of bills introduced without Members' knowledge or consent, I think this situation demands a full investigation to determine whether the cards with discriminatory restrictions were mistakenly prepared by sloppy administrators or the work of some "dirty trickster."

Since the Justice Department has indicated that it lacks jurisdiction in this matter, I am requesting that your office conduct a full-scale and impartial investigation to determine the truth of these charges and issue a public report on its findings.

With best regards, I am

Sincerely yours,

VERNON W. THOMSON,
Member of Congress.

PERSONAL EXPLANATION AS TO VOTE

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

Mr. DANIELSON. Mr. Speaker, late on the afternoon of Thursday, August 15, 1974, I was absent during the latter part of the consideration of H.R. 12859, the Federal Mass Transportation Act of 1974, and missed three votes. For the record, I now state how I would have voted on each of these questions had I been present.

ROLL NO. 494

An amendment to prohibit the use of any funds to implement busing plans in order to overcome racial imbalances in any school or school system. I would have voted "No."

ROLL NO. 495

An amendment that sought to make urbanized areas with a population of 2 million or more eligible under category "A". I would have voted "No."

ROLL NO. 496

An amendment that sought to require the Secretary to evaluate the extent to which urban communities are attempting to discourage auto use and encourage mass transit use before approving projects. I would have voted "No."

CONDEMNING VIOLENCE IN THE CYPRUS SITUATION

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

Mr. BIAGGI. Mr. Speaker, I join with the distinguished minority leader, the gentleman from Arizona (Mr. RHODES), and my colleague on the Democratic side, the gentleman from Indiana (Mr. BRADEMAS), in condemning the unfortunate slaying of Ambassador Davies in Cyprus.

We condemn violence, whether it be in Cyprus, Greece, on the American shores, or anywhere else in the world. But I would strongly suggest that the people of Greece are embittered over the American foreign policy in dealing with the Cyprus situation, and that the State Department, under the heading of Dr. Kissinger, is not in some measure without some fault.

The overall response of the Department of State to this major international crisis has been both dismal and disappointing. Despite my call for a suspension of military aid to Turkey and despite daily reports of U.S. weaponry being used by Turkey to arbitrarily rule Cyprus, there has been no response by the State Department.

Last week, I urged Secretary Kissinger to personally go to this troubled area to begin a new round of high level shuttle diplomacy between Ankara and Athens designed to bring about a cessation of the fighting. It seems incomprehensible to me that the Secretary does not consider this crisis important. His insensitivity to the problems has led to Greek Cypriot citizens, who remember his personal visits to nonallied Arab nations, to feel they are being accorded second-class citizenry status by the U.S. Government. These feelings have resulted in their strong anti-American sentiments of late.

Was it necessary for this act of violence to occur? Do we have assurances that the Secretary of State will even act now? Irrespective of the considerations of Greece and Turkey, our paramount concern now has to be the protection of our diplomatic personnel throughout the world. Their security cannot be jeopardized and we should take whatever steps necessary to insure their safety.

The stage may now be set for further acts of violence against Americans. We must bring the curtain down before a new act of violence occurs. I implore Secretary Kissinger to actively work on bringing the warring factions to the bargaining table, so that the independence of Cyprus can be restored. We have seen what our failure to act thus far has led to. We should need no further lessons before we act.

THE "BUY RUSSIA" BILL ALIAS THE CHROME IMPORT BILL, S. 1868

The SPEAKER pro tempore (Mr. MCKAY). Under a previous order of the House, the gentleman from Florida (Mr. SIKES) is recognized for 15 minutes.

Mr. SIKES. Mr. Speaker, the chrome bill, S. 1868, scheduled for consideration in the House of Representatives on Tuesday, should be called the "Buy Russia" bill. It will create unemployment in America, increase inflation, and cause American industry to be dependent in large extent on chrome from Russia. Russia is principal beneficiary of the bill, the United States will be the loser. Jobs for American employees and price restraints on steel products depend upon the defeat of this "Buy Russia" bill.

American industry requires a constantly increasing supply of chrome. Rhodesia has the greatest resources. Passage of this bill would create permanent restrictions against Rhodesian chrome regardless of what government may be in power there in the future. If we shut off Rhodesian chrome, we increase our dependence upon Russian chrome. Russia now will be glad to sell us chrome at a handsome profit. No longer would the world market govern the price to the United States. When Russia controls the major supply of chrome to the United States, they may

decide it is not to their best interest to sell chrome to us. The recent Arab oil embargo demonstrated the complications that can be caused by politically motivated trade embargoes. Why should we put ourselves in a position where the tyrants of the Soviet Union could use chrome against the United States as the Arabs did oil?

The effect of this bill would be to put major U.S. industries at the mercy of the Soviet Union. During the sanctions against Rhodesia the Soviet Union was our principal source of high quality chromite. It took advantage of our dependence upon it in two respects: first, the quality of the ore exported to the United States steadily deteriorated; and second, Russian prices dramatically increased. From $35.78 per short ton in 1965 the price steadily increased to $68.45 in 1972 and then fell back to $51.73 per ton in 1973 when sanctions were lifted.

Chrome is essential to U.S. industry. It is essential to medical science in the United States. It is essential to defense. Guns, planes, tanks, missiles, and ships all require chrome. When we become principally dependent upon Russia, the supply can be cut off or the price increased at will. That does not make sense. The "Buy Russia" bill should be defeated.

EXPORT-IMPORT BANK ACT AMENDMENT

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Connecticut (Mr. McKINNEY) is recognized for 5 minutes.

Mr. McKINNEY. Mr. Speaker, scheduled for floor consideration on Wednesday is H.R. 15977, the Export-Import Bank Act Amendment. Before debate begins on this issue, on the floor, I thought I would take this opportunity to share with my colleagues three letters which I have received from Connecticut regarding the Exim Bank. I believe they make a case for continuation of Exim financing in terms of jobs for workers in Connecticut and markets for Connecticut products. Without further comment, I will include those letters in the RECORD:

JULY 22, 1974.

Hon. STEWART B. McKINNEY,
House of Representatives,
Washington, D.C.

DEAR MR. McKINNEY: I am writing because I am concerned about what I am hearing and reading in the newspapers in regards to the Export-Import Bank of the United States. I work for a Fortune "100" corporation and part of my responsibility calls for arranging financings with our commercial banks and EXIMBANK. The posture Congress is taking can only hurt the American exporter and the over-all American economy. Eximbank responding to political criticism now is setting its lending rate on a case-by-case basis between 7% and 8½%. And further, though under standard practice the Eximbank puts up 45% of the cost of the export goods, with private banks providing a like amount and the borrower putting up 10%, Eximbank in recent weeks has been providing as little as 25% of the total in many cases.

Clearly, Eximbank is not a subsidy granting government agency. On the contrary, Eximbank has been very profitable. There is little doubt that international salesmen for U.S. products overseas will obtain few orders if they cannot assure potential buyers of adequate financing. Without Eximbank U.S. exporters, able to rely only on floating commercial interest rates, would be put at a disadvantage vis-a-vis foreign suppliers, who do get government financing.

Mr. Casey, president and chairman of the bank has said that loans to the U.S.S.R. have been part of "an historic and successful initiative in seeking to move our relationship away from military competition toward mutual satisfactory economic relations." No matter how small a move this may be doesn't it deserve our full support—in a world teaming with conflict and untrust? Thurston B. Morton in announcing Senate East-West Trade Hearings in 1967 said "East-West trade is a fertile field for American commercial considerations and a fertile field for controversy and myth-making."

According to recently released statistics the "real" output of the economy dropped at an annual rate of 1.2 per cent in the quarter just ended. Reports accompanying these statistics stated "the main single influence in throwing the whole G.N.P. into negative figures was a sharp deterioration in the nation's foreign trade balance."—Why then do we attack Eximbank and make its programs so restrictive that it drives business away?

Either Eximbank performs its intended function or it does not. If it does we should support it and do all we can to help it expand—if not it should be abolished. But, we should not "tie its hands" so it cannot succeed and then lay the blame on the bank for our failure.

Thank you for your consideration and I urge you to support Eximbank—without the proposed restrictions.

Yours very truly,

EDWARD F. FREUND.

JULY 19, 1974.

Hon. STEWART B. McKINNEY,
Cannon House Office Building,
Washington, D.C.

DEAR MR. McKINNEY: As president of Local Number 3381 of the United Steelworkers of America, I wish to bring your attention to House Bill HR 13:38 which affects the membership of my local. This Bill deals with Eximbank and the renewal of its existence.

The existence of Eximbank has helped our membership in my local and in turn the workers in Farrel Corporation in Ansonia and Torin Corporation in Torrington, as well as other workers throughout the state. In the past few years our shop at Waterbury Farrel has received foreign orders for equipment which exceed 54 million dollars. All of these orders were gotten because of the loans Eximbank gave to these foreign buyers. To us this meant not only exporting goods, but importing work which meant jobs for my local. Before these orders came in, employment was a little shaky in our shop, but after these orders came, employment was at full capacity and will be so for at least five years.

Our membership is aware of the fact that if Eximbank had not made the loans to these buyers, then foreign competition would have gotten the orders and with it a number of our members may have lost their jobs. We are not asking that you favor us, but we have heard so much about foreign countries subsidizing their businesses which have hurt us, we are only asking that you help us even the odds in getting this work.

We therefore request that you favorably support the extension of the Eximbank.

Very truly yours,

ROBERT L. COOK,
President, Local 3381, United Steelworkers of America.

JULY 24, 1974.

Hon. STEWART B. McKINNEY,
House of Representatives, Cannon House Office Building, Washington, D.C.

DEAR SIR: Thank you for the time you so kindly gave to me when I was in Washington last week. It was kind of you to take time out of your extremely busy day to see me. Your thoughts as to how we can do a better job are also very much appreciated. I expect to host a meeting of the District Export Council of Connecticut next week and will discuss some of these ideas with the group.

Since my return I have obtained some new figures regarding Connecticut exports which might be of interest to you. Present authorized Exim commitments total $323,000,000 for Connecticut exports of $473,000,000. The most recent export figures for Connecticut show us 17th in the nation with a total of $830,-000,000 in exports of manufacturing products. This figure should have reached $1,000,-000,000 in 1973 and this would mean that approximately 60,000 jobs are related to exports according to the formula used by most of the experts. There are 900 to 1,000 companies involved in exporting although we think these figures are low as it does not include many of our fine companies that produce components of end use products exported by others.

Thank you again for your time, and I hope that I have the opportunity of meeting with you again in the near future.

Sincerely,

WILLIAM J. STANNERS,
Executive Vice President.

OUR ECONOMIC SITUATION DEMANDS ACTION

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Illinois (Mr. RAILSBACK) is recognized for 5 minutes.

Mr. RAILSBACK. Mr. Speaker, it is becoming increasingly difficult for the average American to make ends meet. Double digit inflation—which is what we have been experiencing since the beginning of the year—is simply not the kind of inflation we can live with and still have confidence in our economic future. Bringing inflation under control must be this country's No. 1 priority, and economic restraint has to be the key ingredient to any policy we adopt.

I would like to point out that bringing our economy under control does not in any way imply that I favor control as such. Mandatory wage and price controls simply did not work in the past, and I am still very much opposed to them. I am, therefore, encouraged that the bill before us today, H.R. 16425, the Anti-Inflation Act of 1974, proclaims that nothing in the legislation authorizes the imposition or reimposition of mandatory economic controls with regard to prices, rents, wages, salaries, corporate dividends, interest rates, or any similar transfers.

As we are all aware, Congress originally granted the President standby authority to control prices and wages back in 1970. This authority has been repeatedly renewed, most recently in 1973, when the economic stabilization program was continued until April 30, 1974. Although the administration recommended that the controls themselves be phased out by that deadline, the President did request an extension of the Cost of Living Council. This request was then renewed by President Ford in his address to the Congress on August 12.

Although I am against actual controls, I do nevertheless believe that wages and prices should be carefully watched, that all segments of our economy must be aware of the public concern in the economic area, and that the Government

needs all possible information available in order to charter its course against inflation. Therefore, I urge immediate enactment of H.R. 16425.

Briefly stated, this legislation creates a Cost of Living Task Force within the Executive Office to monitor the economy. The task force will encourage price restraint, analyze industrial capacity, determine the effects of governmental and international transactions upon inflation, work with labor and management to improve the structure of collective bargaining and to increase productivity, and try to determine what can be done to solve our inflationary problems.

The task force will be composed of at least nine members who are appointed by the President, including the Secretaries of Treasury, Labor, and Commerce, the Director of the Office of Management and Budget, and the Chairman of the Council of Economic Advisers. This task force will transmit quarterly reports to the Congress outlining its actions, findings, and recommendations about inflation. The task force's authority terminates at the end of fiscal year 1976, and, hopefully, by that time, inflation will be under control.

Mr. Speaker, we should not be mislead that this bill will solve the economic crisis—we need more long-range programs for that—but it will at least let us know what we are dealing with.

THE UNWISE COURSE OF U.S. POLICY IN THE CYPRUS CRISIS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Indiana (Mr. BRADEMAS) is recognized for 5 minutes.

Mr. BRADEMAS. Mr. Speaker, day by day, the events surrounding the crisis over Cyprus, which began last month, spell out a pattern of increasing tragedy for the people of that small island republic, for the people of Greece, and for the future course of relations between Greece and the United States.

Mr. Speaker, last night in Boston, Mass., I had the privilege, together with my distinguished colleague, the gentleman from Maryand, the Honorable PAUL SARBANES, of addressing the 52d national convention of the Order of Ahepa, the Greek-American fraternal organization.

Mr. Speaker, on that occasion, I spelled out my own views on the aggressive actions by the Government of Turkey against Cyprus and indicated why I believe that the policies pursued by the U.S. Department of State are in large measure responsible for these unhappy developments in the eastern Mediterranean.

This morning, August 19, 1974, Mr. Speaker, I again joined Congressman SARBANES to testify before the Senate Foreign Relations Committee in support of President Ford's nomination of Jack B. Kubisch as the new U.S. Ambassador to Greece, and I also on this occasion expressed my views on U.S. policies in the Cyprus crisis.

Mr. Speaker, I insert at this point in the RECORD the text of my prepared statement before the Foreign Relations Committee which includes the text of my address last night in Boston:

STATEMENT OF CONGRESSMAN JOHN BRADEMAS OF INDIANA, ON THE NOMINATION OF JACK B. KUBISCH AS U.S. AMBASSADOR TO GREECE

Mr. Chairman: I am very grateful for the opportunity to appear before the distinguished Members of this great Committee to testify in support of the nomination by President Ford of Jack B. Kubisch as the new Ambassador to Greece.

Although this is my sixteenth year as a Member of Congress, this is the first time I have requested an opportunity to appear before your Committee, and I should therefore perhaps explain why I have asked to do so today.

In the first place, I have the privilege of being the first native born American of Greek origin ever elected to Congress and you will, therefore appreciate that I have a particular concern about developments in the land of my father's birth and about the relationships of our own country with Greece.

That these relationships are today suffering the greatest strain is symbolized by the tragic news of which I have just learned, the slaying in Nicosia a few hours ago of our distinguished Ambassador to Cyprus, a valued friend of mine and, I am sure, of many members of this Committee, an outstanding servant of our country, Rodger P. Davies.

Second, I am glad of the opportunity to express my very high regard for President Ford's first ambassadorial nomination, Jack Kubisch.

I have known Mr. Kubisch for a number of years. He was a constituent in that he lived in South Bend, Indiana, in the District I represent, from 1950 to 1961 as well as for two years in the early 1940's, and Mrs. Kubisch is from South Bend. Mr. Kubisch was in private business with several Indiana firms during the 1950's, including the Bendix Home Appliance Company and Great Northern Distributors.

Beyond my pleasure at seeing an outstanding former constituent nominated to so responsible a position, I have followed with great interest Mr. Kubisch's career in the United States Foreign Service.

As I am sure you are aware, Mr. Chairman, Mr. Kubisch has been accorded the rank of Minister by each of three Presidents (Kennedy, Johnson and Nixon) and served as Charge d'Affaires in three of our most important embassies, France, Brazil and Mexico.

In 1971 he was named United States Minister to our Embassy in Paris where he served as Charge d' Affaires during 1972 and part of 1973, during which period he worked with Dr. Kissinger on both the Vietnam peace talks and the negotiations that led to the development of a relationship between the United States and the Peoples Republic of China.

As you are also aware, he has since May 1973 been serving as Assistant Secretary of State for Inter-American Affairs and is, as well, the United States Coordinator of the Alliance for Progress in Latin America.

Although Mr. Kubisch has not been as directly involved with Greek affairs as with the other areas of the world which I have mentioned, he did play a role in the Marshall Plan Program, which, of course, was vital to Greece. During 1949–50 he was an Assistant to Ambassador Averell Harriman in the regional headquarters of the Marshall Plan in Paris.

From my observation of Mr. Kubisch, I have come to regard him as a person of the highest integrity, outstanding ability and unquestioned dedication to the interests of the people of the United States.

The United States is obviously today confronted with very great difficulties in respect of our policies toward Greece. Only a diplomat with exceptional qualities will be able to have a change to cope effectively with these difficulties. I believe that Jack Kubisch is eminently qualified to assume the important responsibility of United States Ambassador to Greece and I am, therefore, pleased to commend him most warmly to the Members of the Committee on Foreign Relations and to the Senate.

The third reason, Mr. Chairman, I have asked to appear before you today is to express my views on United States policy toward Greece during the current crisis in Cyprus.

Because I had an opportunity last night in Boston at the National Convention of the Order of AHEPA to address myself to this subject, I should like to ask consent to insert at this point in the hearings the text of my remarks in Boston and only briefly summarize them here.

REMARKS OF CONGRESSMAN JOHN BRADEMAS, 52D CONVENTION, ORDER OF AHEPA, BOSTON, MASS., AUGUST 18, 1974

I am very grateful for this opportunity to speak to my brother Ahepans gathered for this 52d Supreme Convention of our Order.

We meet at a time of tragedy and sorrow, tragedy and sorrow for the people of Greece, the people of Cyprus, and for persons of Hellenic origin wherever they may live.

For during the last weeks, the world has been witness to an example, with few parallels in recent times, of naked aggression by one country against a far smaller one.

The cease-fire on Cyprus announced on Friday can in no way diminish the outrageous action of Turkey over the last several days in invading and attacking, by land, sea, and air, this small island country.

What is particularly shocking, of course, is that, by action and inaction, the government of the United States has condoned and, it is not too much to say, given tacit support to these aggressive acts on the part of the government of Turkey.

Already, as a consequence of Turkish military attacks, Cypriots, both Greek and Turkish, as well as members of the United Nations peacekeeping forces have lost their lives.

In complete violation of repeated UN Security Council cease-fire resolutions, the Turks have poured thousands of troops onto Cyprus and have bombed Nicosia and other areas and have shelled the island from the sea.

U.S. ARMS USED FOR TURKISH AGGRESSION

And what is, of course, particularly outrageous is that arms used by the Turkish forces have been supplied by the taxpayers of the United States and troops that have been carrying out these savage attacks have been trained with money supplied by the American people through our program of aid to Turkey.

And where are we today?

The invasion and occupation of Cyprus by Turkish forces has had the most calamitous effects.

First, Greece, one of the oldest friends and most faithful allies of the United States, has been compelled, in protest at American acquiescence in the Turkish invasion, to withdraw from NATO, thereby gravely weakening NATO defenses in the Mediterranean and presenting a windful gift to the Soviet Union and her Warsaw Pact allies.

Second, after years of military dictatorship in Greece, openly supported by the United States, a new and democratic government has at long last returned to the cradle of democracy.

But the Turkish occupation of Cyprus is an obvious setback to any efforts of our country to support the continuation of constitutional government in Greece.

A third consequence of the failure of U.S. policy to respond sensitively and wisely to this crisis is, of course, the peril to the independence and peace of Cyprus, a free country with which the United States has enjoyed friendly relations. For who can now say with assurance for how long—no matter the final

settlement of the Cyprus crisis—there will continue to be bloodshed and fighting and internal strife on that vital island in the eastern Mediterranean?

You should know that only last Thursday all five Members of Congress of Greek origin—my colleagues and friends, Congressman Peter Kyros of Maine, Gus Yatron of Pennsylvania, Paul Sarbanes of Maryland, and Skip Bafalis of Florida—and I met with Secretary of State Kissinger to express directly to him our profound concern—and our vigorous protest—at the posture of the government of the United States during these last weeks.

CONGRESSIONAL PROTESTS TO KISSINGER

Because our discussions with Secretary Kissinger were understood to be off the record, I do not feel it appropriate to indicate to you here what he had to say to us on Thursday.

But I can tell you what we said to him.

We expressed in the strongest language possible our view that there could be no doubt that the policy of the United States government during these last bloody weeks has been clearly tilted in favor of Turkey.

We protested the failure of the government of the United States to respond effectively to Archbishop Makarios' blunt and open warning in early July that the military junta in Athens intended to seek his assassination and the overthrow of the lawfully elected government of Cyprus.

We protested the failure of the United States government publicly to express support for the restoration of constitutional government in Cyprus after the coup.

We protested the failure of the United States government publicly to protest the initial attacks on Cyprus by Turkish military forces.

We protested the failure of the United States government publicly to support the plea by the British Foreign Secretary to the Turks to continue the talks in Geneva.

And we protested to Secretary Kissinger the failure by the government of the United States—up until noon last Thursday—to voice any public criticism whatsoever of the massive invasion of Cyprus by Turkish forces and the Turkish air and sea attacks on Nicosia and other parts of the island.

In sum, we registered to Secretary Kissinger the strongest possible protest against the failure of the United States to oppose, by public word or by deed, what the rest of the civilized world, both through UN Security Council resolutions and commentaries by governments and press, has protested, the blatant disregard by the Turks of the cease-fire resolutions and the military conquest by Turkey of one-third of Cyprus.

And to State Department spokesmen who describe as "baloney" charges that U.S. policy has tilted in favor of Turkey, I call attention to the following paragraph from a Washington Post report of a press conference in Ankara last Friday at which (Turkish Prime Minister):

"Ecevit said he had had frequent telephone conversations during the crisis with Secretary of State Henry Kissinger and he strongly praised the American role. He said that Washington had been 'less emotional' and more objective than Britain, whose Foreign Secretary James Callaghan sternly denounced Turkey for breaking off the Geneva talks earlier this week.

"The United States, Ecevit said, had 'evaluated the problem objectively, refrained from taking sides, refrained from pressures'."

A CALAMITOUS FAILURE FOR U.S. FOREIGN POLICY

Here in the United States we have just emerged from what President Ford quite rightly described as the long nightmare of Watergate.

During the last two years, the American people have been learning month by month of what we now know to have been the most sordid pattern of lawlessness and corruption on the part of any Administration in the near 200 year history of our country.

But I feel I must tell you that in the last month there has emerged another pattern of which no citizen of the United States can be proud.

For, to reiterate, by the actions and inactions of our own government, we have in effect sided with one NATO ally, Turkey, to support the use of American arms and American trained forces for military aggression against a small, friendly nation with close ties to another NATO ally, Greece.

It has been a time of calamitous failure for the foreign policy of the United States.

What I believe has been most remarkable and most worthy of praise during this difficult time is the restraint and dignity of Prime Minister Constanine Caramanlis, whose government must remain the best hope for return to an enduring democracy in Greece.

The sharp rise in anti-American sentiment in Greece, at precisely that time when constitutional government is born again there, must stand as a sharp rebuke to the shortsightedness of American policy toward Greece.

Last Friday, I talked by telephone to an American friend, of Greek descent, in Athens who said, "It is now dangerous to be an American in Athens"!

As one who just ten years ago this year visited Greece with Harry S. Truman and Mrs. Lyndon B. Johnson and who personally observed the tumultuous welcome they received, I can tell you that the actions of the United States Department of State over these past weeks mark the bankruptcy of U.S. policy toward one of our oldest friends.

Some of us have for a long time publicly warned against the dangers to the American national interest, and to Western security, of our blindly supporting successive military dictatorships in Greece. The United States is now reaping the whirlwind of the unwisdom of that fundamentally anti-NATO, anti-American policy.

Let us all hope that, somehow, despite the folly of our Department of State in this matter, we can at least begin to repair the wounds and start the now long task of rebuilding the confidence of the people of Greece in the government of the United States.

UNITED STATES SHOULD HALT AID TO TURKEY

What are we to do now, in the immediate situation?

As you may know, my four Hellenic-American colleagues and I on August 2 introduced in the House of Representatives a resolution expressing the sense of Congress that all foreign troops, except those required by the UN peacekeeping effort, should be withdrawn from the island of Cyprus.

Well over 100 Members of the House of Representatives, both Democrats and Republicans, joined us in cosponsoring this resolution.

In response to the escalation of the Turkish military attacks on Cyprus, however, we determined that a stronger resolution was necessary and for that reason, last Wednesday, all five of us introduced another resolution in the House expressing the sense of Congress that all U.S. economic and military assistance and military sales to Turkey should immediately be stopped until all Turkish armed forces have been withdrawn from Cyprus.

Many other Members of the House have asked to cosponsor this resolution, House Resolution 1319, and I am tomorrow introducing additional resolutions at their request.

It now seems to me imperative that Americans of Greek origin and indeed all Americans who love freedom and cherish the enduring ties between Greece and the United States should immediately communicate to their Representatives and Senators in Congress their support for this resoultion.

For only if the government of Turkey is made to realize that the people of America are opposed to the use of their tax dollars for such aggressive purposes will there be any chance for restoring peace and independence to Cyprus, for sewing up the gaping hole in NATO which American diplomacy has caused by compelling the withdrawal of Greece from NATO, and for making clear U.S. support for constitutional government in Greece after the long nightmare of military dictatorships there.

So I hope that even tonight the Order of Ahepa will go on record as supporting the efforts of Congressman Brademas, Kyros, Yatron, Sarbanes, and Bafalis to reverse the blatantly pro-Turk policy of our Department of State.

FAILURE OF "PRIVATE DIPLOMACY" OF STATE DEPARTMENT

For it must now be clear to all but the most biased observers that the so-called "private diplomacy" of the Department of State has failed, and failed abysmally, to prevent the tragedy of the last month.

I hope that the Order of Ahepa will unanimously approve a resolution urging a cut-off in all U.S. military and economic aid and all U.S. military sales to Turkey until such time as Turkish troops have been withdrawn from Cyprus.

The time for effective action is now. And I hope that before sundown tomorrow every member of the Ahepa family here will send a telegram to his Congressman as well as to both his United States Senators urging support of every effort in Congress to cut off all further U.S. military and economic aid and military sales to the government of Turkey. And I hope that similar wires will be sent to President Ford and Secretary Kissinger as well.

I am confident that the American people support neither the pro-Turkish policies of the Department of State nor the wrongs these policies have worked against the people of Cyprus and of Greece.

I am equally confident that the persons who must take the lead in calling for the righting of these wrongs are the men and women of the family of Ahepa.

RESOLUTION URGING HALT OF U.S. AID TO TURKEY UNTIL WITHDRAWAL OF TURKISH ARMED FORCES FROM CYPRUS

Mr. Speaker, at this point in the RECORD I insert the text of House Resolution 1319, which I have introduced on behalf of myself and the gentleman from Maine (Mr. KYROS), the gentleman from Pennsylvania (Mr. YATRON), the gentleman from Maryland (Mr. SARBANES), and the gentleman from Florida (Mr. BAFALIS).

Mr. Speaker, House Resolution 1319 expresses the sense of the House of Representatives that all U.S. military and economic assistance to Turkey be suspended until all the armed forces of Turkey have been withdrawn from Cyprus.

The text of House Resolution 1319 follows:

H. RES. 1319

Resolved, That it is the sense of the House of Representatives that—

(1) all military, economic, or other assistance, all sales of defense articles and services (whether for cash or by credit, guarantee, or any other means), all sales of agricultural commodities (whether for cash, credit, or by other means), and all licenses with respect to the transportation of arms, ammunitions, and implements of war (including technical data relating thereto) to the Government of

Turkey should be suspended on the date of adoption of this resolution; and

(2) the provisions of this resolution should cease to apply when the President reports to the Congress that the Government of Turkey has withdrawn all of its armed forces from Cyprus.

