

HOUSE OF REPRESENTATIVES—Wednesday, July 3, 1968

The House met at 11 o'clock a.m.

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

I will keep Thy law continually, forever and ever; and I shall walk at liberty, for I have sought Thy precepts.—Psalm 119: 44, 45.

God of our fathers, in whose name our Nation was conceived, under whose banner it was born and by whose spirit it continues to live in liberty under law, we pray that we may be worthy of the blessings so abundantly bestowed upon us.

In this difficult day and through these turbulent times may our faith in Thee and our faithfulness to our country reveal the superiority of our way of life. More than ever before may we be loyal to the truth, may we stand firm in honesty and at all times be deeply and sincerely compassionate.

May every lover of liberty, every citizen of our country, pledge his life and his honor to keep the laws of our land and to support the Constitution. May reverence for law and order be breathed into our children, be taught in our schools and universities, be proclaimed from our pulpits and be enforced by our courts of justice.

As we remember the signing of the Declaration of Independence let us again sing and pray:

"Our fathers' God, to thee,
Author of liberty,
To thee we sing;
Long may our land be bright
With freedom's holy light;
Protect us by Thy might,
Great God, our King."

Amen.

THE JOURNAL

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Arrington, one of its clerks, announced that the Senate had passed without amendment a concurrent resolution of the House of the following title:

H. Con. Res. 792. Concurrent resolution providing for the adjournment of the two Houses from Wednesday, July 3, 1968, to July 8, 1968.

The message also announced that the Senate agrees to the amendments of the House to bills of the Senate of the following titles:

S. 322. An act to restrict the disposition of lands acquired as part of the national wildlife refuge system;

S. 1251. An act to make certain reclamation project expenses nonreimbursable; and

S. 2701. An act to provide for sale or exchange of isolated tracts of tribal lands on the Flathead Reservation, Mont.

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 amend-

ments of the House to the bill (S. 1401) entitled "An act to amend title I of the Land and Water Conservation Fund Act of 1965, and for other purposes."

The message also announced that the Senate had passed a bill of the following title, in which the concurrence of the House is requested:

S. 3710. An act authorizing the construction, repair, and preservation of certain public works on rivers and harbors for navigation, flood control, and for other purposes.

The message also announced that the Presiding Officer of the Senate, pursuant to Public Law 115, 78th Congress, entitled "An act to provide for the disposal of certain records of the U.S. Government," appointed Mr. MONRONEY and Mr. CARLSON members of the Joint Select Committee on the part of the Senate for the Disposition of Executive Papers referred to in the report of the Archivist of the United States numbered 68-15.

GOVERNOR ROCKEFELLER SHOULD APPOINT A SUCCESSOR NOW TO THE LATE SENATOR KENNEDY, NOT AFTER THE CONVENTIONS ARE OVER

Mr. STRATTON. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

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

There was no objection.

Mr. STRATTON. Mr. Speaker, I am sure we have all been reading in the papers the latest "thriller-diller." Will Governor Rockefeller or will he not appoint Mayor Lindsay to the U.S. Senate?

All of this is very interesting, but I believe it is time the Governor stopped playing silly, sophomoric games with Mayor Lindsay over the appointment of a successor to the late Senator Robert F. Kennedy and paid some attention to the needs of the people of New York.

Now we hear the Governor will not name a successor until after the Republican convention, because it might lose him votes.

But the power to name a Senator was not given to the Governor to enhance his own political ambitions; it was given to protect the interests of New York State. And as long as the Governor fails to act, New York is short one-half of its proper representation in the Senate. If the Governor waits until August 5, important legislation will be up in the Senate in the meantime, much of it of great interest to New York—gun control, anti-poverty, aid to education—much of it dear to the heart of the late Senator. Any one of these issues may well be decided by a single vote.

It would be tragic, indeed, if legislation of concern to the people of New York were to be lost in the next 5 weeks simply because the Governor, for purely partisan and personal reasons, failed to fill New York's important Senate vacancy. I also think he should name a Democrat.

IN SUPPORT OF PRESIDENT JOHNSON'S SUPREME COURT NOMINATIONS

Mr. CELLER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

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

There was no objection.

Mr. CELLER. Mr. Speaker, I want to go firmly on record to announce my full and complete confidence and support for President Johnson's recent nominations to the Supreme Court.

I believe the President has chosen wisely and well. In selecting Justice Abe Fortas to be Chief Justice, he has nominated one of the most brilliant and able jurists in the land, a man who has won the wide respect of his colleagues on the Court and the trust and admiration of literally thousands of persons in the Federal Establishment.

The President's nomination of Judge Homer Thornberry will bring to the Court a solid and able jurist, whose long career in public service embraces both the judicial and legislative branches of the Government.

I am fully aware, however, that a small group of political opponents are trying with no valid arguments to embarrass the administration and to deny the President his constitutional right. I am shocked and saddened by their tactics.