Mr. Speaker, at this point in the RECORD I list the names of those Members of the House of Representatives who have so far cosponsored this or identical resolutions:

COSPONSORS OF HOUSE RESOLUTION 1319

Mr. Kyros, Mr. Yatron, Mr. Sarbanes, Mr. Bafalis, Mr. Hanrahan, Mr. Annunzio, Mr. Dent, Mr. Taylor of Missouri, Mr. Price of Illinois, Mr. Johnson of Colordo, Mr. James V. Stanton, Mr. Shuster, Mr. Minish, Mr. Adams, Mr. O'Brien, Mr. Cronin, Mr. Hudnut, Mr. Parris, Mr. Sarasin, Mr. Fascell, Mr. Rosenthal, Mr. Froelich, Mr. Don H. Clausen, Mr. Biaggi, Mr. Abdnor, Mr. Rooney of Pennsylania, Mr. Eilberg, Mr. Ketchum, Mr. Boland, Mr. Badillo, Mr. Rousselot, Mr. Gilman, Mr. Burke, Mr. Conte, Mr. Tiernan, Mr. Walsh, Mr. Seiberling, Mr. Gude, Mr. Young of Illinois, Mr. Steelman, and Mr. Thompson of New Jersey.

Mr. Pike, Mr. Hanley, Mr. Obey, Mr. King, Mr. Vanik, Mr. Maraziti, Mr. Podell, Mr. Stuckey, Mr. Carney of Ohio, Mrs. Grasso, Mr. Yates, Mr. Van Deerlin, Mr. Traxler, Mr. Vigorito, Mr. Nedzi, Mr. Helstoski, Mr. John L. Burton, Mr. Philip Burton, Mr. McKinney, Mr. Wyman, Mr. Reuss, Mr. Steele, Mr. Edwards of California, Mr. Roncalio of Wyoming, Mr. Moss, Ms. Jordan, Mr. Fauntroy, Mr. Won Pat, Mr. Ford, Mr. Roybal, Mr. Stark, Ms. Holtzman, Mr. Dingell, Mr. Pepper, Mr. Luken, Mr. Rodino, and Mr. Dulski.

CRISIS IN CYPRUS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Maryland (Mr. SARBANES) is recognized for 5 minutes.

Mr. SARBANES. Mr. Speaker, the crisis of Cyprus has brought tragic consequences to the people of that independent nation; has disrupted peace in the eastern Mediterranean; has plunged NATO into a grave internal crisis and has caused a serious deterioration in the long-standing friendly relationship between the United States and Greece.

In light of the Turkish aggression on Cyprus, I have joined with the gentleman from Indiana (Mr. BRADEMAS), the gentleman from Maine (Mr. KYROS, the gentleman from Pennsylvania (Mr. YATRON, and the gentleman from Florida (Mr. BAFALIS, along with 72 other Members of the House, in introducing House Resolution 1319 which calls for a cutoff of all military and economic assistance and all military sales to Turkey until all of Turkey's Armed Forces have been withdrawn from Cyprus. Mr. Speaker, I invite other Members of the House who may not already have done so to join in cosponsoring House Resolution 1319, the text on which follows this statement.

Mr. Speaker, last night I was privileged to address in Boston the 52d Annual Convention of the Order of Ahepa, the Nation's largest Greek-American fraternal order, on the tragic consequences of U.S. policy with regard to Cyprus. The text of this address is set out below:

HOUSE RESOLUTION 1319

Resolved, That it is the sense of the House of Representatives that—

(1) all military, economic, or other assistance, all sales of defense articles and srevices (whether for cash or by credit, guarantee, or any other means), all sales of agricultural commodities (whether for cash, credit, or by other means), and all licenses with respect to the transportation of arms, ammunitions, and implements of war (including technical data relating thereto) to the Government of Turkey should be suspended on the date of adoption of this resolution; and

(2) the provisions of this resolution should cease to apply when the President reports to the Congress that the Government of Turkey has withdrawn all of its armed forces from Cyprus.

STATEMENT OF CONGRESSMAN PAUL S. SARBANES (D.-MD.) ORDER OF AHEPA, 52D ANNUAL CONVENTION, BOSTON, MASS., SUNDAY, AUGUST 18, 1974

Reverend clergy, fellow members of the AHEPA family and all true friends of liberty and justice. Tonight I join with fierce determination in your efforts to achieve peace and justice for the suffering people of Cyprus and fair and honorable treatment for the people of Greece.

The recent events on the historic Greek islands of Cyprus have once again tested the bravery of the Cypriot people and the conscience of us all. As one Greek Cypriot soldier, fighting on a front line with only a bolt-action rifle and supported by obsolete armored cars and a few tanks almost thirty years old told a journalist, "write that Greeks are never afraid." When he said that he was fighting against some of the most modern, sophisticated weapons in the world; weapons provided by the American taxpayer to Turkey, but provided for defensive purposes and not for despicable actions of aggression.

We meet here to join in an effort to restore the independence and integrity of Cyprus and to aid its people to meet the critical problems of survival now facing them. Remember that at this very moment thousands of refugees in Cyprus, victims of Turkish aggression, are without food, shelter, and medical care and in need of immediate assistance. We must do all we can to respond to that need at once.

We meet here to press forward with the cause of justice for the people of Cyprus. We must pursue this goal not only because of our close ties with those of Greek heritage but, perhaps more importantly, because the Turkish invasion of this small, independent and peaceful country violated every principle of international law and every precept of human decency. Turkey's military action was carried out in direct violation of United Nation's resolutions and in the face of condemnation by world opinion. Let there be no doubt about it, Cyprus is the victim of aggression, raw and brutal aggression which has brought death and destruction to that lovely country. It is a grievous wrong and we must work to make the situation right.

As Americans we should be deeply concerned and troubled by the position our State Department has taken with respect to this crisis. Despite repeated warnings from many sources, including members of the Congress and representatives of your organization and many other concerned groups, the State Department at every critical juncture has failed to take action to avert the tragedy now confronting us.

1. It refused to support Archbishop Makarios, the democratically elected President of Cyprus, when such support could have preserved stability and peace on Cyprus.

2. It failed to prevent Turkish military intervention by denouncing the attempted coup in Cyprus and stressing the need to preserve constitutional government in Cyprus.

3. It refused to bring pressure to bear on Turkey to prevent the invasion of Cyprus and to limit and restrict Turkish military action once such an invasion occurred. Contrast, if you will, the actions of the late President Johnson, who warned a Turkey preparing to go to war in no uncertain terms of the American Government's position and thereby preserved peace in the area.

4. It failed to consider the need to be understanding and supportive of a democratic regime in Greece, thereby placing in danger our traditional friendship.

Let us look for a moment, because it is important to our understanding of this matter, at the statements our State Department has issued on this tragic matter during the past week and the interpretations placed upon them.

Item: On Wednesday, August 14th, State Department spokesman, Robert J. McCloskey stated, in response to charges that U.S. policy was favoring Turkey, "I think it is plain baloney that the United States is tilting toward any one party or other in this dispute."

Item: Just the day before, on Tuesday, August 13th, the State Department issued a statement on Cyprus in which it stated the U.S. position to be as follows: "We recognize the position of the Turkish community on Cyprus requires considerable improvement and protection. We have supported a greater degree of autonomy for them."

"The parties are negotiating on one or more Turkish autonomous areas. The avenues of diplomacy have not been exhausted. And, therefore, the United States would consider a resort to military action unjustified. We have made this clear to all parties."

Notice my friends that this statement was directed to all parties at a time when it was obvious to everyone that only Turkey was engaged in aggressive military action. Furthermore, the comments favoring greater autonomy for the Turks on Cyprus was made at the very time that a desperate effort was underway to prevent the Geneva talks from collapsing. As one diplomat subsequently observed: "In the day's context those were the magic words Turkey had been waiting for."

Item: On Wednesday morning, August 14th at 5 a.m. Turkish forces began major aggressive military actions with air strikes and tank and troop movements directed at Nicosia and Famagusta.

Item: British Foreign Secretary James Callaghan, returning home from Geneva following the renewed Turkish military action, said: "A great opportunity has been thrown away. All we needed in Geneva was another 36 hours to work out a solution. All that has been thrown away." He went on to express the belief that the Turkish orders to attack were issued before Turkey walked out of the Geneva peace conference.

Item: In London, Archbishop Makarios stated: "I am in particular disappointed at the attitude of the United States which could, I believe, have prevented Turkey from invading Cyprus or at least put an end to the aggression."

Item: On Wednesday, August 14th, in the face of Turkey's flagrant action, the State Department finally issued its first public criticism stating "We deplore the Turkish resort to the use of force". However it then went on to issue warnings to both Turkey and Greece by stating "If Greece and Turkey, two NATO allies, were to resort to war it should be clear that they could not count on a continuing line of military supply from the United States." Imagine, with Turkey actively moving as an aggressor, the State Department felt compelled to warn both sides.

Item: On Thursday, August 15th, Turkish Prime Minister Ecevit after a meeting with U.S. Ambassador William Macomber in Ankara told reporters Turkey is very happy with the "frank and open" U.S. policy on Cyprus.

Item: On Friday, August 16th, after Turkey had overrun one third of the island and unilaterally declared a cease fire, a State Department spokesman stated: "We welcome the Turkish government's announcement of a cease fire and we want to make clear that we could not understand any resumption by Turkey of military operations on Cyprus." This is incredibly mild diplomatic language and obviously suggests the the State Department could understand the Turkish military operations up to that point.

Item: The Turkish view of the American role was stated in Ankara on Friday by Prime Minister Ecevit at a press conference where he said he had had frequent telephone conversations during the crisis with Secretary of State Henry Kissinger and he strongly praised the American role. He said that Washington had been "less emotional" and more objective than Britain, whose foreign Secretary James Callaghan sternly denounced Turkey for breaking off the Geneva talks earlier this week. The United States, Ecevit said, had "evaluated the problem objectively, refrained from taking sides, refrained from pressures."

In the light of all of this it is clear indeed who is talking plain baloney. It is the State Department when it contends that its policy has not been tilted toward any one party in this dispute.

As you know those of us in Congress of Greek-American descent and many other who are close friends of Greece and the Greek people have made the strongest representations to the State Department since the beginning of this crisis. To press forward on this matter we have introduced in the House of Representatives a resolution calling for a cut-off of all military and economic assistance and all military sales to Turkey. We believe strongly that the United States government must make it clear to Turkey in no uncertain terms that this country condemns recent Turkish action, that it opposes any partition on the island of Cyprus, and that it supports the integrity and the independence of that country.

The consequences of the catastrophic policy of our State Department during this crisis are staggering:

1. NATO has been plunged into its worst internal crisis since its creation 25 years ago and the Western security system in the Eastern Mediterranean has collapsed.

2. Efforts to support the civilian government of Constantine Karamanlis and the restoration of constitutional democracy to Greece have been dealt a serious blow. Karamanlis, a man of outstanding ability and a close friend of the United States throughout his political life, has been placed in an exceedingly difficult position.

3. Peace and justice on Cyprus have been jeopardized, perhaps for generations to come, as efforts to develop harmony between its people have given way to hatred and bitterness. The independence and integrity of a peaceful nation has been subverted contrary to all rules of international law.

4. The likelihood of conflict between Greece and Turkey, two NATO allies, has been greatly increased. As Prime Minister Karamanlis stated when Greece withdrew its troops from NATO, he was acting only "after the Atlantic Alliance had demonstrated its inability to prevent Turkey from creating a state of conflict between two allies."

5. A consequence which must pain us all personally is the grave deterioration in Greek-American relations. America and Greece have always had a close relationship since this country assisted Greece in its struggle against Turkey for national independence and human dignity. In two world wars Greece fought valiantly with America against the forces of aggression and she has consistently been one of our closest allies. Is Greece now to be lost as our friend because of the blindness and shortcomings of the State Department's policy?

It is imperative that our national policy be altered so that this question be answered with a ringing no. It is for this reason that Congressmen Brademas, Kyros, Yatron, Bafalis and myself have introduced our resolution cutting off aid to Turkey. Cutting off aid, I want to point out, to a nation which recently announced that it was resuming the growing of opium. A step which will deal a critical blow to our efforts to control drug addiction in this country, where it is estimated the number of heroin addicts has been cut in half since the opium ban was instituted. And yet, despite this fact and despite the generous compensation paid by the U.S. to Turkey farmers for the ban, the Turkish government is resuming opium production and thereby turning loose on the streets of America an enemy which menaces us all. What kind of a policy is it, I ask you, to trade the friendship of Greece for that of a country which is willing to poison our youth.

The task before us is not an easy one. We must go to work to change the policy of the State Department so that it returns to basic international principles of justice and the rule of law and repudiates armed aggression and its brutal and illegal results. We must take measures to provide the desperately needed assistance and aid required by the displaced refugees on Cyprus. And we must take steps to restore our traditional friendship with Greece and to support the re-institution of democracy in the land which gave that cherished concept to the world. All of these things will require great effort but working together I believe we can prevail.

THE 15TH ANNIVERSARY OF CAPTIVE NATIONS WEEK

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Pennsylvania (Mr. FLOOD) is recognized for 5 minutes.

Mr. FLOOD. Mr. Speaker, the 15th anniversary of Captive Nations Week was successfully observed both here and abroad. As has been already extensively reported, the 1974 week was highlighted by official proclamations across the country, rallies and parades, news accounts and editorials, and radio and TV discussions. The chief contribution of the recent observance was the constructive doubts it raised about détente and the captive nations.

An analysis of this important subject appeared in The Rising Tide, July 29, 1974, edition, a rapidly expanding newspaper devoted to the general subject of world freedom.

Under the caption "Captive Nations Belie Détente," it presents the analysis developed by Dr. Lev E. Dobriansky of Georgetown University. Excerpting the basic essentials of this presentation, I earnestly commend them to the studied reading of our Members and all others who are concerned with peace, human rights, and freedom:

CAPTIVE NATIONS BELIE DÉTENTE

(By Dr. Lev E. Dobriansky, chairman of the National Captive Nations Committee and president of the Ukrainian Congress Committee of America)

Little is it recognized or understood in the Free World that the essential freedom message of the two towering Russian intellectuals, Andrei Sakharov and Alexander I. Solzhenitsyn, conforms almost precisely with the established captive nations analysis. In calling for the withdrawal of Russian power to the national borders of Russia and the renunciation of Marxism-Leninism they, and countless behind them in the USSR, are in essence calling for the freedom of the crucial non-Russian nations in the USSR, the surcease of Russian imperio-colonialism, and the open admission of the bankruptcy of Marxist philosophy in the whole area of the captive nations. Both strike at the foundation stone of the captive nations analysis, namely the captive non-Russian nations in the USSR, the first victims of Soviet Russian imperio-colonialism, and both point to this basic analytical structure of thought without which the conception of "a structure of peace" in our time cannot but become a colossal illusion.

NATIONS

All the diplomatic flurry, motion and summitry of the past few years haven't made a dent in the overall structure of the captive nations. The simple historical truth is that an enduring structure of peace cannot possibly be founded on a permanent structure of captive nations, extending from the Danube to the Pacific and into the Caribbean. The ultimate and determining question is whether detente, as presently conceptualized and developed, can accommodate not so much the oppressive Red regimes but more so the liberating forces in the captive nations and peoples themselves. . . .

Part of the antidote to present illusions of detente is surely a memorized review of the long list of captive nations:

Year of Communist domination

People or nation:	
Armenia	1920
Azerbaijan	1920
Byelorussia	1920
Cossackia	1920
Georgia	1920
Idel-Ural	1920
North Caucasia	1920
Ukraine	1920
Far Eastern Republic	1922
Turkestan	1922
Mongolian People's Republic	1924
Estonia	1940
Latvia	1940
Lithuania	1940
Albania	1946
Bulgaria	1946
Serbia, Croatia, Slovenia, etc., in Yugoslavia	1946
Poland	1947
Romania	1947
Czecho-Slovakia	1948
North Korea	1948
Hungary	1949
East Germany	1949
Mainland China	1949
Tibet	1951
North Vietnam	1954
Cuba	1960

It should be stressed that almost half of the captive nations are in the Soviet Union itself. Of these, most were conquered by Soviet Russian force after World War I and forcibly incorporated into a newly-formed empire-state called the Union of Soviet Socialist Republics at the end of 1922. They form the foundation of Moscow's outer empire in Central Europe, Asia and Cuba.

MOSCOW'S TROIKA POLICY

For an evaluation with perspective and understanding of these prospective developments and the illusions of detente, the concept of Moscow's traditional troika policy is indispensable.

As elaborated in the '73 Week, the troika consists of (1) the anchor horse racing toward a controlled, totalitarian and imperialist consolidation within both the inner empire in the USSR and the outer empire in the so-called satellite states of Central Eu-

rope; (2) guided by the effective "peaceful coexistence" sub-strategy, the second unit pointing in the direction of a divide-and-subvert process in the West; and (3) the final part, still generated by "wars of national liberation," galloping in a progressive infiltration and undermining of the less developed areas of the world. Each part of the troika is continually reflected by some notable, varying current events.

Viewed globally, the Cold War in its real sense has not diminished; as manipulated by Moscow * * *.

EIGHT PROMINENT ILLUSIONS OF DETENTE

The outline of the foregoing captive nations analysis is adequate enough to spotlight the mounting illusions of detente which can be concisely defined as follows:

(1) *The Nation-State Illusion:* At this late stage in global politics it is incredible, but true, that in our highest governmental, educational and other institutions that the USSR is viewed as a nation-state with "Soviet citizens" of different ethnic backgrounds similar to the pattern of the U.S. In defending detente the Secretary of State, who plainly misunderstands the Captive Nations Week Resolution, suffers from this basic illusion when he speaks of "our two peoples," "out two nations," and some sort of a "Soviet domestic structure" for an area which is really multi-international in composition.

(2) *The Non-Interference Illusion:* The first illusion logically breeds this one on non-interference in the "internal affairs" of the USSR. Rationally, the principle of non-interference is valid where it concerns a nation-state, but in the case of an empire-state, founded on conquest and oppression of nation and with imperial extensions and ambitions beyond, it makes only practical sense to the imperialist power. The abuse of this principle is an old imperial Russian technique with Stalin, Vishinsky, Khrushchev and Brezhnev have frequently employed not only for the empire-state of the USSR but also, as the Brezhnev doctrine confirms, for its imperial extensions in Central Europe.

(3) *The Institutional Policy Illusion:* The strange notion that the external policy of a state can be divorced from its internal, imperial policies is what may be called the institutional/policy illusion, which is obviously cognate to the preceding illusion. The external imperial policy has always been fed by the oppressive, whether authoritarian or totalitarian, internal policy of the empire. To hope for substantial changes in the former without essential structural and behavioral changes in the latter is the illusion. As Solzhenitsyn recently pointed out, one of the characteristics of our present pseudo-detente is: "When any acts of cruelty and even brutality by one side towards its own citizens and its neighboring peoples is hastily and nearsightedly accepted by the proponents of detente as "in no way standing in the way of detente"—thereby encouraging new acts of brutality and persecution . . . Kissinger is quoted.

(4) *The "Peaceful Coexistence" Illusion:* As shown earlier, "peaceful coexistence" is no illusion for Moscow. It is a very specific and definite substrategic policy for the Kremlin totalitarians. It only becomes an illusion for the West and us Americans when we identify it with détente in the mistaken belief that this troika unit of Westpolitik means a live-and-let-live policy. "Peaceful coexistence" for Moscow means plainly ideo-political warfare in all its dimensions against the West, and in our country it is already an open secret that our F.B.I. cannot cope with the inflow of agents from behind the Iron Curtain.

(5) *The Non-Ideologic Illusion:* Some détentists hold that the ideologic power of Moscow and its syndicate is minimal and that there is little to fear from it. As far back as 1957, Kissinger observed, "The emerging middle class in Russia may, of course, in time ameliorate the rigors of Soviet doctrine." Apart from a mythical middle class in "Russia," Marxist-Leninist ideology remains doctrinally powerful in the CPSU membership and beyond, though for the Russian populace at large and among the captive non-Russian nations its power of attraction is nil. What is more important is the effective tool it represents to attract all sorts of elements in the Free World who have not experienced the experience of the captive peoples, including from another interpretative angle the Russian people.

(6) *The Humanist Illusion:* Bred by the "mellowed Communist" fantasy of the 60's, many détentists view the Kremlin and other Red totalitarians as destalinized types and thus more humane and reasonable to work with toward "peace." After all Solzhenitsyn was exiled, not murdered. Those harboring this widespread illlusion are easily deceived by calculating Potemkinist techniques of the Kremlin, where for one Solzhenitsyn tens of thousands linger in Moscow's prison camps, psychiatric wards and terminal cells. The leadership is mainly Stalin-bred, is brutal and calculating, and in Hitlerian fashion cultivates and dominates a society that is predominantly technocratic and militaristic.

(7) *The Economic Interpendence Illusion:* It is in the area of trade, long-term joint projects, and gradually enhanced economic involvements leading to a generalized economic interdependence that leverage is sought by us to curb and cause all three horses of the Russian troika to retreat, with "peace" becoming more secure than ever before. Bear in mind that Moscow's essential objective is to acquire our advanced technology to shore up its messy, labor-short and capital-starved economy while its overall strategic troika races on.

It is absolutely necessary, therefore, to focus the predication of our trade and investments on politico-social concessions in the USSR itself and not for Moscow's restraint in Vietnam, the Mideast and elsewhere, which is really a dealt cover-up for relative American weakness in these areas and could be open-end as the troika, fed by our economic "aid," races on. Without, such USSR-centered concessions, economic interdependence will remain an illusion and, as in all cases of trade with totalitarian powers, the answer to the question of "Who is giving the shaft to whom?" should be evident.

(8) *The Non-Morality Illusion:* Finally, the supposedly hard-nosed play in power balances leaving no room for moral forces of idealism, human rights, freedom, national independence, etc. is perhaps the most absurd illusion surrounding détente. Regardless of all its imperfections, the whole story of America is founded on moral idealism, whether expressed by internal or external policies for basically they're interwoven, and this unfolding story is unsurpassed in the history of mankind. The continuing impact of American idealism on the captive nations is boundless and is one of the greatest of our weapons against the Kremlin totalitarians.

A détente pursued on the basis of these illusions will only court disaster for us and the Free World. A real, genuine détente, pointing even to the mutual benefits of entente, presupposes the dissipation of these illusions and a concrete development of an irreversible and guaranteed movement of actions that would preclude violence, further arms build-up, and the violation of fundamental human and national rights. Invoking the nuclear scare, as Kissinger does, is no argument for an illusory détente. The formation of a genuine détente, based on the factual counterpoints to the illusions, is the hope of this 15th Captive Nations Week anniversary.

* * * been shifted, with low-keyed operations in one area, intense repressive measures in another, and incessant plays on "American imperialism" in a third. Skillfully employing the "peaceful coexistence" strategem and its low-keyed tactics, Moscow seeks both time and critical economic means to sustain and expand this overall structure and its manifold activities for the historic moment when its diplomacy and adjunct military and other factors will directly confront the West, and the U.S. in particular, at clear-cut advantages to itself.

THE COLD WAR: "PEACEFUL COEXISTENCE" AND DÉTENTE

The current confusion over the terms of Cold War, "peaceful coexistence" and détente suggests in itself that the time is ripe for a national reexamination of our policies before we find ourselves too far afield in abating Moscow's global strategy. Treaties, negotiations, cultural exchange, trade and other involvements were rife in relations with Nazi Germany, but these failed to alter the course of basic trends. The injection of a nuclear age doesn't make these activities any more substantial and scarcely deters Moscow from racing its global troika.

From the beginning of the RSFSR the strategem of "peaceful coexistence" has always been a tool in Moscow's Cold War arsenal. The first victims of Soviet Russian aggression, such as Byelorussia, Ukraine, Georgia and others, were temporarily exposed to it. This special Cold War concept of unyielding systemic conflict and political warfare is uttered almost daily by Moscow and its satraps, and aside from the Aesopian language means in essence: "The struggle between the proletariat and the bourgeoisie and between world socialism and imperialism will be waged up to the complete and final victory of Communism on a world scale. . . . All forms of the class struggle—political, economic and ideological—are closely interwoven, one augmenting the other—bringing first one form and then another to the forefront."

Within the empire the Cold war is expressed in varying degree by nationalist assertions, resistance to Russification, open dissidence, religious revival, underground publications, and sheer ideological apathy and indifference. In the third sphere of Moscow's operations, who would classify Vietnam, the Mideast, the Indian Ocean, the base of Cuba and others as being beyond the Cold War concept as it pertains to US–USSR relations? The Cold War in its multiform can be and is waged through proxy and intermediate conduits.

AMERICANS MUST SUPPORT CZECHOSLOVAK ASPIRATIONS FOR FREEDOM

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Illinois (Mr. ANNUNZIO) is recognized for 5 minutes.

Mr. ANNUNZIO. Mr. Speaker, August 21 marks the sixth anniversary of the 1968 invasion of Czechoslovakia by the Soviet Union—an outrageous act of totalitarian oppression which again reminded the world that ideals of freedom and human dignity simply do not exist for the brutally cruel masters of the Kremlin.

The people of Czechoslovakia again commemorate August 21 as a day of Soviet shame as will Americans who trace their ancestry to this captive nation. None of us, as Americans, must ever forget that a system of monstrous barbarity still rules in the captive nations and that all of us must continue our support for the Czechoslovak people in their just aspirations for self-determination and human dignity.

Mr. Speaker, at this point in the RECORD I wish to include an appeal from the Czechoslovak National Council of America issued in commemoration of this sad day in the history of freedom-loving peoples everywhere.

The appeal follows:

CZECHOSLOVAK NATIONAL COUNCIL OF AMERICA,
Chicago, Ill., August 21, 1974.

FREEDOM IS INDIVISIBLE

On this sad occasion of the sixth anniversary of the brutal Soviet-led invasion and occupation of peaceful and freedom-loving Czechoslovakia, we American citizens of Czech, Slovak and Subcarpatho-Ruthenian descent, again remind the entire world of this Soviet violation of key principles of international law incorporated into the Charter of the United Nations:

The brutal Soviet aggression and occupation:

(1) violated the sovereignty of a member state of the United Nations (Article 2, Section 1);

(2) was carried out in violation of Article 2, Section 4, which prohibits the use of military force in the relations between individual members of the United Nations;

(3) violated the principle of self-determination of peoples (Article 1, Section 2);

(4) was in conflict with Article 2, Section 7, which prohibits outside intervention in matters essentially within the domestic jurisdiction of any state;

(5) was in conflict with a number of resolutions of the General Assembly of the United Nations, particularly with Resolution 2131 (XXI) adopted at the meeting of December 21, 1965, upon the Soviet Union's own motion, prohibiting any intervention in the domestic affairs of any state and guaranteeing its independence and sovereignty.

The continued Soviet occupation of Czechoslovakia is another crime against the right of a small country to determine its own destiny and aspirations. The invasion was an intervention by the forces of reactionary communism to prevent the Czechs and Slovaks from establishing their own social order that did not endanger anyone and sought to contribute to the building of bridges across the discords of a divided world and to lend aid to a better understanding and cooperation among all nations on the basis of true progress and humanity.

The people of Czechoslovakia have not resigned themselves to these aggressive plans of Moscow. The day of August 21, is being commemorated in Czechoslovakia as a *Day of Soviet Shame* in a mighty and disciplined resistance against Soviet pressure. We are joining our friends in Czechoslovakia in asking the entire civilized world to support the people of Czechoslovakia in their effort to achieve:

"The withdrawal of Soviet troops from Czechoslovakia."

SAFE AMERICA COMMITTEE SUPPORTS HCIS

(Mr. WAGGONNER asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. WAGGONNER. Mr. Speaker, on July 31, the Safe America Committee, an organization composed of individuals from occupations as diverse as clerics and carpenters, admirals and academicians, bankers and businessmen, placed a full page "Open Letter to Congress" in the Washington Post and other journals, supporting the continuation of the House Committee on Internal Security and urging the expansion of its activities in keeping with the increased threats to the safety of America.

I am hopeful that every member of the House will have an opportunity to review the challenging contents of this well-conceived letter sponsored by an impressive list of notables whose efforts are being coordinated by the American Security Council.

ASC itself requires no introduction in Washington circles—nor for that matter in Moscow, which, through its propaganda organs Izvestia and Pravad, has bitterly attacked the Council's incisive positions on vital national and international security issues. The ASC was founded in 1955 as a nonpartisan, educational organization. It draws heavily upon a broad across-section of the American public for its sources of membership. ASC is administered by ex-FBI agent and World War II bomber pilot John Fisher and a competent staff of experts in the fields of military, security, and international affairs. The letter follows:

SAFE AMERICA COMMITTEE,
Washington, D.C.

DEAR CONGRESSMAN: Less than two weeks after all America was shocked by the terrorist kidnapping of Patricia Hearst, the House Committee on Internal Security released a report on the Symbionese Liberation Army.

Since the epidemic of political terrorism which has plagued the rest of the world now threatens to break out in the United States, the Committee on Internal Security is now holding hearings on trans-national aspects of terrorism and their effect on American internal security.

Yet Congressman Bolling's House Committee has proposed the abolition of the House Committee on Internal Security and the transfer of its jurisdiction to the Committee on Government Operations (House Resolution 988). (The Hansen Committee of the Democratic Caucus substitute would transfer internal security jurisdiction to the Judiciary Committee).

This proposed transfer of jurisdiction would not only abolish the House Committee on Internal Security, it would also abolish the functions of that Committee. This is true because this provision would not transfer the 40 experienced professional staff employees of the House Committee on Internal Security . . . nor would it provide a budget for a new staff.

The Bolling proposal doesn't even provide for sub-committee status for the internal security function. Even if it did, no sub-committee can have the stature and the effectiveness of a standing committee.

The Bolling provision follows the pattern of the proposal which has been made for many, many years by the anti-security lobby led by the National Committee Against Repressive Legislation.

But this is totally contrary to the wishes of the average voter.

For example, the Opinion Research Corporation did a public opinion survey of voting age citizens in April 1974 and asked:

It has been proposed in Congress that the House Committee on Internal Security should be abolished and its area of work (but not its staff) given to the Government Operations Committee. Do you agree or disagree with this proposal?

45% disagreed; 26% agreed and 29% were undecided.

In other words, nearly twice as many voters were for keeping a separate House Committee on Internal Security as were for the transfer of jurisdiction.

On the lawmaking role of the Committee, the Opinion Research Corporation asked:

Should Congress pass new legislation that makes it illegal to teach or advocate the overthrow of the Government by force or violence?

63% said yes; 30% said no and 7% were undecided.

On the investigative and public information role of the Committee, the Opinion Research Corporation asked:

Do the American people have the right to be fully informed about the goals and activities of organizations which are dedicated to the overthrow of the U.S. Government by force and violence?

89% said yes; 8% said no; 3% were undecided.

Passage of HR 988 or the Hansen substitute in their present form would effectively eliminate the functions of the Internal Security Committee and would be directly contrary to the clear wishes of the vast majority of the voters.

We strongly support the continuation of a standing House Committee on Internal Security. We also urge the expansion of its staff and activities so that it can be more responsive to the increased internal security threats.

PARTIAL LISTING OF SAFE AMERICA COMMITTEE MEMBERSHIP

Robert E. L. Eaton, Natl. Cmdr., The American Legion.

Richard Smith, Chairman, Young Republican Natl. Fed.

Martha Rountree, President, Leadership Foundation.

Ron Dear, Executive Director, American Conservative Union.

Gen. Bruce C. Clarke, USA Ret., Chairman Emeritus, National Assoc. Uniformed Services.

Brig. Gen. A. R. Brownfield, Exec. Dir., The Military Order of the World Wars.

Miss Eleanor Schlafly, Exec. Sec., Cardinal Mindszenty Fdn.

Sgt. Maj. C. A. McKinney, Dir. of Legislative Affairs, Non-Commissioned Officers Assn.

J. Fred Schlafly, President, American Council for World Freedom.

Elwyn W. Kelting, President, Fundamental Christian Assn.

H. Dean Buttram, Jr., Pres., Student Government, Jacksonville State University.

Mrs. Billie Bowles, State V. P., Calif. Republican Assembly.

Anatol Pleskaczewski, V. Pres., Byelorussian Congress Com. of America.

Lt. Julian Hopkins, Natl. Comdr., Disabled Officers Association.

John M. Fisher, President, American Security Council.

Mrs. Maurice Kubby, Natl. V. P., American Legion Auxiliary.

Ray R. Soden, Natl. Cmdr., Veterans of Foreign Wars.

O. P. Norton, Exec. Dir., Amer. Soc. for Ind. Security.

Natalie Wales Hamilton, Pres., Committee to Unite America.

Ron Docksai, Natl. Chairman, Young Americans for Freedom.

Donald O. Shaw, Member, Bd. of Governors, Natl. Counter Intelligence Corps Association.

Mrs. Bernard F. Kennedy, Natl. Americanism Chairman, American Legion Auxiliary.

Dr. S. Edgar Moon, Exec. Dir., Western Pennsylvania Public, Interest Research Group.

Mrs. H. W. Glickfield, President, Women's Republican Club of Ft. Lauderdale.

Reverend Cyril Drozdiak, Franciscan Order.

Mrs. A. A. MacGregor, Pres. Rep. Women of Pa., Inc.

Dr. Ivan Docheff, Natl. Chm., American Friend of the Anti-Bolshevick Bloc of Nations.

Carl L. Hill, President, Taxpayers Association.

D. L. Harlow, CMSAF Ret., Director of Legislation, Air Force Sergeants Assn.

R. Adm. V. H. Schaeffer, USN Ret., Exec. Dir., Naval Reserve Assn.

R. W. Nolan, Natl. Exec. Sec., Fleet Reserve Association.
Richard Mantia, Exec. Sec., Building and Construction Trades Council (St. Louis).
Jack Valenti, President, Local 655, Retail, Clerks International Association.
Ollie W. Langhorst, Exec. Sec.-Treas., Carpenters District Council (St. Louis).
Robert E. Stewart, Sec.-Treas., Local 35, Plumbers and Pipefitters International.
Joseph F. Cointin, Dist. 9, Bus. Rep., Intl. Assn. Machinists.
Richard D. Flotron, Bus. Rep., Local 1, Intl. Bro. Elec. Workers.
Russell E. Egan, Exec., Local 13, Office and Professional Employees Intl. Union.
H. C. Schwarzer, Bus. Rep. and President, Carpenters Local 1108, AFL-CIO.
Gerald Shearrer, Police Sgt., Detroit Police Department.
Kenneth K. Hinau, Detective, Honolulu Police Department.
William F. Maughan, Deputy Inspector, New York City Police Department.
Mrs. Frank A. McAllister, Rosedale.
Mrs. Leslie F. Johnson, Omaha High School Principal.
R. G. Hatcliff, Principal, Newport Spec. School Dist.
Harry Burdette, Vice Principal, Baltimore City Public Schools.
Sanford N. McDonnell, Pres., McDonnell Douglas Corp.
Roger Milliken, President, Deering Milliken, Inc.
William R. Lloyd, President, Pittsburgh Elevator Company.
P. P. Butler, Ret. Pres., First City Natl. Bk., Houston, Tx.
C. G. Carlson, President, Caco-Pacific.
R. F. Babbidge, Chrm. of Bd. and Chief Executive Officer, Promanent International, Inc.
Edward B. Benjamin, Starmount Farm.
W. F. Colclough, Ret. Chrm. of Bd., American Bank Note Company.
Mrs. Page Nelson.
J. D. Street, President, St. Louis Slag Prod. Company.
William E. Cromling, Exec. V.P., 1st Natl. Bank of Elyria, Ohio.
Col. Michael P. Yannell, Pres., Builders Express, Inc.
Cmdr. A. F. Kempe, USMC Ret., Pres., Seneca Coal Corp.
John G. Sevcik, Gen. Mgr., McCormick Place.
Dr. Mary Tarzian, Publisher, Banner-Graphic & Sarkes Tarzian, Inc.
C. L. Ballew, President, Circulation Svc., Inc.
Arthur L. Reese, Director, Motorola, Inc.
Paul Mann, Pres. & Chrm. of Bd., Home St. Life Ins. Co., Inc.
Ambassador David M. Key, Ret.
Amb. J. Wesley Jones, Ret.
Amb. Elbridge Durbrow, Ret.
Dr. Hugh W. Ellsaesser, Physicist, Lawrence Livermore Laboratory.
Adm. E. J. Roland, USCG Ret.
Maj. Gen. Frank D. Weir, U.S. Marine Corps-Ret.
Gen. H. K. Mooney, USAF Ret.
Vice Admiral K. K. Cowart, USCG Ret.
Gen. A. P. O'Meara, USA Ret.
Lt. General E. M. Almond, USA Ret.
Vice Admiral J. H. Doyle, USN Ret.
Neill S. Brown, President General Paper Corporation.
John C. Irwin, Gen. Atty. U.S. Steel Oilwell Division.
G. Woodrow Ballew, Pres. Blackburn Bank.
Robert L. Bell, President, The Gauley Natl. Bank.
William K. Todd, Pres., Todd Publications, Inc.
Arnold H. Jacobsen, Chrm., Washington Central Bank.
Layton W. Bailey, Jr., Vice Pres., MCA TV.
C. Dana McCoy, President, Space Systems, Inc.
Rev. Thomas J. O'Day, Director, Loyola Retreat House.
Pastor D. Goldberg, Grace Bible Institute.
Rev. Simon E. Forsberg, Minister and Instructor, Montana Institute of the Bible.
Rev. Newton M. Coughenour, Clergyman and Lecturer.
Rev. Richard C. Halter, Pastor, Calvary Baptist Church.
Rev. Gerard J. Clark, Catholic Priest, St. Anthony Church, Milwaukee.
Rev. Paul C. Pepoon, The United States Methodist Church.
Rev. C. William Havens, Baptist Missionary.
Rev. R. J. McMiller, Lutheran Pastor.
Rev. Edgar A. Day, Minister, United Methodist Church.
Rev. Edgar A. Day, Minister, United Methodist Church.
Rev. Emmanuel Kelsch, Chaplain, Holy Trinity Hospital.
Rev. Robert W. Cooke, Evangelist (Baptist)
Rev. Oliver N. Hamby, Minister Natl. Presbyterian Church.
Rev. Bob White, Evangelist, Bob White Evangelistic Assn.
Brother Harvey, Missionary, Maryknoll Fathers.
Rev. J. P. Sweeney, Chaplain, Flushing Hospital Med Centre.
Rev. Wilbur Kissell, Chaplain, Providence Hospital.
Professor Roger W. Williams, Columbia University.
Dr. John Eccles, Prof., State Univ. of New York.
Professor Ralph H. Davidson, Ohio State University.
Dr. Kurt Glaser, Professor of Government, Southern Illinois University.
Professor Leon D. Nobes, Western Michigan University.
Professor Ward Fleming, Prof. of Political Science, City Colleges of Chicago.
Professor John H. Dudley, Calif. St. Univ., Long Beach.
Professor Marvel L. Baker, University of Nebraska.
Professor Sarah L. Rowe, West Chester State College.
Professor Richard Stealy, Ball State University.
Dr. William H. Pixton, Prof., Troy State Univ.
Professor Gustav H. Franke, Jr., Hampden-Sydney College.
Dr. T. F. Boushy, Prof. of Hist. & Pol. Sci., Fayetteville State University.
Professor Gordon N. Murray, City Colleges of Chicago.
Dr. E. Atwell Cherry, Professor of Economics, State Univ. of New York.
Coach Paul F. Dietzel, Director of Athletics, University of South Carolina.

SANTA ROSA COUNTY CHAMBER OF COMMERCE RESOLUTION ON THE ECONOMY

(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, the Santa Rosa County Chamber of Commerce at Milton, Fla., has adopted a resolution expressing their concern with unnecessary spending in Government and their desire for more cooperation between Congress and administrative agencies. I am glad to call this resolution to the attention of the Members of the House and to urge careful consideration of the wording of the resolution.

SANTA ROSA COUNTY
CHAMBER OF COMMERCE,
Milton, Fla.

RESOLUTION

Whereas, the political climate of our country has been in a state of turmoil for the past several years, and

Whereas, that turmoil has been a factor in the down turn of our economy, and

Whereas, the primary factor in the inflation, now evident in our country, is believed to be government fiscal policy, and

Whereas, the cause of that political turmoil has, evidently, been eliminated, and

Whereas, the problem of administering our country should now be the primary concern of our Congress, now therefore be it

Resolved, That the Board of Directors of the Santa Rosa County Chamber of Commerce most earnestly call upon the members of the U.S. Senate and House of Representatives to lay aside partisan politics and strive to work together for the good of all of the United States, and be it further

Resolved, that the Board of Directors of the Santa Rosa County Chamber of Commerce enjoin each legislator to make diligent efforts to eliminate these programs, both enacted and proposed, which cause unnecessary spending by Government and which cause unnecessary restraints to be placed upon those businessmen who practice the "Free Enterprise Method", of U.S. Business.

Approved and adopted by the Board of Directors of the Santa Rosa Country Chamber of Commerce this 12th day of August, A.D. 1974, in Milton, Santa Barbara County, Florida.

NATIONAL TIMBER RESOURCES

(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, the Forestry Incentives Program, which received an overwhelming endorsement in Congress, is expected to contribute significantly toward better forest management and increased timber production on a very large portion of the Nation's timberlands. An interesting and sound discussion of the Forestry Incentives Program appeared in the Baltimore Sun recently under the pen of Henry S. Kernan. It is entitled "National Timber Resources." I feel that it deserves reprinting in the CONGRESSIONAL RECORD.

NATIONAL TIMBER RESOURCES

(By Henry S. Kernan)

Since earlier this year a United States District Court has enjoined the Forest Service from selling an extra billion board feet of national forest timber as ordered by the Cost of Living Council. At issue in the case are high prices for lumber against contentions that the 92 million acres of timbered national forest have a broader vocation than supplying coniferous lumber to a voracious market for housing.

With nearly two thirds of the soft wood saw timber inventory, public forests are the logical and efficient source of wood. Yet their traditionally subordinate part in supply will probably not change easily or soon. Only intensive timber management could charge that part to a major one, a proposal which Congress has ignored or defeated several times.

Instead Congress has chosen non-industrial private forests for money and attention. Although such ownerships cover 60 per cent of the country's forested area, they have only one fifth of coniferous sawtimber. Economists and foresters have long shuddered over their fragmentation and poor condition; but Congress has seen them as an opportunity to help private endeavor without sparking controversy over the federal forests.

At the time of hearings and debates even

such contentious viewers of forest policy as the Sierra Club and the National Forest Products Association accepted the choice as wise. While the national forests by law have a vocation for multiple use, private lands can reach for whatever degree of commerical timber management the owners' means and interests allow.

Thus by that strange transmogrification of words which is the genius of our language, FIP (once a silver coin worth 6½ pence) has become the Forestry Incentives Program and a potentially weighty factor for better housing and the quality of life which abundant wood products can give. Herein is a new tack for forestry. Other programs such as the Soil Bank have planted trees, but primarily for social purposes aimed at easier, pleasanter surroundings for residents and visitors to the countryide. The new forestry incentives are for the national timber supply and only incidentally for the benefits which receive equal status on the national forests.

FIP has two sections of the 1973 Farm Bill. They authorize annual appropriations of $25 million with orders that the Secretary of Agriculture use them where planting trees and improving timbered stands best match the aim of producing sawlogs. Therefore the 1974 Program Year, although leaving out no state, placed half the funds in the Southeast, with Alabama's $903,000 the largest share. California's $50,000 is about half of Maryland's, with Alaska and Rhode Island coming in last with $5,000 each. State foresters select the counties and local foresters the exact sites for planting or improvement. The use of high quality land first results from a clear directive and should prevent weak mix-up of social and economic needs which cost-sharing programs have too often become.

Nevertheless the Forestry Incentives Program would probably not have come about had not cost-sharing suggested an alternative to the controversial cutting of old-growth timber on the national forests and to the cycles of steeply rising lumber and plywood prices of 1969 and 1973. Since then both the Forest Service and the President's Panel on Timber and the Environment have pointed toward even steeper prices and shortages of coniferous sawtimber instead of the low-cost, abundant and high quality wood which the forests should provide. They include the best and most extensive pinelands in the world and hardwoods that rival the best of the tropics.

Therefore the program offers incentives only for planting trees and improving timber stands upon the sites most capable of yielding returns upon the costs incurred. Those for planting run from $32 to $90 an acre, depending mainly upon the effort needed to rid the ground of competing vegetation and prepare the soil. The first year's planting of 450,000 acres will be mostly on the coastal sweep from East Texas to the Eastern Shore where some 30 million acres lie idle or nearly so.

The aim of timber stand improvements is to give the best trees room to grow by eliminating their competitors for light and space. It will cover about the same area as planting, but with lower costs and less time for salable results than the 20 years pine planting require.

A taxpayer can well ask why this form of private enterprise needs the fillip of federal help up to 75 per cent of the investment cost. The country needs wood while millions of acres are either unstocked or growing wood so poor as to be almost without value. For the private owner the alternatives to growing wood can usually be bonds and savings accounts that yield higher returns.

The alternatives to public ownership or help are the ecological and energy problems of using materials which neither sink rapidly and harmlessly back into the cycle of life as does wood nor renew themselves with the easy nudge of an incentive dollar.

TO THE CONGRESS

(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, a lyric statement by Joel Oppenheimer in the Village Voice has come to my attention which I believe captures the feeling that millions of Americans, myself included, toward former President Richard M. Nixon. Let me read it:

TO THE CONGRESS

dears sirs i do not
wish to sound
vindictive but if he'll
pay his taxes and the
penalties they'd
properly put on you
or me, and if he makes
good a few blighted
public lives, and if
he'll scotch tape the
constitution back
together again, and
if he'll breathe life
into assorted indochinese,
then we'll just be even.

There is much debate in the country on whether the President will escape prosecution or be granted immunity. It is clear Mr. Speaker, from your statements and others, that this Congress quite correctly will not grant immunity to Richard M. Nixon for any criminal acts which he may have performed while in Congress; and I believe that the special prosecutor, Leon Jaworski, will find it impossible to continue with the prosecution of lesser former officials of government for criminal activities and allow the chief culprit to remain free from prosecution. I have full confidence that the special prosecutor will fulfill his obligations of office in the same exemplary way that he has to date.

PAIRS IN THE COMMITTEE OF THE WHOLE

(Mr. BINGHAM asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. BINGHAM. Mr. Speaker, I am today introducing a resolution to amend the House rules so as to extend the use of pairs to the Committee of the Whole House on the State of the Union.

The practice of "pairing" in the House began in the early 1800's. Members on opposing sides of an issue would informally arrange pairs when both were to be absent from the floor during a vote on a particular bill. The pair, though not counted as a vote, allowed Members to indicate how they would have voted had they been present.

Originally, pairing was done by gentlemen's agreement with the House exercising no control over their use or abuse. In 1880, as part of a general reform of the House rules, pairs received their first formal recognition, as a device for enabling Members to announce their positions on bills when they could not be present for the actual voting. Thereafter, pairs were to be announced by a clerk of the House and published in the official journal of the day's proceedings immediately following the first rollcall.

So long as votes taken in the Committee of the Whole were limited to voice votes, divisions, and—unrecorded—teller votes, pairs were not practical nor were they needed. When electronic recorded votes were introduced in the Committee of the Whole, pairs would have been convenient, but the Speaker ruled that pairs were not permitted.

I can see no valid reason not to extend the use of pairs to recorded votes taken in the Committee of the Whole. The Committee is a procedural fiction whose genesis can be traced back to Britain's early parliament. The Committee, in reality, is the House operating under less formal procedural rules for the sake of convenience. For example, only 100 Members are needed to conduct its business, whereas a quorum in the House is 218. Why should Members be denied the convenience of pairing in this forum?

Moreover, on many occasions, the real fight over the shape of legislation occurs during consideration of amendments in the Committee. By the time the bill is before the House for final approval, in many cases approval is little more than a formality.

Though the rules of the House now provide that pairs may be announced just once during the course of the legislative day, the CONGRESSIONAL RECORD does show pairs after each vote taken in the full House by the electronic recording system. Announcing pairs but once each day was recommended in the 1880's as a means of expediting the business of the House at a time when a call of the roll lasted 20 minutes.

Expedition was also a principal reason for adopting the electronic vote recording system now employed. However, my proposal will in no way delay matters. As all Members know, most pairs are no longer formally announced by the pair clerk; they are arranged by majority and minority clerks and inserted in the appropriate place in the CONGRESSIONAL RECORD. Under my amendment, no time would be lost; the pair clerks would simply repeat the process now used in the House for votes taken in the Committee of the Whole.

My final reason for offering this amendment is, perhaps, the most important. Each Member has a responsibility to the constituents he or she represents to cast a vote each time a bill or resolution is before the House. When a Member is, for some reason, unable to be present for a vote on the floor, I believe the responsibility to be on record on that particular issue is not diminished. My amendment would enable each Member to formally record his or her position on controversial legislative actions in the Committee when unable to be there in person.

I should add that under any procedure pairing can be accomplished only to the extent that there are enough Members who wish to be recorded in the negative on any given vote to offset those who wish to be recorded in the affirmative. and vice versa. Where a vote is lop-sided no pairs—or only a small number of pairs—may be available. However, this limitation on the usefulness of pairing applies whether pairs are permitted only in the House or also in the Committee of the Whole.

The reform I am proposing is a modest one; it would hurt no one and would assist both the Members and their constituents. I am introducing the resolution and hopefully, stimulate debate. I intend now so that it may be a matter of record, to offer my resolution as an amendment to the Bolling and Hansen committees' reform proposals because I believe it would be consistent with the stated goals of House Resolution 988, and would be in the public interest.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted as follows to:

Mr. ANDERSON of Illinois (at the request of Mr. RHODES), for today, on account of illness.

Mr. BEARD (at the request of Mr. EVINS of Tennessee), for today, on account of a death in the family.

Mr. BROTZMAN (at the request of Mr. RHODES), for today, on account of a death in the family.

Mr. FOUNTAIN, from 12 noon until 1 p.m. today, on account of official business.

Mrs. HANSEN of Washington, for August 20, 21, 22, and 23, on account of official district 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:

Mr. SIKES for 15 minutes, today, and to revise and extend his remarks and to include extraneous matter.

(The following Members (at the request of Mr. LENT) to revise and extend their remarks, and to include extraneous matter:)

Mr. MCKINNEY, for 5 minutes, today.

Mr. RAILSBACK, for 5 minutes, today.

(The following Members (at the request of Mr. BRECKINRIDGE) to revise and extend their remarks and include extraneous matter:)

Mr. BRADEMAS, for 5 minutes, today.

Mr. SARBANES, for 5 minutes, today.

Mr. FLOOD, for 5 minutes, today.

Mr. GONZALEZ, for 5 minutes, today.

Mr. MINISH, for 5 minutes, today.

Mr. ANNUNZIO, for 5 minutes, today.

EXTENSION OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

Mr. MATSUNAGA, to extend his remarks immediate preceding passage of the bill H.R. 11796.

Mr. ZABLOCKI.

Mrs. MINK to revise and extend her remarks on H.R. 11796, considered in the House today.

(The following Members (at the request of Mr. LENT) and to include extraneous matter:)

Mr. KEMP in three instances.

Mr. STEELMAN.

Mr. ARCHER.

Mr. GUDE.

Mr. MOORHEAD of California.

Mr. WYMAN in two instances.

Mr. VEYSEY.

Mr. BROYHILL of Virginia.

Mr. BROOMFIELD.

Mr. BRAY in two instances.

Mr. SEBELIUS.

Mr. CRONIN.

Mr. FINDLEY.

Mr. CRANE.

Mr. BROWN of Ohio.

Mr. DERWINSKI in three instances.

Mr. HOSMER in two instances.

Mr. CONTE.

Mr. COLLINS of Texas in four instances.

Mr. SARASIN in two instances.

(The following Members (at the request of Mr. BRECKINRIDGE), and to include extraneous matter:)

Mr. ANNUNZIO in six instances.

Mr. RARICK in three instances.

Mr. GONZALEZ in three instances.

Mr. ANDERSON of California in two instances.

Mr. GAYDOS.

Mr. HAMILTON in two instances.

Mr. EILBERG in 10 instances.

Mr. MOLLOHAN.

Mr. LEHMAN.

Mr. EVINS of Tennessee in two instances.

Mr. ROUSH in two instances.

Mr. FISHER in three instances.

Mr. BIAGGI in 10 instances.

Mr. BERGLAND.

Mr. FRASER in five instances.

Mrs. MINK in two instances.

Mr. DIGGS.

Mr. LUKEN.

Mr. TEAGUE in six instances.

Mr. MATHIS of Georgia in five instances.

Mr. BROWN of California in five instances.

Mr. VANIK.

Mr. MITCHELL of Maryland.

Ms. HOLTZMAN.

Mr. YOUNG of Georgia.

Mr. OBEY.

Mr. MURPHY of New York.

Mr. BINGHAM in 10 instances.

SENATE BILLS REFERRED

Bills of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 3289. An act to amend the act of August 10, 1939 (53 Stat. 1347), and for other purposes; to the Committee on Agriculture.

S. 3308. An act to amend section 2 of title 14, United States Code, to authorize icebreaking operations in foreign waters pursuant to international agreements, and for other purposes; to the Committee on Merchant Marine and Fisheries.

S. 3906. An act to amend title 10, United States Code, by repealing the requirement that only certain officers with aeronautical ratings may command flying units of the Air Force; to the Committee on Armed Services.

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. 10044. An act to increase the amount authorized to be expended to provide facilities along the border for the enforcement of the customs and immigration laws;

H.R. 15791. An act to amend section 204(g) of the District of Columbia Self-Government and Governmental Reorganization Act, and for other purposes; and

H.R. 15936. An act to amend chapter 5, title 37, United States Code, to provide for continuation pay for physicians of the uniformed services in initial residency.

SENATE ENROLLED BILLS SIGNED

The SPEAKER announced his signature to enrolled bills of the Senate of the following titles:

S. 3066. An act to establish a program of community development block grants, to amend and extend laws relating to housing and urban development, and for other purposes; and

S. 3190. An act to authorize appropriations for fiscal year 1975 for carrying out the Board for International Broadcasting Act of 1973.

BILLS PRESENTED TO THE PRESIDENT

Mr. HAYS, from the Committee on House Administration, reported that that committee did on the following dates present to the President, for his approval, bills of the House of the following title:

On August 15, 1974:

H.R. 7218. An act to improve the laws relating to the regulation of insurance companies in the District of Columbia.

On August 16, 1974:

H.R. 15155. An act making appropriations for public works for water and power development, including the Corps of Engineers—Civil, the Bureau of Reclamation, the Bonneville Power Administration and other power agencies of the Department of the Interior, the Appalachian regional development programs, the Federal Power Commission, the Tennessee Valley Authority, the Atomic Energy Commission, and related independent agencies and commissions for the fiscal year ending June 30, 1975, and for other purposes;

H.R. 15405. An act making appropriations for the Department of Transportation and related agencies for the fiscal year ending June 30, 1975, and for other purposes; and

H.R. 15544. An act making appropriations for the Treasury Department, the U.S. Postal Service, the Executive Office of the President, and certain Independent Agencies, for the fiscal year ending June 30, 1975, and for other purposes.

ADJOURNMENT

Mr. BRECKINRIDGE. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 6 o'clock and 1 minute p.m.), the House adjourned until tomorrow, Tuesday, August 20, 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:

2662. A letter from the Assistant Secretary of State for Congressional Relations, transmitting a copy of Presidential Determination No. 75-1, finding that the making of an agreement with the Government of Egypt for the sale of 100,000 metric tons of wheat, and the sale of such wheat in furtherance of such an agreement, is in the national interest of the United States, pursuant to subsections 103 (d) (3) and (d) (4) of the Agricultural Trade Development and Assistance Act of 1954, as

amended (Public Law 480); to the Committee on Agriculture.