There is absolutely no question that President Johnson has the constitutional right to select appointees to the Federal and judicial branches for as long as he remains President of the United States. In fact, Mr. Speaker, had the President decided to do otherwise, to act as a kind of caretaker President for his remaining months in office, I think the American people would be justified in criticizing.

These are difficult and dangerous times for the Nation and the world. America deserves—and must have—a full-time President who is in absolute command of his office and who can fully utilize his constitutional prerogatives. President Johnson is doing just that, and he is right.

I believe the President has brought new wisdom and strength to the Supreme Court of the United States in his excellent nominations. This Nation is about to lose the services of one of the great Chief Justices in our history, the Honorable Earl Warren. I have no doubt that Justice Fortas is fully capable of continuing in the splendid traditions of our retiring Chief Justice. And further, I am fully confident that Judge Thornberry will bring new energy and vision to the Court during the momentous years that lie ahead for us all.

I commend the President of the United States for his dedication to the welfare and vitality of the Supreme Court. He has acted unselfishly and with vision in nominating two distinguished Americans.

I hope—and expect—that the Senate, in its wisdom, will promptly consent to these nominations.

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

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

Mr. GROSS. When is it expected that the resignation of Chief Justice Warren will be made? He has not resigned.

Mr. CELLER. I believe the statements between the President and Chief Justice Warren are tantamount to a resignation.

Mr. GROSS. That is the gentleman's opinion.

Mr. CELLER. That is my opinion.

HEMISFAIR, SAN ANTONIO

Mr. PEPPER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

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

There was no objection.

Mr. PEPPER. Mr. Speaker, on the weekend of June 21 my wife and I enjoyed one of the most delightful and interesting weekends we have ever known as guests at HemisFair in the beautiful city of San Antonio of our distinguished colleague HENRY B. GONZALEZ and his lovely wife Bertha whose most gracious hospitality we shall always remember.

We had looked forward to seeing HemisFair commemorating the confluence of the varied cultures of the world into the United States and our own culture. We saw at HemisFair a splendid exhibition of what the various cultures of the world mean to our country as they found their confluence here like a mighty stream within our own borders.

The State of Texas has also adopted as its theme at HemisFair the various people who make up the population of the great State of Texas. We were proud of the U.S. exhibit. It reflects honor and credit on our great country. HemisFair with many Latin American and European participants is a magnificent reflection of the vision and faith of the forward-looking people of San Antonio and the State of Texas.

However, the greatest satisfaction we derived was in seeing the recognition which the people of San Antonio gave to our beloved and distinguished colleague, HENRY B. GONZALEZ. When he walked into a nightclub throbbing with beautiful Mexican music, the people all rose and gave him a great ovation—"Viva HENRY B. GONZALEZ."

They had a HENRY B. GONZALEZ Day at HemisFair on Sunday when the distinguished Governor of Texas presented an award to our colleague HENRY B. GONZALEZ for his great leadership in making possible this outstanding exhibition with all that it means to America.

I am delighted, Mr. Speaker, to inform my colleagues of this happy event which my wife and I, together with several of my colleagues here so much enjoyed. I hope all of you will have an opportunity to visit HemisFair.

PERMISSION FOR COMMITTEE ON RULES TO FILE CERTAIN PRIVILEGED REPORTS

Mr. PEPPER. Mr. Speaker, by direction of the Committee on Rules, I ask unani-

mous consent that the Committee on Rules may have until midnight tonight to file certain privileged reports.

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

There was no objection.

PERMISSION FOR COMMITTEE ON MERCHANT MARINE AND FISHERIES TO SIT DURING GENERAL DEBATE TODAY

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the Committee on Merchant Marine and Fisheries may be permitted to sit during general debate today.

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

There was no objection.

FEDERAL-AID HIGHWAY ACT OF 1968

Mr. KLUCZYNSKI. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill (H.R. 17134) to authorize appropriations for the fiscal years 1970 and 1971 for the construction of certain highways in accordance with title 23 of the United States Code, and for other purposes.

CALL OF THE HOUSE

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

The SPEAKER. Evidently a quorum is not present.

Mr. ALBERT. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 226]		
Anderson, Tenn.	Evans, Colo.	Miller, Calif.
Andrews, N. Dak.	Evins, Tenn.	Minish
Ashley	Ford,	Nichols
Ashmore	William D.	Passman
Baring	Gettys	Patman
Bell	Griffiths	Pool
Berry	Hagan	Pryor
Bingham	Hall	Purcell
Blanton	Halleck	Reinecke
Bow	Hamilton	Resnick
Brown, Calif.	Hanna	Rooney, N.Y.
Burke, Fla.	Hansen, Idaho	Roush
Chamberlain	Hardy	Roybal
Clawson, Del.	Harvey	Ruppe
Colmer	Holland	Shriver
Conyers	Hosmer	Sikes
Corman	Ichord	Stephens
Culver	Jones, Mo.	Taft
Cunningham	Karsten	Thompson, N.J.
Dawson	Kornegay	Ullman
Dickinson	Latta	Van Deerlin
Diggs	Leggett	Vander Jagt
Dorn	Lloyd	Waldie
Dow	Long, La.	Walker
Dwyer	Long, Md.	Wiggins
Edwards, Calif.	Madden	Willis
	Mathias, Calif.	Wolf
	Mathias, Md.	