2663. A letter from the Deputy Chief of Naval Material (Procurement and Production), transmitting the semiannual report of the Department of the Navy's research and development procurement actions of $50,000 and over, covering the period ended June 30, 1974, pursuant to 10 U.S.C. 2357; to the Committee on Armed Services.

2664. A letter from the Chairman, Cost Accounting Standards Board, transmitting the annual progress report of the Board for fiscal year 1974, pursuant to section 719(k) of the Defense Production Act of 1950, as amended; to the Committee on Banking and Currency.

2665. A letter from the Assistant Secretary of the Treasury for International Affairs, transmitting a report on the status of foreign credits by U.S. Government agencies and by international organizations in which the United States is a member, as of June 30, 1973, pursuant to section 634(f) of the Foreign Assistance Act of 1961, as amended; to the Committee on Foreign Affairs.

2666. A letter from the Assistant Legal Adviser for Treaty Affairs, Department of State, transmitting copies of international agreements other than treaties entered into by the United States, pursuant to Public Law 92-643; to the Committee on Foreign Affairs.

2667. A letter from the Commissioner, Immigration and Naturalization Service, Department of Justice, transmitting reports concerning visa petitions approved according certain beneficiaries third and sixth preference classification, pursuant to section 204 (d) of the Immigration and Nationality Act, as amended [8 U.S.C. 1154(d)]; to the Committee on the Judiciary.

2668. A letter from the Secretary of Commerce, transmitting the annual report of the National Marine Fisheries Service for calendar year 1973, pursuant to section 9 of the Fish and Wildlife Act of 1956 [16 U.S.C. 742h]; to the Committee on Merchant Marine and Fisheries.

2669. A letter from the Administrator of General Services, transmitting a prospectus proposing the acquisition, under a lease arrangement, of space in a building to be constructed to house the U.S. courts and other Federal agencies with an adjacent parking facility in Fort Lauderdale, Fla.; to the Committee on Public Works.

2670. A letter from the Chairman, U.S. Tariff Commission, transmitting the 24th report of the Commission on the operation of the trade agreements program, covering calendar year 1972, pursuant to section 402(b) of the Trade Expansion Act of 1962; to the Committee on Ways and Means.

RECEIVED FROM THE COMPTROLLER GENERAL

2671. A letter from the Comptroller General of the United States, transmitting a report on the need to reimburse more consistently health facilities under medicare and medicaid; 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. PATMAN: Committee on Banking and Currency. H.R. 16425. A bill to provide for the monitoring of the economy, and for other purposes (Rept. No. 93-1297). Referred to the Committee of the Whole House on the State of the Union.

Mr. HOLIFIELD: Committee on Government Operations. H.R. 12113. A bill to revise and restate certain functions and duties of the Comptroller General of the United States, and for other purposes; with amendment (Rept. No. 93-1300). Referred to the Committee of the Whole House on the State of the Union.

Mr. HAWKINS: Committee of conference. Conference report on S. 821 (Rept. No. 93-1298). Ordered to be printed.

Mr. PRICE of Illinois: Committee of conference. Conference report on S. 3698 (Rept. No. 93-1299). Ordered to be printed.

Mr. TEAGUE: Committee of conference. Conference report on H.R. 14920 (Rept. No. 93-1301). Ordered to be printed.

Mr. TEAGUE: Committee of conference. Confernce report on H.R. 13999 (Rept. No. 93-1302). Ordered to be printed.

Mr. DORN: Committee of conference. Conference report on H.R. 12628 (Rept. No. 93-1303). Ordered to be printed.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. BROYHILL of Virginia:

H.R. 16457. A bill to amend the Internal Revenue Code of 1954 to exclude from gross income the amount of certain cancellations of indebtedness under health care education loan programs; to the Committee on Ways and Means.

By Mr. DINGELL (for himself, Mr. MCCLOSKEY, Mr. BREAUX, Mr. FORSYTHE, and Mr. WHITEHURST):

H.R. 16458. A bill to establish a Federal Zoo Accreditation Board in order to insure that zoos and other animal display facilities maintain minimum standards of care for animal inventories, to provide technical and financial assistance to zoos, and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. HAWKINS (for himself, Mr. REUSS, Ms. ABZUG, Mr. ANDERSON of California, Mr. BADILLO, Mr. BARRETT, Mr. BENITEZ, Mr. BOLAND, Mrs. BURKE of California, Mr. JOHN L. BURTON, Mr. BROWN of California, Mr. CARNEY of Ohio, Mrs. CHISHOLM, Mr. CLAY, Mrs. COLLINS of Illinois, Mr. CONYERS, Mr. CORMAN, Mr. DOMINICK V. DANIELS, Mr. DELLUMS, Mr. DENT, Mr. DIGGS, Mr. DRINAN, Mr. EDWARDS of California, Mr. EILBERG, and Mr. FAUNTROY):

H.R. 16459. A bill to establish a national policy and nationwide machinery for guaranteeing to all adult Americans able and willing to work the availability of equal opportunities for useful and rewarding employment; to the Committee on Education and Labor.

By Mr. HAWKINS (for himself, Mr. REUSS, Mr. FRASER, Mr. GRAY, Mr. GREEN of Pennsylvania, Mr. HARRINGTON, Mr. HECHLER of West Virginia, Mr. HELSTOSKI, Miss HOLTZMAN, Ms. JORDAN, Mr. KOCH, Mr. LEHMAN, Mr. LUKEN, Mr. MEEDS, Mr. METCALFE, Mrs. MINK, Mr. MOAKLEY, Mr. MURPHY of New York, Mr. NIX, Mr. PATMAN, Mr. PERKINS, Mr. PODELL, Mr. RANGEL, Mr. REES, and Mr. RIEGLE):

H.R. 16460. A bill to establish a national policy and nationwide machinery for guaranteeing to all adult Americans able and willing to work the availability of equal opportunities for useful and rewarding employment; to the Committee on Education and Labor.

By Mr. HAWKINS (for himself, Mr. REUSS, Mr. RODINO, Mr. ROSENTHAL, Mr. ROYBAL, Mr. SARBANES, Mr. SEIBERLING, Mr. SMITH of Iowa, Mr. STARK, Mr. STOKES, Mr. THOMPSON of New Jersey, Mr. TIERNAN, Mr. TRAXLER, Mr. VANDER VEEN, and Mr. CHARLES H. WILSON of California):

H.R. 16461. A bill to establish a national policy and nationwide machinery for guaranteeing to all adult Americans able and willing to work the availability of equal opportunities for useful and rewarding employment; to the Committee on Education and Labor.

By Mr. HAWKINS (for himself, Mr. REUSS and Mr. PHILLIP BURTON):

H.R. 16462. A bill to establish a national policy and nationwide machinery for guaranteeing to all adult Americans able and willing to work the availability of equal opportunities for useful and rewarding employment; to the Committee on Education and Labor.

By Mrs. HECKLER of Massachusetts:

H.R. 16463. A bill to amend the Internal Revenue Code of 1954 to allow a credit against the tax imposed on interest on savings; to the Committee on Ways and Means.

By Mr. MITCHELL of Maryland:

H.R. 16464. A bill to transfer the technical assistance authority to the Secretary of Housing and Urban Development with respect to the surety bond guarantee program of the Small Business Administration provided by the Housing and Urban Development Act of 1970 to the Small Business Administration; to the Committee on Banking and Currency.

By Mr. MITCHELL of Maryland (for himself, Mr. BADILLO, Mr. TIERNAN, Mr. KEMP, Mr. HAWKINS, Mr. DELLUMS, Mr. HELSTOSKI, Mr. LONG of Maryland, Mr. MOAKLEY, Mr. STARK, Mr. YOUNG of Georgia, Mr. CONYERS, Mr. FAUNTROY, Mr. RANGEL, Ms. COLLINS of Illinois, Ms. ABZUG, Mr. STOKES, Mr. EDWARDS of California, and Mr. BURGENER):

H.R. 16565. A bill to limit use of prison inmates in medical research; to the Committee on the Judiciary.

By Mr. CONLAN:

H.R. 16466. A bill to reestablish the fiscal integrity of the Government of the United States and its monetary policy, through the establishment of controls with respect to the levels of its revenues and budget outlays, the issuance of money and the preparation of the budget, and for other purposes; to the Committee on Ways and Means.

By Mr. DOWNING:

H.R. 16467. A bill to amend the Merchant Marine Act, 1920, in order to permit cargo vessels to carry more than 16 passengers when emergency situations arise; to the Committee on Merchant Marine and Fisheries.

By Mr. GUDE:

H.R. 16468. A bill to amend title 39, United States Code, to require the Postal Service to consult with agencies of State and local governments with respect to the construction of certain Postal Service facilities, to establish hearing procedures with respect to proposals for such construction, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. GUDE (for himself, and Mr. DU PONT):

H.R. 16469. A bill to authorize the voluntary withholding of Maryland, Virginia, and District of Columbia income taxes, pursuant to agreements subject to review by the Committee on House Administration of the House of Representatives, in the case of certain legislative officers and employees; to the Committee on House Administration.

By Mr. HEINZ (for himself, Mr. BIESTER, Mr. KYROS, and Mr. MYERS):

H.R. 16470. A bill to establish a National Center for the Prevention and Control of Rape and provide financial assistance for a research and demonstration program into the causes, consequences, prevention, treatment, and control of rape; to the Committee on Interstate and Foreign Commerce.

By Mr. HOWARD:

H.R. 16471. A bill making a supplemental appropriation for the Department of Health, Education, and Welfare for the fiscal year

ending June 30, 1975, to provide funds to conduct a study of the effects of the red tide on human health; to the Committee on Appropriations.

By Mr. KYROS:

H.R. 16472. A bill to direct the Secretary of Commerce to undertake a comprehensive study of the present and future needs of public ports in the United States, to establish a loan and grant program to enable public ports to comply with certain Federal standards, and for other purposes; to the Committee on Public Works.

By Mr. OWENS (for himself, Mr. RAILSBACK, Mr. MITCHELL of New York, Mr. BELL, Mr. BROWN of California, Ms. BURKE of California, Mr. PHILLIP BURTON, Ms. CHISHOLM, Mr. CLEVELAND, Mr. COHEN, Mr. CRONIN, Mr. DAVIS of South Carolina, Mr. DELLUMS, Mr. EDWARDS of California, Mr. FASCELL, Mrs. GRASSO, Mr. HARRINGTON, Mr. HOGAN, Mrs. HOLT, Ms. HOLTZMAN, Mr. LAGOMARSINO, Mr. LUKEN, Mr. MCKAY, Mr. MANN, and Mr. MURPHY of New York):

H.R. 16473. A bill to regulate lobbying and related activities; to the Committee on the Judiciary.

By Mr. OWENS (for himself, Mr. PODELL, Mr. RONCALLO of New York, Ms. SCHROEDER, Mr. STARK, Mr. SYMINGTON, Mr. THOMPSON of New Jersey, Mr. VIGORITO, and Mr. WON PAT):

H.R. 16474. A bill to regulate lobbying and related activities; to the Committee on the Judiciary.

By Mr. VANDER JAGT:

H.R. 16475. A bill to authorize a limited waiver of the child labor provisions of the Fair Labor Standards Act of 1938 with respect to certain agricultural hand harvest laborers; to the Committee on Education and Labor.

By Mr. WYMAN:

H.R. 16476. A bill to amend title 5, United States Code, to provide that an employee's accrued annual leave may be granted only upon such employee's request and, absent such request, such accrued leave may not be required to be taken; to the Committee on Post Office and Civil Service.

By Mr. MELCHER:

H.J. Res. 1112. Joint resolution to authorize and request the President to issue a proclamation designating the fourth Sunday in September annually as National Good Neighbor Day; to the Committee on the Judiciary.

By Mr. WALDIE:

H. Con. Res. 608. Concurrent resolution expressing the policy of the Congress that the performance of the functions of the Federal Government should be attained by use of its own manpower and not by means of contracts with the private sector; to the Committee on Post Office and Civil Service.

By Mr. BINGHAM:

H. Res. 1326. Resolution to amend the Rules of the House of Representatives to permit pairs in Committee of the Whole on roll call votes; to the Committee on Rules.

By Mr. CAREY of New York:

H. Res. 1327. Resolution expressing the sense of the House regarding the halt of U.S. economic and military assistance to Turkey until all Turkish Armed Forces have been withdrawn from Cyprus; to the Committee on Foreign Affairs.

By Mr. MOORHEAD of Pennsylvania:

H. Res. 1328. Resolution expressing the sense of the House regarding the halt of U.S. economic and military assistance to Turkey until all Turkish Armed Forces have been withdrawn from Cyprus; to the Committee on Foreign Affairs.

By Mr. BRADEMAS (for himself, Mr. KYROS, Mr. YATRON, Mr. SARBANES, Mr. BAFALIS, Mr. HANRAHAN, Mr. ANNUNZIO, Mr. DENT, Mr. TAYLOR of Missouri, Mr. PRICE of Illinois, Mr. JOHNSON of Colorado, Mr. JAMES V. STANTON, Mr. SHUSTER, Mr. MINISH, Mr. ADAMS, Mr. O'BRIEN, Mr. CRONIN, Mr. HUDNUT, Mr. PARRIS, Mr. SARASIN, Mr. FASCELL, Mr. ROSENTHAL, Mr. FROEHLICH, Mr. DON H. CLAUSEN, and Mr. BIAGGI):

H. Res. 1329. Resolution expressing the sense of the House regarding the halt of U.S. economic and military assistance to Turkey until all Turkish Armed Forces have been withdrawn from Cyprus; to the Committee on Foreign Affairs.

By Mr. BRADEMAS (for himself, Mr. KYROS, Mr. YATRON, Mr. SARBANES, Mr. BAFALIS, Mr. ABDNOR, Mr. ROONEY of Pennsylvania, Mr. EILBERG, Mr. KETCHUM, Mr. BOLAND, Mr. BADILLO, Mr. ROUSSELOT, Mr. GILMAN, Mr. BURKE of Massachusetts, Mr. CONTE, Mr. TIERNAN, Mr. WALSH, Mr. SEIBERLING, Mr. GUDE, Mr. YOUNG of Illinois, Mr. STEELMAN, Mr. THOMPSON of New Jersey, Mr. KING, Mr. VANIK, and Mr. MARAZITI):

H. Res. 1330. Resolution expressing the sense of the House regarding the halt of U.S. economic and military assistance to Turkey until all Turkish Armed Forces have been withdrawn from Cyprus; to the Committee on Foreign Affairs.

By Mr. BRADEMAS (for himself, Mr. KYROS, Mr. YATRON, Mr. SARBANES, Mr. BAFALIS, Mr. PODELL, Mr. STUCKEY, Mr. CARNEY of Ohio, Mrs. GRASSO, Mr. YATES, Mr. VAN DEERLIN, Mr. TRAXLER, Mr. VIGORITO, Mr. NEDZI, Mr. HELSTOSKI, Mr. JOHN L. BURTON, Mr. PHILLIP BURTON, Mr. MCKINNEY, Mr. WYMAN, Mr. REUSS, Mr. STEELE, Mr. EDWARDS of California, Mr. RONCALIO of Wyoming, Mr. MOSS, and Ms. JORDAN):

H. Res. 1331. Resolution expressing the sense of the House regarding the halt of U.S. economic and military assistance to Turkey until all Turkish Armed Forces have been withdrawn from Cyprus; to the Committee on Foreign Affairs.

By Mr. BRADEMAS (for himself, Mr. KYROS, Mr. YATRON, Mr. SARBANES, Mr. BAFALIS, Mr. FAUNTROY, Mr. WON PAT, Mr. FORD, Mr. ROYBAL, Mr. STARK, Ms. HOLTZMAN, Mr. DINGELL, Mr. PEPPER, Mr. LUKEN, Mr. RODINO, Mr. DULSKI, Mr. PIKE, Mr. HANLEY, and Mr. OBEY):

H. Res. 1332. Resolution expressing the sense of the House regarding the halt of U.S. economic and military assistance to Turkey until all Turkish Armed Forces have been withdrawn from Cyprus; to the Committee on Foreign Affairs.

MEMORIALS

Under clause 4 of rule XXII, memorials were presented and referred as follows:

520. By Mr. PRICE of Illinois: Memorial of the House of Representatives of the Illinois General Assembly relative to that body's opposition to the proposed abandonment of various railroad lines within the State; to the Committee on Interstate and Foreign Commerce.

521. Also, memorial of the House of Representatives of the Illinois General Assembly relative to returning the observance of Memorial Day to May 30; to the Committee on the Judiciary.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mrs. MINK:

H.R. 16477. A bill for the relief of Keith Lai McKinney and Clifford Tuan McKinney; to the Committee on the Judiciary.

By Mr. PEPPER:

H.R. 16478. A bill for the relief of Dr. Wilfredo Falcon; 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:

474. By the SPEAKER: Petition of Peggy Ha'o Ross, Kahului, Maui, Hawaii, relative to redress of grievances; to the Committee on Interior and Insular Affairs.

475. Petition of William E. Payne, Jersey City, N.J., relative to redress of grievances; to the Committee on the Judiciary.

EXTENSIONS OF REMARKS

RECENT DEVELOPMENTS SHOW OUR AMERICAN CONSTITUTIONAL SYSTEM WORKS

HON. JOE L. EVINS

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Monday, August 19, 1974

Mr. EVINS of Tennessee. Mr. Speaker, certainly the recent developments and historic events, including the successful Presidential transition, have once again demonstrated the strength and enduring soundness of our Constitution.

In this connection I place in the RECORD herewith my recent newsletter, Capital Comments, because of the interest of my colleagues and the American people in this most important subject:

RECENT DEVELOPMENTS SHOW OUR AMERICAN CONSTITUTIONAL SYSTEM WORKS

Recent developments and historic events in the Congress and the country have again demonstrated that our American system of constitutional government works. The 93rd Congress may well be recorded in history as the Congress that reversed the flow of power which for years has been away from Congress and to the Executive.

As Mr. Anthony Lewis pointed out recently in a nationally syndicated column, the capable, competent and statesmanlike conduct of the Members of the Committee on the Judiciary during the impeachment proceedings "conveyed a reassuring sense of constitutional order."

The writer commended the wisdom and eloquence of the Members of the Committee and made the point that the impeachment process was one method by which Congress reasserted its power.

There have been other examples—legislation regaining control of the purse strings and controlling executive impoundments of appropriated funds, termination of the bombing in Cambodia, and a successful challenge to claims of virtually unlimited executive privilege, among others.

This historic week in Washington, which included the resignation of President Nixon—

the first President in our history to resign from the presidency—concluded with Gerald R. Ford, longtime member of the House and later Vice President, assuming office as the thirty-eighth President of the United States.

Standing before a Joint Session of the Congress, the new President pledged a new era of "communication, conciliation, compromise and cooperation". President Ford exhibited an air of confidence and pledged an administration of openness and candor.

The foundations of our Constitution—imbedded deeply in our heritage and tradition—proved firm and strong as this difficult presidential transition occurred peacefully and in an orderly manner—with no mobs, tanks or disorders like those which accompany transfers of power in some other nations.

As Chief Justice Warren Burger quietly remarked to a friend just after the jurist had administered the oath of office to President Ford: "The system worked."

The presidential transition moved swiftly and smoothly—and President Ford announced that "our long national nightmare is over."

"Let us restore the Golden Rule to our political process," he said shortly after assuming the office of the Presidency. "Let brotherly love purge our hearts of suspicion and hate."

He echoed the same spirit in his address to a Joint Session of the Congress. His most important proposals for action were to announce a "summit meeting" on inflation and to call for re-creation of the Cost of Living Council to monitor wages and prices.

Your Representative worked with President Ford as a Colleague in the Congress for a number of years. He is a solid man, a fine American, with good instincts and high ideals. We all wish for President Ford the very best of good luck and success as he assumes the high and important office of 38th President of the United States.

FACTS ON RHODESIAN CHROME

HON. BILL ARCHER

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, August 19, 1974

Mr. ARCHER. Mr. Speaker, the United States joined with members of the United Nations in imposing mandatory economic sanctions on Rhodesia in 1966. Upon careful consideration of the effect of this boycott on the economy and national security of the United States, the Congress in 1971 added an amendment to the Military Procurement Authorization Act, the Byrd amendment, allowing the President to import materials strategic and critical to the United States—for example, chrome, ferrochrome, nickel, and asbestos. The Senate acted to reimpose this ban in December 1973. The House may soon be considering this bill, S. 1868.

Earlier this year, I sent out a "Dear Colleague" letter along with a factsheet entitled "Major Considerations Concerning Rhodesian Chrome." Since we may be considering this legislation, I would like to enter an updated version of this factsheet in the RECORD.

MAJOR CONSIDERATIONS CONCERNING RHODESIAN CHROME

ESSENTIAL NEED FOR CHROME

A basic fact is that the United States desperately needs Rhodesian chrome, especially ferrochrome, an alloy of chrome which is essential for specialty steel products (e.g., stainless steel). Unlike the situation in World War II when synthetic rubber could be substituted for rubber in our vital industries, there is no substitute for chromium in stainless steel (each ton of stainless steel must contain at least 11% chrome or 220 pounds. Normally, chrome content is about 18%). Except for the period of the boycott (1967–1971), Rhodesia has been a faithful supplier of this vital material to the United States. No chromite ore has been mined in the U.S. since 1961 and Rhodesia possesses 67.3% of the known world resources of metallurgical grade chromite.

U.S. CHROME SUPPLY AND FUTURE REQUIREMENTS

The assertion had been made that the U.S. has sufficient chrome in our national stockpile to meet our national defense needs citing the fact that the Department of Defense purchases of chrome-bearing metals account for three percent of our national stockpile. This is not the complete story. In the consideration of our defense needs, we must look at the end-uses of most chrome based metals. Over 94% of stainless steel (which accounts for 91% of the chrome consumption) is used in industrial applications ranging from chemical production to food handling equipment. Petroleum refining, power generation, and pollution control equipment are dependent upon the availability of large quantities of stainless steel. We are talking about the critical use of stainless steel in petroleum refining operations and building nuclear power plants to meet our current energy crisis and in pollution control devices (auto catalytic converters). This specialty steel is also essential in the production of aerospace equipment, railroad cars, construction equipment, and jet engines.

The present stockpile of chrome could probably supply our strictly defense needs but could not supply defense-supporting needs and could seriously damage our domestic stainless steel industry. In 1972 the United States used 309,000 tons of ferrochrome and about 400,000 tons in 1973. The demand for stainless steel will likely accelerate at a geometric rate in future years. Current forecasts estimate that the U.S. may be using 750,000 tons of ferrochrome by 1980! We need to make the proper preparations now in order to avoid a shortage of this precious metal in future years. At present, there are no reserves of metallurgical grade chrome in the U.S.

Contrary to charges made by proponents of reimposing the boycott, importation of Rhodesian ferrochrome would not be harmful to the American ferrochrome industry. The American ferrochrome industry has been on the decline since 1963 for a variety of reasons (e.g. increasing costs of labor and electric power, pollution control regulations, and the increasing importation of stainless steel from Japan)—all matters unrelated to the Rhodesian situation. There is no real threat to American jobs from the Rhodesian ferrochrome industry. In fact, since domestic prices are forty to fifty cents less per pound than overseas sources, U.S. specialty steel producers would generally prefer to purchase American ferrochrome. However, there is a shortage. U.S. ferrochrome producers are operating at capacity levels and have placed their customers on allocation. We need overseas supplies of ferrochrome to keep our specialty steel industry operating.

CHROME FROM RHODESIA OR RUSSIA

If we restored the ban on Rhodesian chrome, the United States would have to rely on the only other large source of chrome in the world outside Rhodesia and South Africa (which uses Rhodesian chrome to upgrade its own ore)—Soviet Russia. Considering our past dealings with the Soviet Union, a reliance on the Soviets for such a precious metal would be precarious for our best national interests.

We already have had some revealing experiences with the U.S.S.R. on the chrome issue during the period the U.S. supported the boycott. Soviet chrome more than doubled in price and the price of ferrochrome went up 60% to 70% during this time. The United States had been paying $39.50 a ton for the Rhodesian ore compared to $55.50 a ton for the Russian ore. The average price of Russian chrome jumped from $35.78 a ton in 1965 to $68.49 a ton in 1971 allowing the Russian to reap "windfall profits" on our need for the chrome. Russian prices reached their peak in 1971 despite the fact that chrome demand reached a ten year low! With the enactment of the Byrd amendment in 1971, the Russian price stabilized and declined with the highly competitive Rhodesian chrome again reaching the American markets. Continued importation of chrome from Rhodesia would guarantee the U.S. a reliable supplier and prevent the U.S. from relying on a dubious source of supply (the Soviet Union), which did not hesitate to enforce its advantage in the trade earlier by raising prices.

THE INTERNATIONAL ISSUE AND BOYCOTT

An issue has been raised that the United States should adhere to the United Nations boycott and that such action would increase our acceptance (and trade) among African nations. Eight years of the boycott has proved that other nations have given vocal support but in actuality it has been only Britain and the United States (until 1971) among the industrialized nations which have enforced it. Italy, Japan, France, West Germany and even Communist China have continued to trade with Rhodesia.

While millions of Americans were inconvenienced by reduced supplies of petroleum products during the Arab boycott, the U.S. refused to capitulate to international blackmail in changing its foreign policy toward Israel. The U.S. should maintain good relations with all nations but not at the expense of sacrificing an independent foreign policy. If we would restore the boycott in deference to a number of vocal African nations, we would be giving into political blackmail while sacrificing a matter of our own national security. The U.S. has made only a narrow exception to the trade boycott of Rhodesia (chrome-ferrochrome-nickel-asbestos) while other members of the U.N. freely trade a variety of items with Rhodesia. The entire question in international affairs boils down to one essential question: Will the United States import chrome directly from Rhodesia or will it obtain Rhodesian chrome via importing a finished product (stainless steel from Japan) which would cripple our own specialty steel industry and cause unemployment? Dependence on a strong competitor for a finished product (Japan) or on an unreliable source for the chrome (U.S.S.R.) is a risky economic and political decision in a turbulent world of order to uphold an embargo which only one major industrial nation supports!

A PLEA BARGAINING DEAL THAT RAISES QUESTIONS

HON. O. C. FISHER

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, August 19, 1974

Mr. FISHER. Mr. Speaker, I call attention to a strange action on the part of the office of Watergate Special Prosecutor, which is difficult for me to comprehend.

Here is what I am referring to: A

few months ago Jake Jacobsen was indicted on 7 counts in Abilene, Tex., for conspiracy, misapplication of savings and loan funds, and perjury, carrying a potential penalty of 35 years in prison and $65,000 in fines. This indictment has no relationship of any kind to the Watergate investigation.

It happens, incidentally, that the savings and loan association referred to in the indictment was located in my home town of San Angelo, Tex., and the victims were my constituents. A considerable amount of money was involved.

Now, boom, the press reports that in a sudden swap-out, plea bargaining deal manipulated in Washington by Watergate Special Prosecutors the Abilene case against Jacobsen is to be dismissed.

The people down there wonder why? They want to know what is going on up here. There has been revealed no claim the local U.S. district attorney was not prepared to proceed with that prosecution. No contention has been made that the facts did not justify the indictment.

According to the Washington press Jacobsen, after also being indicted in Washington on a charge of giving false testimony on a matter totally unrelated to the Texas case, made a deal with the Special Prosecutors.

The prosecutors agreed to forego pursuing the Washington charge and let Jacobson plead guilty to a milder case on condition that he would agree to testify and make out some sort of a case against former Treasury Secretary John Connally for receiving $10,000 in milk funds from Jacobsen, the purpose for which it was to be used being in dispute.

They can call this plea bargaining if they want to, but it has all the trappings of an obstruction of justice on the part of those who manipulated the deal. That is, if arbitrary action by Special Prosecutors to prevent Jacobsen from having to answer for an alleged crime in Texas can be called an obstruction.

It is emphasized that the Texas case against Jacobsen had not the remotest relation to Watergate or to alleged misuse of milk funds.

Technically it is no bribery on the part of the prosecutors, but it contains many of the ingredients of bribery. If they had offered Jacobsen $1,000, say, to testify against Connally, that would be bribery. But in terms of administration of justice, what is the difference? We can be sure that having the Texas case dismissed was worth far more than $1,000 to Jake Jacobsen.

And, for good measure, as a part of the Special Prosecutors' deal they agreed not to prosecute Jacobsen on his first Washington indictment which the press reported the prosecutors could have reinstated, carrying a potential penalty of 5 years and $10,000.

It seems to me the Office of Special Prosecutor owes it to the public to explain just what was wrong with the Texas case against Jacobsen that justifies it being thrown out of court. If it was done to satisfy the ego of those who manipulated it, and not for some urgent and plausible legal reason related to the facts in that case, then it would appear the deal becomes some sort of a shenanigan which should be loudly condemned.

THE JAPANESE ARE ABOLISHING THEIR CONTROLS

HON. JOSEPH M. GAYDOS

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Monday, August 19, 1974

Mr. GAYDOS. Mr. Speaker, some of us here well remember the time when the flow of Japanese steel into this country was costing the jobs of thousands of laid-off American steelworkers and how a wave of protest, in which I joined, arose in Congress and elsewhere.

The protest was based upon the principle of fairness. The Japanese industry was being subsidized in its exports by a government which at the same time was severely restricting imports. I demanded, as did others, that drastic action be taken to correct the situation.

As might have been expected, our globally minded State Department objected on the grounds that we Americans by some strange logic still bore a responsibility to play the patsy for others in the interest of world peace. Jobs here seemed less important to our diplomats than goodwill in Tokyo.

But, as I recall, the matter became so serious that the Japanese themselves took notice and, fearing retaliation, convinced our State Department that they would cut back voluntarily; that is, adopt an export quota system of their own which would ease the problem.

Whether this system worked or not is a matter unsettled. Demand for steel suddenly soared throughout the world and particularly here in our country. So our industry became busy and the danger of subsidized Japanese competition lessened. Today it no longer is in mind.

But now from Tokyo comes word that Japan's steel industry will abolish its voluntary restrictions on iron and steel exports at the end of this year. United Press International said this in its dispatch:

> The Japan Iron and Steel Federation sources said such restrictions are no longer necessary because of declining shipments to the United States and Europe.

Perhaps not. But what if the situation turns around and competition is revived? It seems to me that the Japanese are playing it cleverly. An end to the current high demand would have Japanese steel gushing unrestricted into the U.S. market, once more, costing jobs here and necessitating another rallying of our forces to bring a halt. Meanwhile, the Japanese industry could continue booming by dumping surpluses on us as they did in the past, and at the cut prices made possible by subsidies.

Why, if the Japanese are sincere, should not the voluntary restrictions be kept on a standby basis? Why should they be abolished now except to bring about the old advantage for Japan once market conditions change? I ask our State Department to inform the Japanese at once that, if these controls are dropped, we will be compelled to adopt controls of our own. No American steelworker is going to lose his job to Japanese competition in the future without a battle from me and others in this Congress.

MIDPARK HIGH SCHOOL'S SURVEY OF HAZARDOUS TOYS

HON. WILLIAM E. MINSHALL

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, August 19, 1974

Mr. MINSHALL of Ohio. Mr. Speaker, students of Midpark High School Middleburg Heights, Ohio, recently made two highly interesting and potentially valuable surveys. As a project for their home economics and child development classes, they conducted neighborhood interviews to determine what parents think of toys now on the market and to obtain their ideas for better and safer playthings. Approximately 80 percent of the families interviewed reported accidents involving toys and children.

Steven J. Chorvat, Chief of the Bureau of Neighborhood Conservation and Environmental Health Services of the Cleveland Department of Health, was consultant for the project. I would like to join him in congratulating both students and teachers on their work, results of which are to be sent to the U.S. Consumer Product Safety Commission.

I include the following in the CONGRESSIONAL RECORD:

MIDPARK STUDENTS LAUDED FOR UNSAFE TOY SURVEY

Home economics and child development classes at Midpark High School have been commended by Steven J. Chorvat, chief of the Bureau of Neighborhood Conservation and Environmental Health Services of the Cleveland Department of Health, for their participation in a "safe and hazardous toy" program.

The U.S. Consumer Product Safety Commission estimates there are 700,000 injuries from unsafe toys every year in the U.S.

Students made two surveys in their neighborhoods during the school year to determine what parents thought of available toys, and to elicit their ideas and suggestions for better and safer toys.

As a result of the survey, parents and students came up with many such suggestions for stores, toy manufacturers, the U.S. government Consumer Product Safety Commission, and local authorities to follow for better and safer toys to protect children.

Teachers involved in the program included Carol Templeton, Carol Pickering, Carol Barnes, Kit Emch and Jan Flowers.

The Environmental Health Services of the Cleveland Department of Health cooperated with teachers and students in helping to plan the program and compiling data from the neighborhood surveys.

Programs on safe and hazardous toys are also presented through local libraries.

[From the Plain Dealer (Cleveland), Mar. 21, 1974]

PUPILS' SURVEY TURNS UP 1,088 INJURIES FROM TOYS

(By Thomas H. Gaumer)

A new toy does not necessarily bring happiness, according to Middleburg Heights residents.

In fact, a new toy often causes unhappiness and even bitterness, pupils at Midpark High School learned from a survey of 841 residents. Most of the residents complained of toys breaking and children being injured, sometimes seriously, by new toys.

Using a form designed by the Cleveland Department of Health, six home economics classes conducted the survey. Their results were compiled by Steven J. Chorvat, the health department's chief of neighborhood conservation.

The classes recorded 1,088 instances where children were injured by toys. Some parents said they have concluded that the way to avoid the problem is to make toys instead of buying them.

The survey showed that most toy injuries were cuts, bruises, burns and shocks. Among the 814 respondents, injuries mentioned included 53 children with broken bones, 56 who choked from swallowing small objects, one child who lost an eye, another who lost a finger and three who were poisoned. One boy lost his hearing for three months because of a cap gun.

The long list of toys that caused injuries included bicycles, electrical and chemical toys, guns that shoot objects, metal doll houses and other metal toys, exposed screws and nails and wires in stuffed toys.

A large majority of those surveyed also said that some toys began to fall apart within days or weeks of purchase. The also said that toys are not as well made as they were a few years ago.

Among suggestions from the respondents for making toys safer were:

Don't take advertisements for gospel. They are designed to sell.

Manufacturers should tag toys warning of dangers.

Remove false advertising from television. Children see the advertisements and demand the toys.

Warn friends and neighbors about unsafe toys.

Put yourself in the child's place when buying toys. Ask yourself if he could break the toy and what kind of injury it could cause.

Stores should watch closely the toys they buy.

Miss Kit Emch, one of three home economics teachers whose pupils participated, said each youngster was given 10 questionnaires and asked to have them filled by friends, neighbors and by going door-to-door.

TO BETTER SERVE THE CONSTITUENTS

HON. RONALD A. SARASIN

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Monday, August 19, 1974

Mr. SARASIN. Mr. Speaker, on January 28 of this year I entered in the CONGRESSIONAL RECORD a lengthy discussion of intention to establish a constituent service fund to help underwrite the costs of providing my Fifth District Connecticut constituency with the kind of communication and services I feel they deserve.

I placed before my colleagues and the public a detailed explanation of the types of expenses I believe could properly be charged to such an account, the method by which I hoped to raise the money for the fund and the text of a lengthy Internal Revenue Service response to a letter I wrote them asking for an official opinion of these plans.

I would now like to offer to my colleagues and the public a report on the first 6 months of operation of the constituent service fund. It has been of tremendous benefit in partially offsetting the tremendous out-of-pocket expense required of a Congressman who desires to maintain a high level of service to and communications with his district. I would be remiss if I did not also express my extreme gratitude to those individuals who have contributed to make the program a success.

The basic structure of the fund is based on a maximum $200 subscription for any individual and also benefits from miscellaneous contributions ranging from $1 upward. Contributions totaling $7,178 have been received from 51 individuals as of July 30, 1974.

Expenditures to that point totaled $6,011.60, leaving a balance of $1,166.40.

The money spent was used for the following:

Newsletters and questionnaires, including materials, engraving and printing—$3,923.64.

Staff assistance—$538.50.

"A Guide for Older Americans" handbook—$900.

Administrative expenses, including meetings, mailings, and Advisory Board—$531.99.

Travel reimbursements—$117.47.

The constituent service fund has proved to be a valuable asset in carrying out my congressional responsibilities and I shall continue to report regularly on its progress.

MR. FORD AND RHODESIAN CHROME

HON. DONALD M. FRASER

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Monday, August 19, 1974

Mr. FRASER. Mr. Speaker Sunday, October 18, the Washington Post published an editorial "Mr. Ford and Rhodesian Chrome."

This week, probably tomorrow, August 20, the House will debate S. 1868. This bill permits the United States to again comply with U.N. economic sanctions against Southern Rhodesia. Advocates of the bill hope President Ford reads and acts upon the Post's editorial recommendation that he review "his position in the light of his new Presidential perceptions and responsibilities," and strongly support S. 1868.

The editorial follows:

MR. FORD AND RHODESIAN CHROME

A nice test, apparently the first of its kind, is coming up in the House Tuesday for President Ford. If he follows the sound national policy he inherited, he will put his administration's weight behind a proposition he voted against as a member of the House.

The issue is Rhodesian chrome. Since 1965, the United States has supported the trade sanctions voted against the former British colony by the United Nations. Three years ago, however, despite that official commitment, Congress enacted the "Byrd Amendment," sponsored by Sen. Harry Byrd (Ind.-Va.), authorizing Americans to buy Rhodesian chrome. Mr. Ford voted for the Byrd Amendment, apparently accepting the argument that Rhodesian chrome keeps the United States from becoming unduly dependent on imports of Soviet chrome. Moreover, while he was Vice President Mr. Ford rejected suggestions by other Nixon administration officials and interested legislators that he help the administration secure repeal of the Byrd Amendment. The latest such repeal effort passed the Senate last December and will arrive on the House floor on Tuesday.

Rhodesian chrome is not a simple issue. There are, however, two broad considerations on which there is substantial room for agreement. First, the Byrd Amendment has become a symbol, to many Americans and to the black-rule African nations, of official United States support for white-minority rule in Africa. It is an embarrassment to our national values and to our diplomacy. Not everyone agrees that sanctions are a good idea but no one can deny that the Byrd Amendment damages our relations with a score of African states whose good will and—yes—resources are of value to us. Whether Rhodesian chrome would still be available if the Smith government in Salisbury fell and a racially representative government came to power is also a fair question. Africans are asking whether it was only by accident that, in Mr. Ford's address to Congress last Monday, theirs was the only major region of the world not mentioned specifically by name.

The Byrd Amendment also has become something of a test of whether the United States—and by extension, every other nation—will honor its commitments undertaken at the United Nations. If it becomes established practice that a government's word given at the United Nations can be taken back at home, then the world body loses even a faint prospect of doing its necessary job. The United States, as a founder of the United Nations and as one of the principal prospective beneficiaries of the conditions it seeks to promote, has its interest as well as its reputation to uphold in seeing to it that this violation of its commitment is put to an end. Ours is the only country in the world which has formally and officially undercut its United Nations stand, on any issue, in this way.

Mr. Ford had hardly entered the White House when, in a message to the Secretary General, he pledged "continued American support for the United Nations" and offered the world body his personal respects. As a result of his own earlier position on the Byrd Amendment, however, a cloud hovers over his pledge. It would probably make the crucial difference in the uphill repeal fight in the House if Mr. Ford were to indicate that he has reviewed his position in the light of his new presidential perceptions and responsibilities. To do otherwise, in our view, would be to persist in what might be called a foolish consistency.

NATIONAL ACCLAIMED HISTORIAN MERRILL JENSEN COMMENTS ON THE FIRST CONTINENTAL CONGRESS

HON. JOSHUA EILBERG

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Monday, August 19, 1974

Mr. EILBERG. Mr. Speaker, national acclaimed authority on the First Continental Congress, Prof. Merrill Jensen of the University of Wisconsin and now serving as the official adviser to the Reconvening of First Continental Congress, September 5, and 6, 1974, at Carpenters Hall, Philadelphia, Penn., made the following statement which I feel will be of interest to my colleagues in this Congress:

STATEMENT CONCERNING THE FIRST CONTINENTAL CONGRESS

The First Continental Congress met in Philadelphia on 5 September 1774 to adopt common policies to defend American rights and liberties against British attacks upon them. The delegates were strong men who differed profoundly about the policies to be adopted, but they united as one in their conviction that American rights must be defended.

As political leaders the delegates represented the elective branches of the colonial legislatures—the "houses of representatives." Forty-two of the fifty-four men had been or were members of those houses, and the great majority of them believed in legislative supremacy over the executive and judicial branches of government, principles they put into practice in writing American constitutions after 1776.

In the years after 1776 the delegates to the First Congress served their states as legislators, governors, and judges, but they did far more than that. In meeting together in 1774 they created the oldest national political institution: the Congress of the United States whose history extends unbroken from 1774 to the present day. Between 1774 and 1789 Congress established domestic policies, directed military operations, and determined and executed the foreign policies of the nation. Not until the adoption of the Constitution of 1787 did Congress share power with a Senate, an Executive and a Supreme Court.

Forty-one of the delegates to the First Congress were members of Congress between 1775 and 1789. In 1787, twenty-five per cent of the surviving members were elected to the Constitutional Convention. Fifty per cent of the surviving members served in the state conventions that ratified the Constitution. And last, but by no means least, two members of the First Congress—George Washington and John Adams—were the first two presidents of the United States under the Constitution of 1787, and two others—John Jay and John Rutledge—were the first two chief justices of the United States Supreme Court.

The members of the First Congress in 1774 thus began laying the foundations of a new nation whose independence the Second Congress declared in July 1776, and they played a fundamental role in creating a government for the nation. They often disagreed profoundly about the character of the political institutions they created, but collectively they were "Founding Fathers" in every sense of the term, and they are deserving of all honor on the two hundredth anniversary of their first meeting together.

PUBLIC TELEVISION SCORES ON IMPEACHMENT

HON. SIDNEY R. YATES

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, August 19, 1974

Mr. YATES. Mr. Speaker, I believe the job performed by public television in covering the recent impeachment proceedings before the House Judiciary Committee deserves special notice. In my opinion, public TV did an outstanding job in providing essential explanation and background information about the debate. I thought, too, that its commentary was particularly tasteful and dignified. The staff of the National Public Affairs Center for Television—NPACT—which produced the programing, rendered a genuine public service in presenting coverage which was a model of fairness and objectivity.

I believe it is now clear that public television can provide the American people with objective information on what their Government is doing and why. The impeachment coverage proved that public TV can certainly match, if not go beyond, the commercial networks in giving important insights and interpretation of activities here in Congress.

I believe the article by John J. O'Connor in the New York Times of July 29, which I am attaching to my remarks, is well justified:

TV: VERDICT ON IMPEACHMENT COVERAGE? JUSTIFIED

(By John J. O'Connor)

After four full days of coverage, the verdict is clear. The decision to televise the House Judiciary Committee debates on Presidential impeachment is fully justified. While the presence of TV cameras has undoubtedly had some effect on the participants, that effect has often been positive, keeping blatant or excessive posturing to a bearable minimum. Meantime, the public is afforded invaluable access to, and understanding of, a historical event.

The House debates are by no means as "sexy," in TV trade jargon, as the Senate Watergate hearings, where new and frequently sensational information was being divulged on screen in living color almost daily. The material of the debates is now familiar to most Americans, and the constant rehashing of details can be downright boring. Many viewers, at least according to the ratings numbers, have stayed for awhile and then switched to other channels.

The more persistent have had two key rewards: a firsthand view of the complicated processes of government, and the emergence of a mosaic of 38 distinct personalities from the rather colorless mass of the committee itself. The importance of the proceedings is almost matched by television's awesome ability to transform local figures into national personalities.

Though there can be little doubt that the House panel hearings should be televised, legitimate concern remains on the question of how. Some observers, citing the historic importance, would argue that the proceedings be carried simultaneously on all three commercial networks instead of being rotated daily on a single network. You are, in other words, going to watch it whether you like it or not. This argument smacks of smug paternalism at best.

Much attention has also been given to the inclusion of commercials. The networks, however, have shown reasonable restraint in this area. Commercials have been inserted, but only in the natural recess breaks, and in some cases have almost provided welcome relief from the labored musings of the TV commentators.

The biggest problem for television is the material placed in and around the committee proceedings. The commercial networks have been using their chief anchormen—Walter Cronkite, John Chancellor, Harry Reasoner and Howard K. Smith—as central and generally sound commentators, explaining what is about to happen and summarizing what has happened.

Proceedings, however, require very little explaining. The content is remarkably clear. That leaves the commentators with a minimum of immediate commentary, and during breaks the tendency is to switch to TV reporters at the scene who conduct interviews.

The interviews are sometimes either worthless or misleading. On NBC, Friday morning, several committee members went on record with the completely erroneous impression that the proceedings would wind up that day. The interviews also, and quite naturally, can stimulate aggressiveness on the part of the reporter searching for news. The effect on the TV screen is merely jarring and, at this point, counterproductive.

For at this stage of the impeachment process, the primary role of television, especially if it is to have a role in the entire proceedings, should be that of a conduit. The less extraneous interference, the better. Hard reporting should be restricted to regular newscasts and special reports. "Grandstanding" before the TV cameras is a seduction for TV newsmen no less than for members of the Congress.

On the commercial networks, several of those special reports have been excellent, particularly those carried on CBS and NBC on Wednesday evening for a review of the Supreme Court decision and the opening of the committee debates. As for the Judiciary Committee debates, the most effective coverage, perhaps coming closest to the concept of a conduit, has been provided by public TV's NPACT center in Washington.

NPACT has been feeding the coverage live to certain stations, including Channel 13 in New York. Following the live feed, the stations are free to pick up a taped version of the entire day. At Channel 13 that has resulted in day-long coverage extending into the early hours of the following morning, what one station spokesman calls "wall-to-wall impeachment."

As anchormen, Paul Duke and Jim Lehrer have relied mostly on studio conversations with assorted guests, generally law school professors. The format is thoughtful and relatively unobtrusive. For the rest of the proceedings, that is precisely the format the medium must cultivate.

THE HOME HEALTH SERVICE ACT

HON. ALAN STEELMAN

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, August 19, 1974

Mr. STEELMAN. Mr. Speaker, meeting the medical needs of Americans adequately is of concern to all of us, especially in our discussions of national health insurance. An area I am particularly interested in is health care for the elderly. A great many elderly people do not want to be institutionalized in a nursing home or hospital and do not need to be for minimal medical care. Home health care is an inexpensive alternative which permits the individual to remain in his home and retain his independence while still being assured of health care.

The Home Health Services Act, presently under consideration in both the House and Senate, is a first step as it would authorize Federal funds to nonprofit agencies for the purpose of training people in providing health care to the elderly in their homes. I would like to see this legislation enacted this Congress and as an indication of the support for a program such as this, I am inserting in the RECORD a letter I received from a constituent of mine in Dallas which I believe states the case far better than I can:

DALLAS, TEX.,
August 9, 1974.

HON. ALAN STEELMAN,
Cannon House Office Building,
Washington, D.C.

DEAR MR. STEELMAN: I have just finished reading Steelman Reports. There is something in it that I want to know more about and where to apply if I qualify.

You introduced the "Home Health Care Act" of 1974. I am very, very interested for I am a retired school teacher and a handicap from polio of years ago.

School teachers here in Dallas at least don't pay into Social Security. Some do "moonlight" however and will draw and are drawing Social Security depending on what they did on the side of classroom teaching.

Beside school teaching, I used a second trade, printing-linotype, to earn quarter hours toward Social Security in the past. I also earned quarter hours working for The Boy Scouts of America and in construction and for the government at Washington, D.C. Thus, when I fell-out of school teaching due to a stroke and recovered some, I thought that I was covered under Social Security. Alas, I was told that I did not have enough quarters to qualify.

If it wasn't for a small teacher's pension and insurance taken out by me while I was teaching, I'd be another on Welfare rolls. However, my family and I make do very well and are very grateful for all we receive and have.

I have to take very strong medicine now and for ever more. I can't get around very good anymore on my crutches and depend on my Family to push me around when we go some place in my wheelchair. "Home Health Care," at least in the near future, seems to be what I need.

Your help in explaining this act to me and telling me where to apply will be appreciated.

Best wishes.

Sincerely yours,

LAMAR H. EWING, SR.

THE THREAT OF NO-FAULT

HON. JAMES M. COLLINS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, August 19, 1974

Mr. COLLINS of Texas. Mr. Speaker, the House is now considering the National No-Fault Insurance Act which passed the Senate on May 1. H.R. 10, a similar House version is currently awaiting further action by the House Interstate and Foreign Commerce Committee. This concept is one more example of the unrelentless spread of Federal control. We are dealing with a serious constitutional issue involving Federal infringement on State sovereignty. Present discussions indicate that Congress may prudently carry no-fault over until the next session.

In 1945, the McCarren-Ferguson Act assigned to the State the primary responsibility for regulation of insurance. National no-fault proposals would not only impose strict "minimum" standards of automobile insurance in every State, but would further compel each State to act under orders of the Federal Government in implementing and administering no-fault systems. States would be coerced to devote their agencies, officials, and facilities to the operation of the plan. This invasion of State's rights is contrary to the 10th amendment and inconsistent with constitutional federalism.

A few years ago Justice Black described federalism as requiring "* * * a continuance of the belief that the National Government will fare best if the States and their institutions are left free to perform their separate functions in their separate ways." A national no-fault system would undermine the value of this kind of Federal-State relationship. The evils of centralization of the Government threaten us in many aspects of our daily lives. Now the Washington bureaucrats are trying to convince the American people that automobile insurance is another area where Federal "protection" is warranted.

An individual State is essentially in a better position to determine the needs of its people. Twenty-three States have already adopted substantial no-fault plans representing approximately 50 percent of the Nation's population. Similar proposals are being actively considered by all other State legislatures. It is certainly noteworthy that in a period of 3 years a large number of States have taken the initiative to enact no-fault. The value of experimentation is compelling and at this point in time we need flexibility. But if Congress votes favorably on S. 354, H.R. 10, or similar Federal alternatives, State no-fault would be virtually frozen into a single approach and would prevent any future adaptation when it is most needed.

In Massachusetts, the first State to enact a no-fault insurance plan, the percentage of bodily injury claims per 100 automobiles was 6.5 percent, the highest in the United States. But in Texas, only 1.66 percent claims were made annually per 100 automobiles. Obviously, Texas and Massachusetts have no common experiences which need a common remedy.

Still another aspect involves the idea of motor vehicle tort cases. Proponents of the Federal bills now before us argue that elimination of tort liability would be to the advantage of America's 90 million motorists. But to literally deprive individuals in every State of their rights to pursue legal recovery is indeed questionable. Quite the contrary, the pending national proposals may very well increase substantially insurance rates for these millions of consumers. I wish to refer to an actuarial study recently conducted by the advisory rating department of Allstate Insurance Co., which predicts what will happen to premiums under S. 354. The projections below indicate increases and personal injury premiums for the following two categories of policyholders:

(A) The policyholder now carrying average limits of bodily injury coverage, plus uninsured motorist coverage.

(B) The policyholder now carrying the above protection plus an average amount of auto medical payments coverage or No-Fault (PIP) coverage.

The percentage changes, in each case an increase, are:

[In percent]

	Policyholder category A	Policyholder category B
California	+37	+12
Georgia	+51	+26
Illinois	+24	+2
Kentucky	+16	+2
Nebraska	+85	+53
New Jersey	+18	+18
North Carolina	+43	+20
Ohio	+38	+20
Pennsylvania	+33	+14
Texas	+87	+24

A statement made by Leroy Jeffers, past president of the State Bar of Texas, on behalf of its 23,000 members gets right to the heart of the matter:

The federal force embodied in this bill is not needed, wanted, or warranted in our State. Our legislature and our officials . . . have overwhelmingly rejected the system which this bill seeks to impose by coercion. Instead, we have made giant strides in the improvement of our own automobile accident jurisdiction . . . to give more adequate remedies to our people for their automobile accident injuries.

It is my belief that sound State action is the only course to follow. Texas has taken that course and I strongly urge Congress to allow other States to seek the solution best suited to their own needs by not imposing rigid Federal standards as contained in this legislation.

POWERPLANT STATUS CLARIFIED

HON. LEE H. HAMILTON

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Monday, August 19, 1974

Mr. HAMILTON. Mr. Speaker, I am disturbed by the difficulty I have had in obtaining accurate information on proposed powerplants in the vicinity of Madison, Ind. In a letter dated June 5, 1974, Commissioner William Doub, of the Atomic Energy Commission, stated that the AEC "does not have any information with respect to proposed nuclear powerplants" in the vicinity of Madison. Within 3 weeks, newspaper accounts in southern Indiana reported that the AEC had agreed to provide Public Service Indiana with enriched nuclear fuel for a powerplant a few miles from Madison.

A constituent brought this apparent discrepancy to my attention, and I asked Commissioner Doub for an explanation. Though it appears that his staff made an honest mistake, it is rather disconcerting that it takes this long to obtain correct information from the AEC regarding an announced nuclear plant.

The text of Commissioner Doub's letter follows:

U.S. ATOMIC ENERGY COMMISSION,
Washington, D.C., August 12, 1974.

HON. LEE H. HAMILTON,
House of Representatives.

DEAR MR. HAMILTON: This is in response to your letter dated July 22, 1974, in which you noted a discrepancy between information you received from me in a letter dated June

5, 1974, and a recent newspaper account regarding a nuclear power plant proposed by Public Service of Indiana in the vicinity of Madison, Indiana. In looking into the matter further, I find that my previous letter was indeed in error.

Your letter of May 14, 1974, requested information on five power plants and no specific utility was named. Often it is difficult to identify a particular future project by the name of a town or area. In this case my staff erroneously assumed you were referring to American Electric Power Company's plans for several nuclear plants in Indiana concerning which we had received several inquiries about that same time.

Public Service of Indiana informed us some time ago that they intend to file an application for construction permits for a two-unit nuclear power plant in the vicinity of Madison by mid-1975. When and if such an application is filed, the procedures explained in my previous letter and its enclosure will apply.

The reason for the AEC entering into an agreement with Public Service of Indiana so far in advance of the submittal of an application is the requirement that nuclear power plant operators must contract for uranium enrichment services eight years in advance of their expected first fuel delivery date. These negotiations are transacted between a prospective applicant and our Oak Ridge Operations Office in Oak Ridge, Tennessee.

I sincerely regret the mistake and hope you will accept my apology.

Sincerely,

WILLIAM O. DOUB,
Commissioner.

SUGAR ACT AMENDMENTS OF 1974

HON. KEITH G. SEBELIUS

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Monday, August 19, 1974

Mr. SEBELIUS. Mr. Speaker, I think the time worn saying "it's no use crying over spilled milk" may apply to the remarks I would like to make, but in this case it is spilled sugar.

I realize that hindsight is always "20–20" but I would like for my colleagues to reflect for a moment on the debate weeks ago when we were considering the Sugar Act Amendments of 1974. The bill, as reported by the House Agriculture Committee, was not perfect by any means, however, in the floor debate I suggested the legislation would nevertheless benefit the consumer, the sugar industry, the growers, and the workers.

Historically, the Sugar Act has stabilized prices and production for producers and consumers. But following numerous crippling amendments, the bill was defeated. Since that time prices have increased and uncertainty prevails within the sugar industry. The farmer faces the uncertainty of fluctuating prices at the same time he is confronted by unprecedented production costs. In addition, the United States is dependent on foreign sources for almost half of our total use.

It seems to me it is obvious that in urging a free market situation, my colleagues did not give enough consideration to the fact we have had a law on the books to assure us of an adequate supply of sugar at a fair price for 40 years and that a sudden departure from that policy was bound to cause uncertainty and wide price fluctuation.

I would like to call to the attention of my colleagues, a recent editorial in the Russell Daily News entitled "Not So Sweet." This editorial quotes a respected sugar beet industry spokesman from my district, William A. Davis, of Goodland, Kans. When making a case for the Sugar Act during debate, I kept hearing references to special interest subsidies. I remarked at the time that I did not know of any special interests, but that I was acquainted with folks from my district in the sugarbeet industry who were in a much better position than myself or self-declared consumer advocates in the Congress to tell us what the results of terminating the Sugar Act would be. The following editorial does just that and I think Mr. Davis is entitled to say, "I told you so":

NOT SO SWEET

Failure of Congress to renew the Sugar Act on June 5 didn't take long to be felt across the nation. The price of the 10-pound sack has jumped about a dollar according to local reports.

The industry is now without domestic controls, according to an industry spokesman, William A. Davis, Goodland. It is subject to "boom and bust" cycles which could ruin the domestic industry.

The Sugar Act began in 1934. Import quotas are set for 32 countries. Production is limited for cane and beets. In its life, the act provided an adequate supply, made production stable and promoted trade, according to growers.

Of the 12 million tons used in the United States, 60 per cent is raised domestically. The rest is divided among foreign producers. In the United States, beets and cane are contracted for a pre-stated supply. There is no other outlet. Beets are a one-year crop and cane is a two-year crop. Both require heavy investments in capital and labor.

For the past four years, world demand has exceeded production and reserves are at a low point. The price of refined sugar has nearly doubled in the past six months and stores say the $3.50 10-pound bag will go even higher.

The immediate prospect is a surplus, low market prices and overplanting followed by a scarcity and high prices. Foreign sugar can be produced with cheap labor. The United States producer is at the mercy of other sugar-producing nations. The result will be detrimental to producers and unfavorable to consumers, according to Davis.

The Sugar Act didn't cost the public, growers claim. It set prices and wages, financed with an excise tax, part of which was paid back to producer cooperatives complying with federal wage and price standards.

Davis blames Congress. He said members have no interest in stability other than from the consumer standpoint. Some want to capture the 40 per cent foreign sugar for the United States. Labor influenced others to tack on amendments giving extra payments to labor.

About 75 to 80 per cent of the sugar is used by commercial firms such as bottlers and candy-makers. These added to the confusion by demanding cheaper sugar.

The Sugar Act has been managed economics for 40 years. A free market opened by failure to renew it is already affecting Kansans—down on the farm and at the supermarket.—R.T.T.

STUDY SHOWS NEGATIVE EFFECTS OF NATIONAL HEALTH INSURANCE

HON. PHILIP M. CRANE

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, August 19, 1974

Mr. CRANE. Mr. Speaker, those who advocate the institution of a system of national health insurance seem, in many instances, not to have carefully considered what such a policy would mean in terms of the quality of medical care available to Americans.

All those who believe that a system of national health insurance would, in some way, improve the quality of our medical care should carefully consider the results of a study recently released by the Rand Corp.

The study, based on an economic analysis of the country's health care systems, was produced for the Rand Corp. by Joseph P. Newhouse and Charles E. Phelps, both Rand ecomonists, and William B. Schwartz, M.D., physician-in-chief at Tufts-New England Medical Center in Boston.

The study shows that under a system of national health insurance physicians' offices and clinics would be swamped with new patients and the Nation's health care costs would jump from $3 to $16 billion—and maybe more—over the present level of $62 billion a year.

They predicted that—

Demand for ambulatory services would skyrocket 30% to 75%, since only 40% of care in clinics, private practice, and outpatient departments is now covered by insurance plans.

They also predict that—

Physicians' fees would go up, patients would have to wait longer for appointments, and waiting rooms would be crowded.

The net effect of increased demand, the report said, would be to reallocate private ambulatory care to less affluent patients. Life expectancy, however, would not increase since most of the major causes of death, from alcoholism and accidents to cancer and cardiovascular disease, are not really affected by the availability of health care.

The Rand report, which was published in a recent issue of the New England Journal and Medicine, should be carefully considered by those who are now advocating a system of national health insurance.

I wish to share with my colleagues an article about this report which appeared in the June 24, 1974, issue of the AMA News, and I insert that article in the RECORD at this time:

NHI WOULD SWAMP M.D.'S, STUDY SHOWS

A new study by the Rand Corp. asserts that national health insurance (NHI) would cause physicians' offices and clinics to be swamped with new patients, even though hospitals would be affected very little.

Not only that, the nation's health care costs would jump from $3 billion to $16 billion—and maybe more—over the present level of $62 billion a year.

The report, "Policy Options and the Impact of National Health Insurance," was produced for the Santa Monica "think tank" by Joseph P. Newhouse, PhD, Charles E. Phelps, PhD, both encomists for Rand; and William B. Schwartz, MD, physician-in-chief at Tufts-New England Medical Center in Boston.

The study is based on an economic analysis of the country's health care systems, as well as examinations of changes occurring in Canada after adoption of NHI there.

Three hypothetical NHI plans—none of which duplicate any of the 79 different bills now pending in Congress—were examined.

First, a complete, comprehensive health care plan that would pay all costs for everybody was analyzed; second, a 25% coinsurance plan, in which the insured provides for one-fourth of his own medical bills; and third, deductible plans, with both large and small deductibles.

The same economic effects were predicted with all three hypothetical systems, though in varying degrees.

The predictions:

Demand for ambulatory services would skyrocket 30% to 75%, since only 40% of care in clinics, private practices, and outpatient departments is now covered by insurance plans.

Demand for hospital space would not increase much, since 90% of present hospital bills are covered by some insurance plans; and only four out of five hospital beds in the country are normally occupied now.

Physicians' fees would go up, patients would have to wait longer for appointments, and waiting roms would be crowded. But the number of patient visits would not increase much, the report said, since the present system is operating at or near capacity.

The net effect of increased demand, the report said, would be to reallocate private ambulatory care to less affluent patients. Relatively wealthy people are primarily "time-poor," and would be less willing to stand in long lines to see a physician, regardless of the cost. Poorer people, however, would be able to get ambulatory care, since it would no longer be too costly for them.

Life expectancy would not increase much, since most of the major causes of death, from alcoholism and accidents to cancer and cardiovascular disease, are not really affected by the availability of health care.

However, the "quality of life" would improve for many people who previously didn't get medical care when they needed it because of prohibitive cost.

The hypothetical comprehensive plan examined would be the most expensive to society, the authors said. With free health care available to all, ambulatory services would be swamped with a 75% increase in demand. The cost would add $16 billion to the nation's health care bill; including drugs and dental care in the plan would probably double the increase.

The 25% coinsurance plan would likewise cause a big increase in demand for ambulatory services, as much as 30%, but the total effect would be less than the comprehensive plan. People covered by private insurance plans with better coverage would simply not take part in the NHI plan.

Two kinds of deductible plans were discussed as alternatives to either of the two plans above. First, a large-deductible was examined, in which the insured would pay medical bills up to 10% of his annual income; and second, a small deductible was examined, in which the insured pays $100–$150 of his medical costs before the NHI takes effect.

The large-deductible plan would have the least impact on present health care institutions, since it would probably affect fewer people than any other plan, the authors said.

The small-deductible plan was considered to have its strongest effect on ambulatory care services, too, since it would affect many more people than the large-deductible plan. However, the authors said there was not enough data to accurately assess the possible effects of such a plan.

The report was published in a recent issue of the *New England Journal of Medicine.*

LONG NINE MUSEUM

HON. PAUL FINDLEY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, August 19, 1974

Mr. FINDLEY. Mr. Speaker, a structure important in the life of Abraham Lincoln, as well as in the State of Illinois, was dedicated as a museum August 3 in Athens, Ill. The two-story frame store and meeting hall which in Lincoln's day also served as a post office was the scene of a public dinner on August 3, 1837, to pay tribute to Lincoln and the eight other tall Illinois legislators who were credited with persuading the General Assembly to move the capitol from Vandalia to Springfield.

Athens at that time was within the borders of Sangamon County with Springfield as the county seat.

Seven of the "long nine," Lincoln included, were feasted and toasted that day by community leaders in the second floor of the building.

The recent ceremony included a feast and toasts exactly 137 years later to the hour, and Mr. Speaker, it was my privilege to occupy the Lincoln seat at the banquet table and to offer the same toast Lincoln used on that earlier occasion.

The dinner culminated the work of a group of private citizens led by John R. Eden who organized the project of acquiring and restoring the "long nine" structure.

Dr. Wayne C. Temple, acting State archivist of the State of Illinois and a noted Lincoln scholar, served as historian for the project, and gave the principal address of the day.

Among the distinguished visitors were Melvin K. Richardson, secretary of the association; Mrs. Arthur Sieving, widow of the diorama artist whose works are displayed at the museum; Mayor Alfred Mason of Athens; Dr. Lloyd Ostendorf, widely known Lincoln portrait artist who painted the banquet scene; Phillip H. Wagner, president of the association; as well as these board members: Larry Richardson, Warren Hughes, George C. Whitney, Helen P. Dalton, and C. R. McCorkle.

The text of Dr. Temple's address:

ADDRESS BY DR. WAYNE C. TEMPLE

As we stand here today, we are certainly on a spot very closely connected with Lincoln. And as the chill winds of winter and the torrid winds of summer sweep over this small prairie village, they blow past, rather rudely, the huge footprints that abound all around this place. They are Lincoln's.

He had an important connection with this town, because in those days the way you went to Springfield from New Salem, or the other way around, was through the town of Athens. So, he was through here many, many times. He stood right here where we are standing today at this store which was built by Col. Matthew Rogers about 1832. He told some of his funniest yarns, I imagine, right here on this porch. Yes, with this town he had many connections which we have been able to document.

In the History Room of this building you call see a copy of his survey for the post road that ran by this building; he finished the job on the 4th of November, 1834. Lincoln also surveyed land for the farmers all around this area.

He came back here on July 16, 1836, to campaign in person. When his horse had been stolen on March 18 that year while visiting in Springfield—I am sad to say—he did not have enough money to buy another one. And it was the wife—talk about women's liberation—of Robert L. Wilson (a resident of Athens) who loaned Lincoln her own saddle horse to ride on the campaign trail during that year of 1836.

Of course, the event we commemorate today was the famous "Long Nine" banquet given in this very structure on August 3, 1837. Lincoln attended that event, too, and proposed a toast—one of the few times he ever drank a glass of wine in public.

One other happening here is also fascinating. When I finished my research, I discovered that on April 5, 1837, Col. Matthew Rogers, who lived in Athens, sold this "Long Nine" building to Josiah Francis, a man in Springfield who started the *Sangamo Journal.* Josiah Francis never finished the payments on this building, so what do you think that the Colonel did? He engaged the law firm of Logan & Lincoln to sue Josiah Francis *et al.* to recover this very building and lot. This fact has been unknown all these years because nobody ever compared the legal description in this law case with the legal description of this building! So, on June 29, 1841, Lincoln wrote in his own hand a foreclosure bill and filed it in the Sangamon County Circuit Court. On the 3rd of December that year he won the suit for his client, and the building reverted to Col. Rogers. This legal brief of Lincoln's is now held by the Library of Congress.

This man Lincoln has had so many of history's trials and tribulations. But no matter how strongly the incessant winds blow across these wide prairies, the giant footprints which he made here will never be blown away.

I would now like to pay tribute to seven members of the Long Nine for service that some of you may not know about. Let me read the military honor roll for the Long Nine:

John Dawson, veteran from the War of 1812. Captured by Indians and held in Canada until he was finally ransomed and returned home. Yet he did not quit military service. He served as Captain of a Sangamon County Company in the Black Hawk War of 1832.

Ninian W. Edwards, later brother-in-law to Abraham Lincoln. He served as a Captain in the Civil War.

William F. Elkin, a Captain in the Black Hawk War.

Job Fletcher, one of the Senators in the Illinois Legislature, was a veteran of the War of 1812.

Andrew McCormick, who would later become Mayor of Springfield, served as a Private in the Black Hawk War. During that conflict he was wounded in battle. He also served in the Militia as a Captain: 20th Regiment.

Robert L. Wilson volunteered as a Private in a battalion formed at Washington, D.C., by none other than the colorful Cassius M. Clay to guard the President and the White House early in the administration of Abraham Lincoln. Gen. Clay hailed from White Hall, south of Lexington, Kentucky, near Richmond. Wilson later enlisted in the Union Army and rose to the rank of Colonel.

Abraham Lincoln, tallest and greatest of the Long Nine (so named because their total height came to 54 feet or an average of 6 feet each) towered nearly six feet four inches in his stocking feet. Any person in those days who measured six feet was a very tall person indeed. He, too, served as a Captain in the Black Hawk War and later in the Militia. Then he became the Commander-in-Chief of all the Union Forces in the United States. Just as Lincoln was the tallest and the highest ranking of them all, he also made the largest sacrifice for his beloved Country. He lost his life while serving as Commander-in-Chief, and Joseph K. Barnes, Surgeon General of the United States, considered that Lincoln's death on April 15, 1865, occurred in line of duty. Therefore, in typical medical language he cryptically included the President's demise in his official report for the Civil War under this entry: "Case—A. L——, aged 56 years . . ."

I think that this is an outstanding record. Seven out of these nine State Legislators from Sangamon County were veterans. We, the living, today salute you departed members of the famous "Long Nine."

CONTRACTING OUT FEDERAL JOBS

HON. JEROME R. WALDIE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, August 19, 1974

Mr. WALDIE. Mr. Speaker, in the last 2 years, I have watched with great concern the efforts made by the Director of the Office of Management and Budget, Roy Ash, to "contract out" functions presently being performed by Federal employees to major private contractors.

Mr. Ash has a great interest in this issue. Mr. Ash is the former president of the conglomerate Litton Industries, and Litton, with its hundreds of subsidiary companies, has for years held many Federal contracts—although it has most often been unable to perform the job without substantial cost overruns.

In 1973, Mr. Ash, acting for the administration, moved to have the Navy, on the grounds of costs, contract out its personnel functions at the Pacific Missile Range at Port Mugu, Calif. Along with other Members of Congress, I asked to see the statistics the Navy used in reaching this conclusion. They could not supply the statistics that substantiated their claim, and Congress, therefore, legislatively moved to prevent contracting out at Port Mugu.

In 1974, again on the grounds of cost savings, OMB called on the three branches of the military to contract out most of their operational support services. Again they could not provide statistical evidence for this order, and more recently they have limited the scope of their proposal to just a few bases.

Mr. Speaker, I sincerely hope that the new administration will be responsible enough, at least, to first determine whether "contracting out" saves money before the recommendation is made. However, due to the bias Mr. Ash has brought to OMB, I feel compelled to offer the following resolution, that Congress may make its position on contracting out officially known.

The resolution follows:

CONCURRENT RESOLUTION

Expressing the policy of the Congress that the performance of the functions of the Federal Government should be attained by use of its own manpower and not by means of contracts with the private sector.

Whereas, it has apparently become the policy of the current Presidential administration that certain services necessary to the operation of government activities which are now performed by Federal employees under direct Federal Government supervision shall in the future be performed by employees of businesses in the private sector with which the Government has contracts; and

Whereas, in most areas the Federal Government has developed the administrative and manpower capabilities to perform missions set forth by and for agencies of the Government; and

Whereas, the Federal Government has demonstrated its high level of administrative efficiency; and

Whereas, Federal employees have demonstrated their high level of efficiency in conducting the missions, goals, and business which the government has sought to achieve: Now, therefore be it:

Resolved by the House of Representatives (the Senate concurring), That it is the policy of the Congress that the performance of the functions of the Federal Government should be attained by employment of its own manpower and not by means of contracts with the private sector.

OPIUM FLOW

HON. J. EDWARD ROUSH

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Monday, August 19, 1974

Mr. ROUSH. Mr. Speaker, I rise today to express my gratification that the House of Representatives has had the courage and wisdom to adopt House Concurrent Resolution 507. My only regret is that the House has delayed for 3 years the adoption of such legislation which has the impact of potentially eliminating the illegal flow of vast amounts of opiate poppy and its derivatives which threaten to enter into this country through illicit channels.

In April of 1971, I, along with 19 of my colleagues, introduced a bill amending the Foreign Assistance Act of 1961 to require the Comptroller General of the United States to report to Congress annually on the effectiveness of measures being taken by countries to prevent narcotic drugs, "partially or completely produced or processed in such country, from unlawfully entering the United States" and whether countries have undertaken "appropriate measures" to prevent narcotic drugs from unlawfully entering the United States.

This particular bill provided that if after 90 days from the issuance of such report any country was found guilty of not taking proper precautions to prevent unlawful entry into the United States of such narcotic drugs, that country would thereafter receive no further economic assistance from the United States.

The bill, however, did specify circumstances under which these provisions can be waived. If the President found that the foreign country deemed by the Comptroller General as being guilty of such actions had undertaken appropriate measures to prevent such narcotic drugs from unlawfully entering the United States, or found that the overriding national interest required that economic aid be continued, he might ask Congress to waive these provisions. If the Congress concurred, those provisions of the act cutting off economic aid to the foreign country would not apply to that country unless a subsequent report was given and the Comptroller General determined that the foreign country had again neglected to comply with the provisions of the bill.

Unfortunately, this bill failed to pass the House. Instead, a much weaker bill was passed in 1971, which amended the Foreign Assistance Act of 1961 to give the President the power to suspend aid to countries which in his judgment did not cooperate to prevent illegal transport of drugs to the United States. This was an amendment which the Congress hoped would encourage voluntary action on the part of the President, but it demanded no mandatory action as it should have.

On January 12, 1973, I introduced another amendment to the Foreign Assistance Act. At that time, I found a new bill necessary because the President had not, and still has not, invoked the authority given to him by the 1971 amendment. I pointed out that a bill was necessary that would carefully spell out a machinery for mandatory cessation of foreign assistance.

That bill which I introduced in 1973 provided, like the earlier one, for an annual report by the Comptroller General and the 90-day period immediately following this report before cutting off of foreign assistance to any country found negligent in efforts to prevent the unlawful entry of narcotic drugs into the United States.

However, there were three basic differences between the bill I introduced in 1973 and the amendment that was passed in 1971: First, under present law, as amended in 1971, the President cuts off funds only if his own judgment dictates that he do so, and up to now, apparently, it has not. Under the bill I introduced in 1973, if a violation is discovered the suspension of assistance is required. Second, under present law, as amended, it is up to the President to decide if such assistance can be revived, if the offending country comes into compliance with the law regarding efforts to prohibit unlawful entrance of narcotic drugs into the United States. Under my bill, this power would rest with the Congress. If the President finds that a country whose assistance has been suspended has not taken adequate steps to remedy this situation, or if he finds that it is in the national interests of the United States to resume foreign aid to a particular country, the President then issues a report to Congress and requests permission that the penalty be waived, the assistance restored. The Congress will then determine if the suspension of foreign assistance is to be waived and if so passes a concurrent resolution to that effect. Moreover, the bill I introduced in 1973 makes it extremely clear that the concurrent resolution does not remain in perpetuity; a subsequent adverse determination by the Comptroller General

would require a new suspension of foreign assistance by the President and another waiver by the Congress, if the assistance was to be restored.

Last year, when I introduced this bill, I indicated that I preferred a mandatory over a voluntary provision on this matter. I expressed the belief at that time that I thought the State Department would oppose this approach as State would argue that we need more pleading power, more voluntary compliance. Although House Concurrent Resolution 507 does not require mandatory compliance, it is a step in the right direction. Nonetheless, I am still of the opinion that it is time we stopped hoping for compliance and started making sure that we get it.

Finally, though, House Concurrent Resolution 507, which passed the House by a two-thirds majority on August 5, 1974 is an extremely wise resolution. It gives the President ample time and flexibility to negotiate with the Turks and, at the same time, demonstrates to the Turks the concern which the U.S. Congress has for this problem. Also, it strongly recommends suspension of aid by the President should the Turks elect not to take effective action to control opium production and flow into the United States. Nevertheless, I do feel that legislation requiring suspension should have been passed 3 years ago, the result being a savings by the Congress of vast amounts of time, and therefore taxpayers money. If effective action would have been taken 3 years ago to curb not only opium production and flow in Turkey, but also in other countries such as Mexico and Afganistan, the problem we have now would never have arisen and a concurrent resolution by the Congress would not have been necessary.

THE BATTLE AGAINST INFLATION MUST BE WON

HON. MARIO BIAGGI

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, August 19, 1974

Mr. BIAGGI. Mr. Speaker, after 6 long years of inaction and neglect by the executive branch, it now appears that the great American tragedy, inflation, is about to receive the paramount attention of our new President, Gerald R. Ford.

President Ford delivered a stirring message to the American people on this past Monday night, and its effect came not from the usual stale promises to deal with inflation, but important solutions he offered to combat it. This country needs no further studies on inflation, it needs action, and it needs it now.

Inflation is not merely an overnight annoyance, but rather a malignancy which has allowed itself to grow virtually unchecked for the last 10 years. Our Nation's economy in the 1960's went through a period of unparalleled growth with the end result being the inflation which hovers over us today. What made the 1960's different from the 1970's was that in the former decade, we were also enjoying a period of unparalleled prosperity and due to this inflation could be better endured. Yet the 1970's brought a major economic transition in this country, marked by an overall economic slowdown caused by deficiencies in trade, feeble economic policies, and misguided export policies which depleted valuable domestic commodities. All these factors have resulted in inflation becoming more conspicuous and troublesome for the average American citizen to endure.

Wherein do the solutions to inflation lie? The key word in that previous sentence is solutions, for it will take concerted and cooperative efforts from all walks of our society to arrest the growth of inflation.

Many Americans now point to their Government as the main culprit for the continuation of inflation, and not without good cause. In recent years, we the Congress have allowed Government spending to reach unprecedented levels, thus driving the public debt to equally astronomical levels. The Congress has demonstrated its fiscal irresponsibility far too often, thus perpetuating inflation to such a point that it has driven millions of Americans, particularly our elderly citizens, down to their economic knees.

Therefore, the number one priority in any battle against inflation must be the cutting of excess Government spending with the objective of achieving a balanced Federal budget. To quote from the President's speech:

> Support your candidates, Congressmen, Senators, Democrats and Republicans, conservative or liberal, who constantly vote for tough decisions to cut the cost of government, restrain Federal spending and bring inflation under control.

This has been my policy throughout my 5 years in the House of Representatives. I am pleased that finally, after all this time, I have found such a formidable ally. Let us review some of the more important votes in this area—which have occurred during this session.

In May of this year, an effort was made to increase once again the public debt ceiling. Congress again like a promiscuous woman of the night found herself unable to say no to the administration's request for still another increase, and thus the bill was passed by a one vote margin. As I have in the past when this issue has come up, I voted against it.

I have long advocated that the Congress put a ceiling on appropriations at least equal to the amount of revenues expected for a particular fiscal year. Then all appropriations should be kept within that ceiling. This would permit stabilization of the public debt and an eventual reduction.

I have maintained a consistent position on all votes which seek to cut unnecessary Government spending. I voted to cut some of the fat from the budget of the Office of Management and Budget. I voted to reduce the supplemental appropriations bill by 5 percent. And I have voted against a number of subsidy give programs to groups and industries in our society who have sought to exploit inflation for their own ends.

Yet there was one issue where my opposition was particularly intense; namely, for a bill which established an inflation policy study to be conducted by the Congress. This bill I considered to be among the most absurd to come before Congress in recent years. It set up a congressional study group to study inflation with the inflationary price tag of $100,000. My abhorrence to this bill was a result of not only the cost figure involved but the added factor that the bill called for a 6-month period for the study to be completed. I ask then as I do now, do the American people deserve to wait another 6 months before they get solutions to inflation? Yet apparently enough of my colleagues felt so and the bill was passed by an overwhelming majority.

There have and will continue to be bills proposed which will seek to increase Federal spending, and but for one exception, I will continue to oppose them. The one exception being moneys appropriated for the preservation of a strong national defense. There can be no justification for weakening this Nation's defensive capabilities because of inadequate funding levels. We must always be in a position of strength to both assist our friends and defend against our foes. The structure of peace which has been so carefully molded can only be preserved if we the United States remain as the preeminent power in the world.

I applaud the President's initiatives in this field and offer him my support. He has recognized inflation as the grave national problem it is, a problem which needs action and not promise. We must all work together in this battle; housewives and consumers must exercise prudence, our local, State, and Federal Governments must exercise proper restraint in their spending, and labor and business must cooperate in their wage agreements. Only a unified effort by all these groups will bring about necessary and urgently needed improvements in our economic situation.

We in the Congress have a special responsibility in this fight. We must not fear to pass strong legislation to deal with the problem. For many it might mean reversing longfelt beliefs about Government spending. The course will not be easy, but it will be no harder than the course which many of our citizens are facing today trying to keep pace with inflation. I am prepared to do my share to help restore this Nation to a semblance of economic stability. I hope I will be joined by my colleagues in this venture.

PERSONAL ANNOUNCEMENT

HON. VICTOR V. VEYSEY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, August 19, 1974

Mr. VEYSEY. Mr. Speaker, it was necessary for me to leave Washington on official business in California before adjournment last Thursday. Had I been here I would have voted as follows on amendments to the Federal Mass Transportation Act:

The Harsha amendment to make urbanized areas with a population of 2 million or more eligible under category A, rollcall 495, aye.

The Shuster amendment that sought to require the Secretary to evaluate the extent to which urban communities are attempting to discourage auto use and encourage mass transit use before approving projects, rollcall 496, aye.

AN APPEAL TO CONGRESS

HON. CARLOS J. MOORHEAD

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, August 19, 1974

Mr. MOORHEAD of California. Mr. Speaker, many people in America today are concerned with our economy and with the preservation of our free enterprise system. They are concerned by inflation and high interest rates. The following article which appeared in Value Line warrants consideration by the Congress:

The article follows:

AN APPEAL TO CONGRESS

1. THE UNITED STATES TODAY

Interest rates are burdensomely high. Long-term high-grade corporate bonds sell on a 9% maturity yield basis. The prime rate stands at 10%. Twenty-five years ago domestic interest rates were only 2.5%. In just a quarter-century all of the progress made in the money markets from 1800, when the U.S. was an unstable republic and rates were upwards of 8% and 9%, to the end of the Second World War, has been washed away. A 2.5% rate may have been a bit lean but a 9% quality bond rate is surely much too hefty.

Since 1947 corporate liquidity has been drying up. The need for capital and an increasing debt burden have driven companies to try to live with as little cash on hand as possible. The computer age has assisted them in this endeavor, especially in inventory and receivables control. Still over the past two and a half decades, corporate liquidity has declined about 70%. Working capital support of sales for industrial companies followed by Value Line has declined in line with the overall trend, from 31.0% in 1954 to 23.5% last year, on average. Even the banks are more illiquid. The ratio of *bank borrowings-to-bank reserves* has worsened steadily since World War II, and especially since 1967. The ratio was 0.3 then, 0.8 in 1970 and currently stands at 1.65–1.70. In the last few years, following the Penn Central debacle, the liquidity of non-financial companies has remained fairly stable. Of course, a price has had to be paid for this recent and possibly temporary stability. The ratio of *interest payments-to-profits plus interest payments* has jumped from a fairly safe 25% in 1965 to over 45% currently. In the same period the ratio of *retained earnings plus depreciation charges (i.e., retained cash flow)-to-investment* has been squeezed down from nearly 100% to a scary 70%–75% now.

Unless current trends are reversed, the impairment of corporate liquidity will persist. Capital is required to finance discovery and development of new materials and energy resources, as well as to clean up the environment. Unfortunately, little widening of the ratio of corporate profits to national income is indicated at this time, even though the current ratio is a skimpy two-thirds of what it was a generation ago.

Consequence: companies must seek still more external financing. With the typical stock P/E ratio presently at 8.0 or so, the cost of desirable equity financing is about 13%. Since bond rates are a less expensive 9%, more debt formation is likely. This in turn means the ratio of fixed charges-to-income will widen further and in so doing increase the risk entailed in buying bonds or holding other debt instruments, increasing risk tends to force interest rates still higher and will make it more difficult for companies to float long-term bonds. So, bond term lengths will shorten, thereby increasing the risk of doing business altogether because the day could come when debt can no longer be rolled over. This could happen even if Washington acts to improve liquidity by injecting funds into the money supply, simply because current government policies lean against a proper flow of funds into the stock market. Result? A possible bust! And possibly dissolution of our political institutions too. Small wonder then that the latest consumer poll shows over-all pessimism the deepest in at least 25 years.

2. CAN IT BE AVOIDED?

Yes, a "crack" can be avoided if the federal government acts promptly to save the equity markets. If P/E ratios can be widened on average to 11.0 or 12.0 on current earnings levels, equity financing will again become feasible. At P/E's of 16.0–18.0, the cost of equity financing would easily compete with the debt route, taking pressure off the bond markets and helping to lower interest rates.

The federal government can take a number of constructive steps to repair the equity markets, save all the financial markets and avoid a liquidity crunch. Curing the sickness that afflicts the stock market would make venture capital available again. Venture capital is the seed money necessary to support invention, the testing of new ideas, and long-term economic creativity.

3. A 10-POINT PROPOSAL FOR GOVERNMENT ACTION

(1) Eliminate the capital gains tax. Capital gain on the sale of a residence is taxed only if a new home is not purchased with the proceeds. Reason: homes are deemed to be a necessity. But investment, particularly equity investment, is a necessity now too, and an especially urgent one.

(2) Eliminate double taxation on common dividends either by giving corporations a dividend tax credit or by granting a much larger one than $100 to individuals who receive dividends. This would make equity investment income more attractive.

(3) Permit price-level adjustments in property, plant and equipment in the determination of the depreciation deduction for corporate tax purposes, so as to improve cash flow, and permit corporations to replace worn-out equipment at today's prices which are much higher than the original equipment cost.

(4) Increase the investment tax credit, especially in areas related to resource development, energy, technology, ecology, pollution control and waste recycling.

(5) Reduce on a graduated basis, the tax deductibility of long-term interest charges and lease obligation expenses when debt-to-equity ratios reach specified levels in order to discourage excessive use of debt and protect the quality of corporate balance sheets.

(6) Provide modest tax incentives keyed to corporate productivity gains.

(7) Permit greater deductibility of capital losses on individual income tax returns. Only $1,000 of capital losses can currently be offset against taxable income in a single year.

(8) Provide increased and more efficient government insurance against brokerage house failures so as to rebuild investor confidence.

(9) Enact legislation to force institutions to maintain orderly markets in block transactions. The equity market needs more stability and liquidity.

(10) Spur pure research and development by companies with tax credits or government funding so that by 1978 the pace of domestic new product introduction will once again be advancing. Otherwise our competitive position worldwide will sink.

There is a resilience and youthful spirit in America that makes possible a change in institutions to preserve our economy and the American way of life. This nation has been in revolution since 1776. By the Second Centennial, in 1976, the ongoing American revolution hopefully will have once again tackled and solved the problems of the day. To this end we urge Congress to act now with deliberate speed . . . to preserve and to protect the economy and the capital markets.

"No counsel is more trustworthy than that which is given upon ships that are in peril". Leonardo da Vinci, 1452–1519

4. INCOME DISEQUILIBRIUM, 1947–1973

Despite a few ups and downs, the U.S. economy as measured by the GNP (gross national product) increased from $231 billion in 1947 to $1,288 billion in 1973, an increase of 460% in 25 years. Of this gain 290% is represented by inflation, 170% by real growth.

As a percent of the national income, employee compensation widened from 65% in 1947 to 75% in 1973 while corporate profits before taxes slipped from 16% to 12%. The track record for corporate income after taxes has been far worse.

The demand for goods and services from the government and private sectors in the U.S. has been consistently strong over many years. As a result, corporations have traditionally striven to expand the capacity of their manufacturing facilities and assure their sources of raw materials and energy.

To do so requires investment capital which can come from only three sources: (a) retained corporate earnings (after dividend payments), (b) equity financing and (c) debt formation.

Since 1947, the effective tax rate on the income of corporations has increased from 36% to over 44% in 1973. Result: corporate profits after taxes as a percent of national income have shrunk from 10% to 6.7%, just one-eleventh the amount paid out annually for employment compensation. In other words, while employee compensation has leaped 510% in the last quarter decade, corporate profits have advanced only 255% (half as fast).

Corporate income is used for just two purposes: (1) reinvestment for growth and (2) dividend payments to private investors. Between 1947 and 1963, dividend pay-out of taxable income widened from 20% to 28%. During this same period of tax rate expanded by a quarter to the 44% level prevailing today. As a result, retained earnings as a proportion of pretax income narrowed to 28% from 44% just a decade and a half before.

From 1963 to 1965 the gap between the productive capacity of the United States and the actual GNP was eliminated in part because of a temporary tax cut; this expansion generated explosive demand for working capital on the part of corporations to support sales growth and finance new investment.

From 1963 to 1968, corporate dividends increased 44% as pay-out ratios held steady in the 25%–28% range. This was beneficial to investors and the equity markets. But beginning in 1967 the tax rate began to climb again rising to 47% in 1970 and then returning to the 44% level by 1973.

The tax bite increased at the same time as the demand for capital ballooned. In response, corporate managers were forced to squeeze dividend pay-out ratios down from 27% in 1967 to a skimpy 22% in 1973, only a little more than the post World War II figure (20%). Consequently, dividends inched ahead just 18% in the last five years as

against 44% in the prior five years when inflation was far milder. (Between 1968 and 1973 consumer prices rose by about 30%.) This pay-out ratio maneuver, in part due to the wage, price and dividend controls program, helped to alleviate the corporate working capital problem somewhat. But it could not solve it.

So corporate managers turned to the financial markets for funds. By the late Sixties, the declining ratio of profits to national income coupled with shrinking dividend payout ratios had taken a heavy toll of the equity markets. The stock market had tumbled. The bond market and the banks were under pressure to supply corporations with capital which previously would have come from the equity markets.

As corporations turned more to debt instruments to finance growth, their fixed charges and financial leverage rose. Interest rates did too, in a wild sort of way . . . from 4%–5% in the decade ending 1965, to 5%–6% by 1967 and 8%–10% currently. Something will have to give—and it's probably the U.S. standard of living—unless fundamental problems are faced and decisive action taken.

5. HISTORICAL PERSPECTIVE

It happened 2000 years ago: after the assassination of the Roman Consul, Julius Caesar, in 44 B.C., interest rates soared to 12% per year, unemployment climbed and capital investment fell off. The Roman "nation", comprising 20 million people at the time, was on the brink of collapse.

But Julius' successor, Octavian, and his followers, acted to preserve and rebuild the economy by establishing a responsible government and converting Egyptian gold into Roman coins. The circulation of new coins and their very gradual debasement over the next two centuries provided an ample money supply for the support of investment and growth. Public works spending coupled with public employment in the Roman army spurred consumer demand. (Welfare was minimized by limiting the dole to 200,000 citizens.)

The government encouraged savings of 25%–30% by its legionnaires so that on retirement, after 20 years of service, they could invest in a small business or buy a house. Well-paved roads or bridges were constructed all the way from Britain to Arabia Aqueducts, theaters, wharfs, canals and entire cities (free of traditional walls) were built in an era of great peace defended by a powerful army on the frontier. (Seven soldiers per 1000 of population was common, a figure not equalled except in modern times, when economies again were strong enough to support such a force.)

New mining districts developed to provide necessary raw materials. Energy was plentiful. Trade expanded. Imports to, and exports from, lands as far away as China, India and Scandinavia increased. Wine, olive oil, perfume, ceramics, glass, bronze, silverware and a variety of small industries grew up as well. Farmers prospered and so did the alfalfa fertilizer industry.

The factory system advanced too under the capable leadership of individual Roman industrialists and even some joint-stock companies. Factories, employing hundreds and even thousands, produced bronze lamps, kitchen utensils, pipes and valves, blown glassware and unbreakable glass bowls. The textile, brick, tile, steel, central heating, crane and derrick, and shipbuilding industries all flourished.

Then came the collapse. Over-taxation to support government extravagance, political intrigue and corruption, constitutional crises, protein-deficient and lead-tainted diets, disease, slavery, revolution, and ultimately anarchy, took their toll.

Economic expansion ceased in 235 A.D. From 256 to 280 prices rose 1000%. Both industry and agriculture folded, trade shrivelled. 40 million people faced starvation. The golden age of Rome (40 B.C. to 230 A.D.) had passed . . . for good.

MIDDLE EAST REFUGEE PROBLEM

HON. WILLIAM S. BROOMFIELD

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Monday, August 19, 1974

Mr. BROOMFIELD. Mr. Speaker, one of the tragic aftermaths of war is the problem of the homeless refugees. The Geneva conference will be meeting shortly to deal with the Middle East situation, and the refugee problem will surely be high on the list of priorities.

Phillip Slomovitz, editor of Michigan's only English-Jewish newspaper, the Jewish News, questioned how the conference will resolve this problem in a recent editorial.

The editorial outlines the Israeli position on this vital issue, and raises questions we should all be asking. The answers to these questions may well determine the future course of events in the Middle East, and I offer Mr. Slomovitz' timely comments to my colleagues for their consideration:

WHO WILL SOLVE THE REFUGEE PROBLEM?

The unresolved refugee problem is certain to be major on the agenda of the approaching Geneva conference which is to deal with the Middle East situation and with proposals for possible peace negotiations between Israel and the Arab states.

How will the problem be tackled? Will the major world powers, the United States and the Soviet Union, be pragmatic about it? Will all the facts relating to the issue be taken into consideration?

Responsible research conducted in Israel by the Association for Peace on the question of refugees in a number of world areas presented these facts.

Refugee problems which have been solved by the integration of refugees in the countries where they sought refuge:

[Year, countries involved, and number of refugees integrated]

1945–48: West Germany, 9.7 million Germans from Eastern Europe (Poland, Soviet Union, Czechoslovakia).

1945–48: East Germany, 3.8 million Germans from Eastern Europe.

1947–50: India, 8.5 million Indians from Pakistan.

1947–50: Pakistan, 6.5 million Pakistanis from India.

1953–55: South Korea, 5.5 million Koreans from North Korea.

1954–56: South Vietnam, 1 million Vietnamese from North Vietnam.

Israel's position on refugees was outlined in the study as follows:

The 700,000 Jewish refugees from Arab countries, and the survivors from the Nazi Holocaust, have been resettled and integrated into Israel's economy.

Israel is willing to agree on full compensation to Arab refugees, as part of a workable agreement on the entire matter of resolving the conflicts with the Arab states. In fact, Israel is prepared to participate in and cooperate with the International Development Fund in arriving at a solution of the refugee problem.

What's the Arab role in the serious issue? Are they prepared to assist in solving problems affecting 1,500,000 refugees in the camps? Are the Arab states, with their $20 billion in world banks willing to assist in solving the needs?

This is no longer a one-sided matter. Arabs owe a responsibility to their kinsmen to put an end to suffering among them. The problem cannot and will not be solved by a mass invasion of Arabs into Israel. This would inevitably lead to Israel's destruction, and that's a danger that neither Israel, nor her kinsmen throughout the world, nor the world powers, can afford to countenance.

The security of Israel is at stake, and the civilized world is expected to combine the forces of civilized people to prevent an entire people's destruction. The Geneva conferees will be put to the test soon in this vital issue.

SURVEY TAKEN BY OHIO HEALTH DEPARTMENT

HON. DAVID R. OBEY

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Monday, August 19, 1974

Mr. OBEY. Mr. Speaker, the Industrial Union Department of the AFL–CIO recently requested the Ohio State Health Department to determine the rates of still births and fetal deformations in Ohio communities where substantial numbers of workers are involved in vinyl chloride and polyvinyl chloride production.

Last January it was revealed by B. F. Goodrich officials in Louisville, Ky., that vinyl chloride, a petroleum derivative from which one of our most important and widely used types of plastic is manufactured, was the possible cause of liver cancer among the workers who manufacture it into plastic. Since that time it has been learned that in addition to the one form of liver cancer, vinyl chloride may be causing enlarged livers and spleens, deleterious blood changes, skin eruptions, pathology of the bones of the fingers and restricted lung function. On Friday the disturbing results of the Ohio survey were released indicating that vinyl chloride may be causing malformations in the children of vinyl chloride workers.

Although the State of Ohio did not find a higher number of still births in the communities where polyvinyl chloride is manufactured, they found twice the number of infant deformities in those communities. The State average for malformations between 1970 and 1973 was 11.4 per each 1,000 live births. But in Painesville where Uniroyal and Robintech each have polyvinyl chloride plants the rate was nearly 20 per 1,000 live births. In Ashtabula, where a General Tire facility is located, the rate is 18 per thousand, and in Avon Lake where there is a B. F. Goodrich plant, the rate was 22 per 1,000.

Although we do not know for certain that vinyl chloride is the cause of the high number of malformations in these communities, other studies now being conducted by Dr. Irving Selikoff and the research team at Mount Sinai solely on vinyl chloride workers give some indication of abnormal chromesomes among workers and a higher than normal rate of miscarrieges and still births among the wives of vinyl chloride workers.

It is now estimated that more than 6,500 workers are involved in the production of polyvinyl chloride and about 1.5 million workers or nearly 2 percent of the labor force is involved in shaping the raw plastic into various consumer goods.

These men and women expected the corporation which employed them and the Federal Government they pay taxes to support to see to it that they were protected from this health hazard over which they have no control. Now it appears that many could die, others may live out their lives in ill health, and still others may raise deformed children because they did not know the health implications of dangerous chemicals.

Mr. Speaker, it is time we started to make a greater effort to find out what these chemicals are doing to us. It is time for the Congress to work out differences between the House and Senate versions of the Toxic Substances Act and put that legislation on the books. It is time for the administration to realize the importance of this research and begin giving the agencies involved the kind of administrative backup that is needed to get the job done. It is too late to do anything for many of the workers exposed to vinyl chloride other than assess the damage and impose the strictest possible standards on future use and production of the chemical. But it is not too late to start finding out about the thousands of other dangerous chemicals in the workplace and in our daily environment and we should begin immediately.

A BILL TO AMEND THE INTERNAL REVENUE CODE OF 1954 TO EXCLUDE FROM GROSS INCOME INDEBTEDNESS UNDER HEALTH CARE EDUCATION LOAN PROGRAMS

HON. JOEL T. BROYHILL

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Monday, August 19, 1974

Mr. BROYHILL of Virginia. Mr. Speaker, I have today introduced legislation which is designed primarily to assist our country in developing adequate health personnel for medically underserved and indigent areas.

The legislation was occasioned by what I consider to be an unfortunate ruling by the Internal Revenue Service in 1973 that basically held that amounts advanced to medical students under a State medical loan scholarship program that are canceled upon fulfillment of a condition to practice in a rural area of a State must be included in the student's gross income in each taxable year that the loan is forgiven. On the basis of this ruling, the Internal Revenue Service has been collecting the tax from doctors and others in the year that they have received the forgiveness.

Mr. Speaker, such a result, in my opinion, is unwarranted and must be corrected. The State loan programs for medical students, as well as certain Federal programs we have enacted, are designed to encourage physicians, nurses, and other health professionals to serve in rural areas or in ghetto areas where there is a shortage of health personnel. They are rewarded for so doing by having loans they have obtained, while students, forgiven upon the completion in their service in these areas.

I do not believe that Congress ever intended that the forgiveness of these loans was to be considered imputed income for income-tax purposes in the year in which they were forgiven. Nevertheless, the Internal Revenue Service in ruling 73-256 has held that the individuals involved must include this income in the year the loan was forgiven. This not only destroys the incentive for these needed professionals to go to underserved areas, but it also undermines the whole notion of what Congress had in mind when it enacted programs at the Federal level designed to accomplish the same result.

The legislation I have introduced would exclude from gross income the amount of such indebtedness as well as the payment for loans made by the Federal Government or a State or local subdivision for a scholarship which is conditioned upon the completion of service in a rural or medically underserved area. It seems to me that this is only consistent with our goal to assure an adequate supply of medical personnel to all areas of our country.

At the present time, the Committee on Ways and Means is considering national health insurance legislation. We are all aware of the fact that any national health insurance will increase the demands on an already overburdened supply of medical personnel. We on the committee are concerned about this and recognize that we must do everything possible to assure adequate supply of medical services and personnel to handle the increased demand which will be occasioned by any new national health insurance plan. It is altogether inconsistent that we should allow to stand a revenue ruling which goes in the opposite direction.

Accordingly, Mr. Speaker, I have introduced this legislation to change the result of that revenue ruling and will do everything I can to urge its approval by the Committee on Ways and Means, either as part of our comprehensive tax reform bill or as inclusion in a national health insurance bill.

MORAL HYPOCRISY OF OPPOSITION TO RHODESIA

HON. EARL F. LANDGREBE

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Monday, August 19, 1974

Mr. LANDGREBE. Mr. Speaker, probably this week the House will be deciding whether in effect to repeal the Byrd amendment which allows the United States to purchase strategic goods from Rhodesia. Over two-thirds of the world's resources of metallurgical grade chrome ore is located in Rhodesia and nearly another one-fifth in South Africa. Thus about 90 percent of the world's chrome resources which are vital in stainless steel production are concentrated in these two countries. Yet under the terms of the legislation we will be considering both these countries will be prohibited from exporting their chrome to the United States. Instead we will be compelled to import this resource from the Soviet Union and, as in the period from 1967-71, pay nearly whatever price the Kremlin arbitrarily decides we must. Therefore, we will be legislating an embargo against ourselves.

Several of the major fallacies that exist in the arguments for changing the current policy of the United States toward Rhodesia have been pointed out in a recent letter to the New York Times by Carl Brenner. He elaborates upon the moral hypocrisy that exists in so much of the discussion over the embargo of Rhodesia. While we have been urged to boycott Rhodesia because of their internal racial policy, no such consideration has been given to the internal policies of the inevitable alternative chrome supplier—the Soviet Union. If anything, one must certainly acknowledge that the Communist dictatorship in the Soviet Union engages in a much more repressive policy than anyone could contend exists in Rhodesia where the "Government is based on Anglo-American notions."

Similarly one finds that even in Africa the Zambian Government, which is ruled by black Africans and urges us to support the boycott, purchases coal from Rhodesia because they find that this is in their own economic self-interest. As Brenner states:

> If the U.S. has no moral problem in trading with the various Communist countries, and Zambia has no moral problem in trading with Rhodesia, then the U.S. should have no moral problems with Rhodesia.

Lastly Brenner points out that the same Soviet Union which will be benefitting from any reimposition of a boycott of Rhodesian chrome currently supports armed guerrilla terrorism in East Africa. Yet, ironically, we have been urged to boycott the products of Rhodesia because the United Nations has declared them a "threat to world peace." We must follow the reality of the situation rather than the rhetoric of the U.N. and reject this misconceived legislation. I request unanimous consent that the letter by Carl Brenner in the New York Times be included in the RECORD at this point.

The letter follows:

ON BOYCOTTING RHODESIA

TO THE EDITOR: The House will vote soon on the question of whether or not the U.S. should import chrome ore from Rhodesia. The Nixon Administration would have Congress renew the chrome embargo against Rhodesia on moral grounds.

The Soviet Union is the only other source of chrome ore of comparable quality. American steel companies had to buy chrome from the Soviet Union during the last embargo because chrome is needed to produce high-grade steel. Consider the risk in U.S. total dependence on the Soviets for chrome. Of course, New England Power and W. R. Grace buy coal from Poland. Occidental Petroleum has signed contracts to buy Soviet natural gas. So one can see that we buy certain natural resources from the Soviet Union.

Zambia, a black Communist-oriented country, buys coal from Rhodesia, which happens to have vast deposits of coal and copper besides chrome. The writer saw the railroad cars at Victoria Falls.

The Administration's hypocrisy lies (1) in our disgust for boycotts aimed against America, e.g. Arab oil, and (2) in our desire to promote détente through trade, e.g. with China and Russia, as opposed to the Administration's willingness to boycott Rhodesia on moral grounds. If the U.S. has no moral problem in trading with the various Communist countries, and Zambia has no moral problem in trading with Rhodesia, then the U.S. should have no moral problems with Rhodesia.

Is the Administration going to inquire into the internal politics of all of America's trading partners? Assuming *argumendo* that we ought to make the inquiry, then Solzhenitsyn's disclosures in the "Gulag Archipelago" provide a clear, convincing basis to boycott the Soviet Union on moral grounds.

The moral basis for boycotting Rhodesia is that a white minority controls the country. Rhodesia does not practice apartheid, and its Government is based on Anglo-American notions. For example, I attended a murder trial in Salisbury, Rhodesia, in 1973 in which three lawyers (two black, one white)—paid by the state—defended three indigent blacks in open court.

If it is appropriate to inquire about Rhodesia's internal politics, close examination shows Rhodesia is pro-West and pro-U.S. Though the white minority does control the black majority, it is done with black participation at present, and increasing numbers of blacks are being educated and enfranchised.

The Soviet Union and China want the U.S. to weaken Rhodesia through isolation. A weakened Rhodesia would fall to the possession of Zambia and Tanzania, where Soviet and Chinese weapons have been captured from terrorists based there. The State Department has confirmed that the terrorists are getting Soviet and Chinese help.

Rhodesia needs our trade, and we need its chrome. It would be a foolish hypocrisy to isolate Rhodesia, as proposed by the Administration.

CARL BRENNER.

SAN ANTONIO, TEX., *July 14, 1974.*

NATIONAL STUDENT LOBBY COMMENTS ON THE PROPOSED TITLE IX REGULATIONS

HON. PATSY T. MINK

OF HAWAII

IN THE HOUSE OF REPRESENTATIVES

Monday, August 19, 1974

Mrs. MINK. Mr. Speaker, the proposed regulations to title IX of the Education Amendments of 1972, regarding sex discrimination in educational institutions receiving Federal financial assistance, were finally published on June 20. The proposed regulations would apply to nearly all the public elementary and secondary schools and to almost 2,500 postsecondary institutions of education, covering such subjects as admissions policies, the treatment of students, employment, and procedures for enforcement.

The public is invited to send in their comments on these regulations up to October 15, 1974. I would like to submit for the RECORD a copy of the comments I have received from the National Student Lobby:

COMMENTS

The far reaching effects that the Title IX Regulations will have on higher education, in terms of eliminating discrimination for both sexes, makes student comment imperative.

The National Student Lobby, in developing its comments, adhered to the following principles:

(1) Title IX Regulations must deal with sex discrimination in curriculum. An entire section dealing with sex discrimination in curriculum should be incorporated into the Regulations.

(2) It is essential that affirmative action be mandatory rather than optional in the regulations. Each institution must maintain a written affirmative action plan.

(3) Stringent enforcement procedures are necessary if Title IX is to have any effect. Institutions must at least annually be required to submit compliance statements, and HEW must automatically conduct periodic reviews.

(4) Admissions must be non-discriminatory in order to allow equal access to educational institutions. Careful precautions must be taken in order that distribution of financial aid, recruitment and other procedures involved with admissions operations are non-discriminatory.

(5) Men and women should have an equal opportunity to participate in competitive and non-competitive athletics. The fact that opportunities in the past have been discriminatory makes affirmative and remedial action in this area important.

(6) Marital status must have no bearing on a person's opportunity to participate in an educational program or activity.

(7) Equal access must be provided for job opportunities to members of both sexes. It is necessary for equal payment and benefits for equal work.

The following section-by-section analysis, containing the National Student Lobby's more specific comments, has been submitted to its member schools for consideration:

Section 86.2(d). In order to better effectuate the policy of Title IX the useage of "Director" should not only include the Director of the Office for Civil Rights, but any official so designated.

Definition of "Director" should be changed to read "means Director of the Office of Civil Rights or official designated by him/her to carry out his/her orders."

Section 86.2(g)(5). Since any contractual agreement or arrangement made between an educational institution and the Federal Government constitutes a form of assistance, any contractor must be covered as a recipient of "Federal financial assistance."

Section 86.2(m). Since vocational and professional training programs are covered at both the secondary and graduate level, there seems to be no reason to exempt undergraduate institutions from coverage in such programs.

Definition of "Institution of professional education" should be changed to read "means an institution which offers a program of academic study which leads to a first professional degree including those professional degrees offered by undergraduate institutions in a field for which there is a national specialized accrediting agency recognized by the United States Commissioner of Education".

Section 86.3(b). Since prior discrimination has prevailed at every level of the educational system of this country, there is a need for stringent application of Title IX. To this end every institution must maintain an affirmative action program.

Change by substituting the following: "A recipient must take affirmative action to overcome the effects of conditions which have resulted in limited participation therein of persons of a particular sex."

Section 86.4(a). In order to guarantee compliance, each recipient as a condition for receiving Federal financial assistance must produce a written statement explaining its plan for compliance.

Substitute the words "written compliance statement" each time the word "assurance" appears.

Section 86.4(c). This should be amended in order to maintain a form that will be consistent with 86.4(a).

Change by substituting the following: "The Secretary shall insure that each application for Federal financial assistance for any educational program or activity is submitted to the Director and is approved by him/her before receiving approval for funding. Such compliance statements will be required by the applicant's or recipient's subgrantees, contractors, subcontractors, transferees, or successors interest."

Section 86.6(b). Coverage in this section should also include employees or potential employees.

Each time the word "student" appears, add the words "employee or applicant for employment."

Section 86.6(b). This section seems to imply that curriculum regulations set up on a state or local level are not binding when they have the effect of perpetuating sex bias. Also, employment discrimination which might be acceptable under state or local provisions would be unacceptable under this section. It is the responsibility of the Office for Civil Rights to use this section to enforce curriculum non-discrimination.

Section 86.7. Since a recipient's practices may appear to be non-discriminatory on the face, but in fact result in the exclusion or limitation of persons of one sex, prohibition of such discrimination must be included.

Insert the following at the end of this section: "Employment practices which on the face appear to be non-discriminatory, but in fact result in the exclusion or limitation of persons of one sex are prohibited."

Section 86.8. Since sex discrimination cannot be eliminated in educational institutions without individuals specifically responsible for coordination of such efforts, every institution should be required to designate at least one qualified employee who is adequately compensated, to be responsible for such activities.

Substitute for "an employee" the following: "one or more qualified employees, all of whom receive adequate compensation for their efforts."

Section 86.9(a)(2)(b). Since visual images often have an important impact on potential or actual students or employees, this section is vital.

Section 86.11. Educational programs should be covered by Title IX regardless of whether that specific program receives direct Federal financial assistance.

Change to read: "applies to every recipient and to each educational program or activity operated by such recipient regardless of whether that particular program or activity receives or benefits directly from Federal financial assistance."

Section 86.12. This section is acceptable in that it assures First Amendment rights and at the same time assures application of Title IX.

Section 86.13. Although this section is statutorily mandated, discrimination against persons of one sex at any institution, military or otherwise, is unacceptable.

In order that a definition of "military training as its primary purpose" is clear, the regulations should enumerate the institutions which qualify for exemption.

Section 86.14(a). This section needs no revision.

Section 86.16(b). Institutions which formerly were single sex and are in the process of converting to co-educational should be required to recruit to overcome effects of past discrimination.

Should be changed to read: "86.16(b)(6).

Outline methods for instituting recruitment program to overcome the effects of past discrimination."

Section 86.16(c). Institutions which are in the process of converting to co-educational institutions must recognize their responsibility to practice non-discrimination in all programs except those exempted by 86.15.

Add to the end of (c): "No recipient protected by Section 86.15 shall practice discriminatory policies in any of its programs outside of admissions."

Section 86.21(b). Steps to overcome such past effects of sexual bias must be taken. Therefore, the regulations must prohibit use of criterion for which substantial differences in meeting such criterion exists based on sex for all age groups.

Change to read as follows: "(3) A recipient shall not consider any criterion as part of the admissions process for which discrepancies based on sex exist including criterion for which applicants of particular age groups may fulfill such criterion to a different degree than applicants of the opposite sex in the same age group."

Section 86.21(b)(3). Insert the following: "A recipient shall outline in writing what criterion are used for admission to each of its programs. Such criterion may not in any way subject applicants to discrimination on the basis of sex. This requirement is in no way intended to imply that subjective criterion is unacceptable."

Section 86.22. Institutions made up entirely or predominantly of the male sex have traditionally been given preference over students from institutions made up entirely or predominantly of the female sex.

Change to read "A recipient to which this subpart applies shall not give preference to applicants for admissions on the basis of attendance at any educational institution or other school or entity which admits as students only or predominantly members of one sex unless such recipient allows equal preference to applicants from institutions, schools, or other entities which admit as students only or predominantly members of the other sex."

Section 86.23(a). Equality in recruitment must apply in every program and administrative unit of any institution.

Change to read: "A recipient to which this subpart applies shall make comparable efforts including financial incentives to recruit members of each sex. Such comparable efforts must include non-discriminatory recruitment practices at every institution at which the recipient recruits. Any recruitment effort which on its face appears non-discriminatory, but results in favoring one sex over the other is prohibited."

Section 86.23(b). This section should be amended to make sure that there is comparable recruitment at male and female single-sex or predominantly single-sex institutions.

Change to read: "A recipient to which this subpart applies shall not recruit at an educational institution, school or entity, which admits as students only or predominantly members of one sex—unless such recipient can prove to the Director in writing that such recruitment is non-discriminatory because of comparable efforts at similar institutions, schools or entities which admit only or predominantly members of the other sex."

The following items should be included:

Section 86.24. Financial Assistance: A recipient to which this subpart applies shall not discriminate on the basis of sex in offering fellowships, scholarships, loans or any other form of financial assistance to potential applicants, applicants or students.

Section 86.25. Evaluation of Admission Procedure: (a) A recipient shall at least annually evaluate its admission procedure to insure that no student is denied admission on the basis of sex or subject to discrimination on the basis of sex. (b) A recipient shall record at each admission period the number of applications received, the number of students meeting each of the criterion required for admissions, the number of students accepted, the number of students offered financial aid and the amount of such assistance broken down for each sex.

Section 86.24. Discrimination in granting financial assistance implies discrimination in admissions.

Section 86.25. In order for an institution to insure non-discrimination in its admission procedure, it must collect information on its applicants and admitees by sex.

Section 86.31(b). Sanctions and punishments imposed by an educational institution occasionally differ for each sex, by rule, or regulation or practice. Such discrimination is unacceptable.

Between section (4), and (5) insert: "Subject any person to separate sanctions or punishments;".

Section 86.31(b)(7). This section seems to imply that organizations or other entities which are affiliated with the recipient regardless of how substantial that relation is, are prohibited from discrimination on the basis of sex. Exemptions for entities which are directly affiliated with a recipient should not be made.

Section 86.32(b). Housing for students who are parents should not be discriminatory based on their marital status. Furthermore, no special provision should be made for students of a particular sex in providing special aid, childcare or related services.

And the following under (b)(3): "A recipient may not discriminate on the basis of sex in providing housing for its students who are parents. (i) Housing provided for married parents must be equally available to single parents. (ii) Housing provided for single parents must be equally available to parents of either sex. (iii) Services provided in conjunction with housing must be comparable in quality and cost for all parents regardless of their sex or marital status."

Section 86.34. Classes for which the primary participants are of one sex, will be equal in quality to those of the other sex.

Insert between 86.34(a) and (b): "A recipient shall insure that courses in which members are predominantly one sex, are equivalent in size and quality to courses in which the members are predominantly the other sex."

Section 86.34(c)(1). It is imperative that counseling and related materials be totally free of sex discrimination.

Add: "Nor shall they use materials which are sex biased, whether subtly-through illustrations or overtly through sex biased or stereotypical portrayals of a particular sex."

Section 86.34(c)(2). Traditionally institutions have used sex biased materials. To insure that they do not continue, review and correction of counseling materials is imperative.

Add: "Annual reviews should be conducted to assure that sex bias does not exist in testing or other material used to appraise or counsel students."

Section 86.35(2). This section should be deleted.

Insert in this section: "Nothing in this section prohibits administration of a scholarship, fellowship or other financial assistance in order to overcome effects of past discrimination on the basis of sex."

Section 86.35(b)(1). Discriminatory practices on the part of the placement service must be prohibited.

Amend as follows: "Shall take such action including nondiscriminatory job placement counseling as may be necessary. . .".

Section 86.35(b)(3). Written reports must be submitted by the recipient.

Add: "Recipients shall report annually on student employment broken down by sex including wages, number of hours worked, job descriptions, and other conditions of employment for the following students and recent graduates: (i) All students placed by the institution through its placement assistance programs including career placement; (ii) All students employed by the recipient; (iii) All students receiving work-study."

Section 86.35(d). Continued maintenance of separate teams perpetuates discriminatory practices. By eliminating provisions for allowance of separate teams in the regulations, allowance of separate athletic scholarships is no longer applicable. If HEW refuses to eliminate provisions for separate athletic teams, only strong enforcement of financial assistance will begin to equalize athletic programs.

Delete section 86.35(d). If separate teams are allowable add: "Provided that financial assistance to members of each sex is comparable in terms of actual dollars awarded and number of awards granted."

Section 86.35(e). Comprehensive reporting must be instituted.

Add: "Annual reports shall be made on financial aid broken down on the basis of sex. Such reports shall include number of grantees, and amount granted for each financial assistance program administered by the recipient."

Section 86.36. Since gynecological treatment is a necessary component in regular medical care for women there is no reason for exclusion of it.

After "employees or recipients" insert the following: "Pregnancy, childbirth, false pregnancy, miscarriage, abortion or recovery therefrom, shall be treated as a temporary disability in determining coverage by such services. Any recipient which provides full coverage health service must provide gynecological care."

Section 86.37. Since marital or parental status has no bearing on a person's ability to participate in any program which might be offered by an educational institution and pregnancy may affect such participation only temporarily, discrimination against persons on the basis of such status must be prohibited. Guarantee of non-discrimination in this area is especially important. This section prohibits such discrimination.

Section 86.38(a). Separate teams are not acceptable in that they foster discrimination and allow past discrimination to continue to affect athletics.

Insert after "recipient": "Such non-discrimination includes equivalent access to facilities, comparable quality of facilities, comparable access to training resources, equal aggregate expenditures and other services and benefits. No recipient shall provide any physical education or athletic program separately." Delete the final lines of this section and insert the following: ". . . provided that a recipient may operate teams which have a division for each sex where selection for such teams is based on competitive skill. If operation of a team without divisions has the effect of discriminating against one sex, an institution must operate two-division teams. Treatment of each division shall be equal including scoring procedure in competition, use of facilities, coaching, services and other benefits."

Section 86.38(c)(1). This will assure further communication of non-discrimination.

After "Inform members" insert "in writing."

Section 86.42. Deletion of section (a) and (b) in no way imply that subjective criterion is not acceptable, however, use of discriminatory tests or related materials is not acceptable.

Section 86.46. Title IX prohibits unequal periodic benefits on the basis of sex and the regulations should also make such a prohibition. Unisex tables would provide an acceptable and consistent approach to this issue.

Substitute: "Administer, operate, offer or

participate in a fringe benefit plan which provides unequal periodic benefits for each sex."

Section 86.47(e)(1). Consistency with the way pregnancy is treated is necessary. In this section it should be treated as any other temporary disability.

Delete "in writing" unless all other disabilities must be confirmed by physician in writing. Also delete "120 days prior to such date."

Section 86.51. In order to avoid abuse of the bona-fide occupational qualification it should be necessary to require certification and approval from the Director that sex is a bona-fide occupational qualification.

Substitute: "In all cases, exempting employment in a locker room or toilet facility used by members of one sex, the recipient must make application in writing to the Director for certification in each instance where sex is to be considered a bona-fide occupational qualification."

Summary of comments on Sections 86.51 (a) through 86.63(c):

1. Written and scheduled reports are necessary to assure compliance with Title IX.

2. Due process shall be afforded individuals in pursuing their complaints.

3. Ample time (365 days) will be allowed for the complainant to submit complaint and supporting materials.

THE FUTURE OF SOCIAL SECURITY

HON. LEE H. HAMILTON

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Monday, August 19, 1974

Mr. HAMILTON. Mr. Speaker, under leave to extend my remarks in the RECORD, I include my Washington report entitled "The Future of Social Security":

THE FUTURE OF SOCIAL SECURITY

Doubts have been raised about the financial stability of the social security system by recent newspaper and magazine articles. These doubts have threatened the peace of mind of many Americans who presently receive, or in the future will receive, benefits. Several observations about the social security sytsem and its future may be helpful.

The growth in the social security program has been phenomenal. When social security began in 1935, the tax was 2%—1% each on employer and employee—on the first $3,000 of annual income. In 1947 less than 2 million Americans, or 1 in every 71, collected benefits. Today the social security system pays $4.6 billion per month in benefits to 30 million Americans, or 1 in every 7. Over the years, social security expanded to include new benefits, like Medicare and cost of living adjustments, new beneficiaries, including dependents, survivors, and permanently disabled workers. Since 1968 the typical benefit has increased 69%, far more than the 43% increase in the cost of living. During the same period the maximum social security tax has more than doubled.

Despite all the changes, the social security system is not bankrupt, although reforms are needed to assure the integrity of the system. Total assets in social security trust funds at the beginning of 1957 were large enough, before new tax revenues came in, to pay benefits for 3 years and 1 month. By the beginning of 1974, total assets in the trust funds were sufficient to pay benefits for only 9 months.

As these figures suggest, the social security program is clearly operating on a pay-as-you-go basis, with the workers of today paying for today's benefits. Such a system does not necessarily indicate that social security is in fiscal trouble. After all, social security is a social insurance system, unlike private insurance and private pension plans. A private insurance company must have sufficient funds on hand so that it will be able to pay all existing obligations, but a national compulsory social insurance system, with assured income from taxes, need not.

In 1971 the Social Security Advisory Council, consisting of economists, businessmen, and at least one executive from a major life insurance company, stated in its annual report that the test of actuarial soundness for a social insurance system is whether the expected future income from contributions and interest or invested assets will be sufficient to meet anticipated expenditures for benefits and administrative costs over a specific period.

Will social security pass this test for actuarial soundness? For the short run the answer is yes, but in the long run, if reforms are not made, the answer is no. There are several reasons for the funding deficit. For one thing, estimates of the social and economic situation in the country by the Social Security Administration for the period 1964–1975 have not been very accurate. The Administration projected a growth in real wages over the period of 2.1% a year, but between 1965 and 1973 real wage growth has averaged only 1.7%. The Administration also projected a 1964–1975 birth rate gradually declining from 21 per 1,000 to 20 per 1,000, then climbing again, but the birth rate dropped dramatically and now stands near 15 per 1,000.

Although the pay-as-you-go method of financing social security has worked in the recent past, it may not work in the long run given our population growth. Later in this century, the lower birth rate, together with longer life expectancies, will increase the ratio of beneficiaries to taxpayers. In 1947 there were 22 workers for every social security beneficiary; by 1972 there were only 3 workers for every beneficiary.

The result of several factors, including the expanded coverage of the social security system, the automatic increases in benefits as the cost of living climbs, and the declining birth rate, is that by 1990 the Social Security Administration will be paying out $20 billion more in benefits than it takes in that year. Although in the short run there will be no serious problems, the entire area of financing social security for the long-term future requires immediate attention.

An Advisory Council on Social Security was recently named to study means of financing the system. Their recommendations will be submitted to Congress by January 1, 1975, and it is reasonable to expect the Congress to enact legislation to solve the future problems. Over the history of the Social Security Act, many changes have been made, faults corrected, and more adjustments must be made in the future.

Several approaches to assure sound long-term financing are being considered. There are no pat solutions, and each has its drawbacks, but at least they open up the emerging debate on the alternatives. These approaches include trimming benefits, increasing the ceiling on taxable earnings, and financing the system partly through the government's general revenues.

Above all, it is important to remember that the social security system has served us well. It is not perfect by any measure, but a system is worth saving which provides 91% of the people over age 65 with benefits, assures that 95% of all children under age 18 and their mothers will receive benefits if the family breadwinner dies, provides disability benefits to 80% of the population between ages 21 and 64 in case of severe and prolonged disability, and makes a greater contribution than any other program to the prevention of poverty in the nation.

VIRGINIA APGAR, EVOLVED INFANT TEST

HON. SILVIO O. CONTE

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Monday, August 19, 1974

Mr. CONTE. Mr. Speaker. I am proud to represent a congressional district that houses 13 institutions of higher education. The distinguished alumni of these schools have played major roles in shaping policy and programs in all areas of concern in this Nation.

It is with sadness, that I call to the attention of my colleagues, the recent passing of Dr. Virginia Apgar, physician and researcher, developer of the Apgar Score, a test used to evaluate the health of newborn infants. Dr. Apgar was a graduate of Mount Holyoke College, located within my congressional district in South Hadley, Mass. In 1954, she was honored by her alma mater as the recipient of its annual Alumnae Award.

In order that the great humanitarian achievements of Dr. Apgar may be known and appreciated by my colleagues, I insert, at this point, two articles from the Washington Post and the New York Times:

[From the Washington Post, Aug. 8, 1974]

VIRGINIA APGAR, EVOLVED INFANT TEST

(By J. Y. Smith)

Dr. Virginia Apgar, who developed a widely used test to evaluate the general health of newborn infants and to help detect possible birth defects, died in a New York hospital Wednesday at the age of 65.

She had been hospitalized for diagnostic tests and the cause of her death was not immediately known.

Dr. Apgar's test, which she first proposed in 1952, assigns a numerical value of 0, 1, or 2 to each of five bodily conditions: the heartbeat, respiration, muscle tone, reflexes and skin color. A score of four or less is a sign of possible trouble.

Prior to development of the test, doctors (and mothers) generally waited for the infant's first cry to see if it was healthy. Normally, a baby gives its first cry of life within two minutes of birth.

Dr. Apgar's test is normally given within the first 60 seconds of life, because, as she once explained, "that's when the baby is at his worst."

The test became so widely used that it was turned into an acronym; A, for activity (muscle tone); P, for pulse (heartbeat); G, for grimace (reflexes); A, for appearance (skin color); and R, for respiration. It is thus known as the APGAR Score.

Dr. Apgar specialized in problems of infancy and birth defects for much of her medical career.

She assisted in about 17,000 births. In 1959, she became chief of the congenital malformations division of the National Foundation-March of Dimes. In 1968, she was named vice president for medical affairs of the foundation, which specializes in research on birth defects.

In an interview in 1966, Dr. Apgar said: "For a long time, the problem of birth defects seemed beyond solution. It is still, in my view, the most challenging medical problem facing mankind. But it is fair to say that today, under the combined assault of modern day geneticists, embryologists, molecular and cellular biologists, and other research scientists more and more light is being shed on some of the mysteries that have surrounded the cause of birth defects."

Dr. Apgar was born in Westfield, N.J., and graduated from Mount Holyoke College in Massachusetts. She received her medical degree from the College of Physicians and Surgeons at Columbia University in New York in 1933 and spent the next two years as an intern in surgery at Presbyterian Hospital in New York. She then became a resident in anesthesiology at the University of Wisconsin and at Bellevue Hospital in New York.

From 1938 to 1959, she was director of the department of anesthesiology at Columbia-Presbyterian Medical Center in New York and from 1949 to 1959 she was professor of anesthesiology at Columbia. She was the first professor of a esthesiology at that school and the first woman to hold a full professorship there.

She was also a staff-member or consultant at several other hospitals in the New York area.

Dr. Apgar was the author of more than 70 publications for both physicians and laymen, including "Is My Baby All Right?" She wrote on anesthesiology, resuscitation and birth defects, among other subjects. She lectured widely in the United States, Canada, Britain, Australia and New Zealand.

She was a fellow of the New York Academy of Medicine and the late New York Academy of Sciences. She was also a member of the American Society of Human Genetics, the Genetics Society of America, the American Association for the Advancement of Science, the Allan O. Whipple Surgical Society, the board of governors of the American College of Anesthesiology, of which she was also a past president, and numerous other professional organizations.

Her honors included the 1954 Alumnea Award of Mount Holyoke College, the New York Infirmary's Elizabeth Backwell Citation for Distinguished Service to Medicine by a Woman (1960) and the Distinguished Service Award of the American Society of Anesthesiologists.

In private life, she enjoyed stamp collecting, gardening, photography and music. She played the viola with the symphony orchestra of Teaneck, N.J., and with a number of chamber music groups. She was a member of the American Philatelic Society and the Catgut Accoustical Society, a group that made its own stringed instruments.

She resides in Tenafly, N.J. Survivors include a brother, Lawrence C. Apgar, of Pocono Lakes, N.J.

[From the New York Times, Aug. 8, 1974]

VIRGINIA APGAR, BABY-TEST EXPERT—DEVELOPER OF HEALTH CHECK FOR THE NEWBORN IS DEAD

Dr. Virginia Apgar, who developed an internationally recognized test for determining the health of newborn infants, died yesterday at Columbia Presbyterian Medical Center. She was 65 years old and lived at 30 Engle Street, Tenafly, N.J.

The test, known as the Apgar Score, measures five body functions and helps to determine 60 seconds after birth whether a baby needs help to sustain life. The functions, which are checked again five minutes after birth, are heartbeat, respiration, muscle tone, reflexes and skin color.

Dr. Apgar's entire medical career was spent in research, teaching and administration. She never went into private practice.

Dr. Apgar, who was born in Westfield, N.J., graduated from Mount Holyoke College in 1929 and received her medical degree from the Columbia University College of Physicians and Surgeons in 1933. She also received a Master of Public Health degree from Johns Hopkins University in 1959.

PROFESSOR AT COLUMBIA

From 1949 to 1959 she was professor of anesthesiology at the College of Physicians and Surgeons, the first professor of that discipline at that medical school and the first woman physician to hold a full professorship there.

As attending anesthesiologist at Presbyterian Hospital here and as a consultant in that field at Valley Hospital in Ridgewood, N.J., and Goldwater Memorial and Triborough Hospitals here, she assisted in the delivery of close to 20,000 babies.

On March 19, 1944, Dr. Apgar administered the anesthesia in the birth of quadruplets—three girls and a boy—to Mrs. Harry Zarief at Sloane Hospital for Women, 622 West 168th Street.

In 1959 Dr. Apgar changed jobs. She went to the Cornell University Medical School here as clinical professor of pediatrics, and she also joined the staff of the National Foundation-March of Dimes.

NAMED VICE PRESIDENT

At the National Foundation she was named in 1967 as vice president and director of basic research after having served for eight years as head of the division of congenital malformations. In 1973 the foundation promoted her to senior vice president in charge of medical affairs.

Besides these two posts, she also held at the time of her death the position of lecturer in medicine at Johns Hopkins.

Dr. Apgar wrote numerous articles for medical journals. In 1973, together with Joan Beck, she published a book entitled "Is My Baby All Right?"

Dr. Apgar's energies and talents were not confined to medical matters. She found time to develop into an accomplished string instrument player and to build her own instruments, a viola and a cello. She was also a member of the American Philatelic Society.

As a musician she performed with the Teaneck (N.J.) Symphony and other ensembles and belonged to the Amateur Chamber Music Players and the Catgut Acoustical Society, whose members make their own instruments.

Dr. Apgar is survived by a brother, Lawrence C. Apgar, of Pocono Lakes, Pa.

AFL-CIO STRONGLY SUPPORTS S. 1868

HON. DONALD M. FRASER

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Monday, August 19, 1974

Mr. FRASER. Mr. Speaker, Andy Biemiller, director of the AFL-CIO Department of Legislation, has written to every Congressman expressing strong AFL-CIO support for S. 1868.

This letter makes very clear where organized labor stands on this matter. I hope all Members have seen the Biemiller letter. If not, the text of the letter addressed to me follows:

AUGUST 16, 1974.

Hon. DONALD M. FRASER,
U.S. House of Representatives,
Washington, D.C.

DEAR CONGRESSMAN FRASER: The House of Representatives is tentatively scheduled to consider on Tuesday, August 20, S. 1868, the United Nations Participation Act.

The AFL-CIO strongly supports S. 1868 to reimpose the United States adherence to the UN Embargo on Rhodesia, which is being sponsored in the House by more than 100 members. In our 1973 Convention, the AFL-CIO again passed a resolution calling for the repeal of the Byrd Amendment which has placed us in violation of that UN effort since 1971.

All available evidence demonstrates that the renewed and temporary loss of Rhodesia as a source of chrome ore and ferrochrome would create no national security problems, and that there are a sufficient number of other sources for these products to supply our domestic commercial needs.

It is also important to note that our adherence once again to the embargo would help improve our relationship with other African nations upon whom we are reliant for many vital resources.

The United Steelworkers of America, AFL-CIO, has stated that upholding the UN sanctions against Rhodesian chrome will have no adverse effect on American steelworkers' jobs. We concur in that statement.

Sincerely,

ANDREW J. BIEMILLER,
Director, Department of Legislation.

MURPHY VERSUS EVEL

HON. JOHN M. MURPHY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, August 19, 1974

Mr. MURPHY of New York. Mr. Speaker, over the weekend I announced plans to introduce a House Concurrent Resolution to prevent current plans being negotiated by a major network to telecast the suicidal death leap of stunt racer Evel Knievel.

As you know, during my 12 years in Congress I have taken a deep interest in the massive display of violence on television and its possible consequences on the tranquillity on this Nation.

I base my decision to introduce this resolution on the Surgeon General's study of the impact of presentations such as the Knievel "death leap" on the Nation's youth and on their propensity to imitate such behavior. Violence and aggression—in this case a highly dangerous act fraught with violent overtones—shown on television can affect anyone in any case, but it is more likely to be imitated if it seems justified by the prevalent social values. For example, if an established "hero" or "antihero" such as Knievel is committing the violent or aggressive act and if such "hero" is rewarded for his act, the impulse to copy that aggression is even greater.

By his own admission, Knievel stands to make millions of dollars and garner national fame and adulation from this one jump. Indeed, the jump has been termed the "megapromotion" of the century.

The Federal Communications Commission has informed me they are ready to move to prevent telecasting this event if they are given a subtantial mandate from the Congress. I therefore ask colleagues to join me in sponsoring this re-

solution. I call Members attention to an editorial in today's Washington Star-News—Monday, August 19, 1974—entitled, "Evel's Influence." The editorial offers support for the basis of my resolution and I insert it at this point in the RECORD:

EVEL'S INFLUENCE

So if Evel Knievel wants to kill himself on that crazy motorcycle, trying to jump the Snake River Canyon, what business is it of ours to criticize? After all, some will say, it's his skin, isn't it? Well, no, it isn't, altogether. All of us stand to lose something and gain nothing (unlike Evel, who may earn $25 million from the stunt) whether he plunges into the void or makes it safely across on September 8. For what he poses in this senseless exploit really is a moral nightmare for the country.

He figures his survival chances at 50–50, in proposing to leap the 1,500-foot-wide Idaho canyon at 350 m.p.h. on a rocket-assisted motorcycle. It's a matter of big money, but also, without doubt, of his own ego which cannot be satisfied anymore by jumping all those massed Mack trucks as thousands gasp. Also, if that kept going, he might feel compelled to add one Mack too many someday. So if he must, by nature, tempt death beyond any previous limits known to man, why not do it for the biggest possible stakes, before the biggest possible audience, in the grandest setting available? This, we would guess, is the motivating logic.

And the proposition, in effect, is to sell the American public a ringside seat for death, or at least the strong possibility of witnessing that messy outcome. Otherwise, companies promoting numerous Evel Knievel products in connection with the jump would not be headed for sales of perhaps $200 million, according to one estimate. The overpowering offensiveness of this, we think, is in its appeal to children, who are expected to spend tens of millions on Knievel items ranging from toys to T-shirts. "He will jump and the image of the honest man remains—and sells—whether he lives or dies," says an official of a toy firm which hopes to sell a lot, either way.

But no matter how much honesty or bravery there may be in Evel's makeup, these factors are of small account beside other considerations. For essentially, this is an act of violence, in that many of those who watch will, we expect, feel keenly disappointed—deprived of their money's worth—if he doesn't take the deep dive. That is the titillating, profit-assuring potential. And to make his lack of respect for life the basis of a sweeping hero-worship is but to brutalize our society even more, to play upon a baseness in human nature that already is manifested in too much idolatry of violence.

All of us are debased by the presumption that we'll be gaping breathlessly to see Evel take the fall, if that be his fate. We hope that many Americans will decide to give the event no recognition, much less applause.

THE PRIDE OF WATERBURY

HON. RONALD A. SARASIN

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Monday, August 19, 1974

Mr. SARASIN. Mr. Speaker, the entire city of Waterbury, Conn., is extremely proud of the achievement of Joan Joyce who is acclaimed as the best women's softball pitcher in the world. Last week, adding to her many accomplishments, she led her team, the Raybestos Brakettes of Stratford, Conn., to the world's championship of women's softball.

Several national publications, including the New York Times Magazine and the Women's Sport magazine, recently featured the previous achievements of Joan and the Brakettes, including the fact that they had won 10 national titles and compiled an astonishing winning record. The climax of this amazing record was last week, during the 1974 Women's World Softball Tournament, when the team as a whole and Joan individually, displayed their athletic expertise.

Joan pitched 36 innings, including two perfect games, 76 strikeouts, and three no hitters in her credits. She allowed only three hits and during a semifinal game struck out 20 of 21 batters. Joan's lifetime record includes losing only 25 of over 360 games pitched, 70 no-hitters, almost 5,000 strikeouts and a .316 lifetime batting average spanning a 20-year career.

The Raybestos, which represented the United States, had to defeat teams from 15 other countries, including Italy, the Netherlands, Australia, and finally Japan, to win the world title.

Many in women's athletics are becoming celebrities and are entering professional competitions. Women's softball, however, is still played merely for the pleasure it gives the participants and the spectators. The Raybestos Manhattan Co. sponsors the Brakettes by paying the team's expenses, but no salaries or individual travel expenses are received by the team members.

Mayor Victor Mambruno of Waterbury has proclaimed Monday, August 19, as Joan Joyce Night to congratulate Joan and to provide local residents with the opportunity to watch her pitch for the Brakettes in an exhibition game against the Waltham, Mass., Difters.

I would like to join in congratulating Joan Joyce and all other Raybestos Brakettes for their victory last week. I would also like to offer the Brakettes my best wishes for another victory when they defend their national title in Orlando, Fla.. later this week.

TRIBUTE TO HON. O. CLARK FISHER—OUTSTANDING LEGISLATOR

HON. JOE L. EVINS

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Monday, August 19, 1974

Mr. EVINS of Tennessee. Mr. Speaker, I want to take this means of paying a brief but sincere tribute to our colleague, the gentleman from Texas (Mr. FISHER) who is retiring at the conclusion of this term after having served 32 years in the Congress.

As a member of the powerful Committee on Armed Services, CLARK FISHER has devoted much of his life to drafting and sponsoring legislation to enhance and strengthen the military strength of this Nation.

He is able, dedicated, and conscientious—he has served his district, State, and Nation faithfully and well throughout his distinguished career of public service which spans more than three decades.

He is a conservative Democrat who lives in San Angelo, Tex.; a rancher, scholar, author, Christian gentleman and grandfather. He is the author of several publications on Texas heritage and his family.

Certainly we regret CLARK FISHER'S decision to retire—he will be missed in these sacred precincts.

However, we understand his desire to enjoy a richly deserved retirement with his family and we wish him the very best of good luck and success, good health and much happiness in the years ahead.

SENATE—*Tuesday, August 20, 1974*

The Senate met at 9 a.m. and was called to order by Hon. HARRY F. BYRD, JR., a Senator from the State of Virginia.

PRAYER

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

O God, our help in ages past, our hope for years to come, in times heavy with crises and fraught with startling changes, help us to be strong and wise and unafraid. As we play our part in these days of destiny, keep us ever in the spirit of prayer—for we need Thee every hour.

We pray for the President and for all who serve the Government of this Nation. We pray especially for every emissary abroad upholding the ideals, the policies, and the concerns of this Republic in other nations. We offer our heartfelt thanksgiving for the selfless service of Rodger Davies, who in the midst of other people's conflicts, as an ambassador of goodwill, made the supreme sacrifice. Grant him peace and encompass all who are dear to him with Thy comfort and grace.

In the Redeemer's name, we pray. Amen.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

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

The second assistant legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, D.C. August 20, 1974.

To the Senate:

Being temporarily absent from the Senate on official duties, I appoint Hon. HARRY F. BYRD, JR., a Senator from the State of Vir-