The SPEAKER. On this rollcall 351 Members have answered to their names, a quorum.

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

PERMISSION FOR COMMITTEE ON FOREIGN AFFAIRS TO FILE REPORTS ON S. 633 AND S. 1418 UNTIL MIDNIGHT, JULY 6

Mr. HAYS. Mr. Speaker, I ask unanimous consent that the Committee on Foreign Affairs may have until midnight July 6 to file reports on the bills S. 633 and S. 1418.

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

Mr. GROSS. Mr. Speaker, reserving the right to object, may I ask what is the nature of those bills?

Mr. HAYS. One of them is a bill on passports and the other is a bill on the USIA.

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

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

There was no objection.

PERMISSION FOR COMMITTEE ON EDUCATION AND LABOR TO FILE REPORT ON H.R. 15067 UNTIL MIDNIGHT, JULY 6

Mrs. GREEN of Oregon. Mr. Speaker, I ask unanimous consent that the Committee on Education and Labor may have until midnight July 6 to file a report on H.R. 15067, the higher education amendments for 1968.

The SPEAKER. Is there objection to the request of the gentlewoman from Oregon?

There was no objection.

JOHN L. WILLIAMS

Mr. DOLE. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks and to include extraneous matter.

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

There was no objection.

Mr. DOLE. Mr. Speaker, on Sunday, June 30, providence claimed the life of John L. "Jack" Williams, who in 1949 came to Washington as the bureau chief of the Kansas City Star.

When I came to Washington as a Member of the House in January 1961, one of the first to greet me was Jack. From that time until his retirement in 1964 I was privileged to have many pleasant associations with this fine gentleman.

Mr. Williams established a reputation for hard, factual reporting, and he was unrelenting in exposing graft and redtape in the Federal Government.

His dry wit and humor endeared him to many. Those of us on the Hill whose offices Jack frequented for stories truly enjoyed his visits.

It is with deep sorrow the news of his passing reached me. Journalism has lost a splendid member, the Nation a fine citizen, and I have lost a good friend.

My heartfelt sympathy is extended to his wife, Blanche, and their children, Richard, Joan, and Nancy.

SHIPPING

Mr. CHAMBERLAIN. Mr. Speaker, I ask unanimous consent to address the

House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

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

There was no objection.

Mr. CHAMBERLAIN. Mr. Speaker, 17 more free-world-flag ships sailed into North Vietnam this past June, and still we hear no word of protest from the administration.

The total number of free world arrivals for the first half of 1968 stands at 78, or exactly the very same number for the entire year of 1967. In other words, this aid and comfort to the enemy is now just double what it was a year ago.

The volume of this trade is up 60 percent since the President announced the bombing restrictions on March 31, from an average of 10 per month for the first 3 months of 1968 to an average of 16 per month during the second quarter of the year, and yet the administration expresses no concern.

So far this year the cargo capability of these free world ships has amounted to over a half million tons, and this includes six tankers. We are not supposed to talk about what these tankers carry, but one does not have to speculate very long to conclude that strategic goods are involved, and still the administration makes no effort to let the American people know about this.

This war is kept going only by supplies—without them the enemy cannot continue to fight—certainly, with our casualties now double what they were a year ago, this is no time to concede the enemy anything.

When the possibility of a negotiated peace depends so much on the free world standing firm, we cannot continue to ignore this problem of free world aid to the enemy without paying for it later with the lives of American boys. Frankly, I have about concluded that the administration simply does not care and is not even trying.

THE ADMINISTRATION PROTESTS

Mr. DENT. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

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

There was no objection.

Mr. DENT. Mr. Speaker, I just heard the previous speaker say that there were 78 free world ships delivering goods to North Vietnam and that he has not heard a protest from the administration. As a member of the administration, I want him not to be able to make that statement again. I do protest.

THE FEDERAL-AID HIGHWAY ACT OF 1968 AS IT AFFECTS THE DISTRICT OF COLUMBIA

Mr. GUDE. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection

to the request of the gentleman from Maryland?

There was no objection.

Mr. GUDE. Mr. Speaker, today we will be debating the highway bill. However, the time allotted for debating the various amendments will be very short. Thus, I would like to call to the attention of my colleagues in the House the fact that I on Monday inserted in the RECORD two editorials, one from the Washington Star and one from the Washington Post, both old and reputable newspapers in the Washington area.

They are in full support of the projects for the District of Columbia and have stated very precisely the reasons why we should enact a highway system for the District of Columbia as proposed by this legislation.

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

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

Mr. McCARTHY. Would the gentleman accept the idea that these newspapers are not completely disinterested in this matter? As a former newspaperman, I can state that they are interested in the District of Columbia and the newspapers which they sell and which are delivered by truck.

While I certainly respect both of these newspapers, I do not think one can say that they are completely disinterested in this matter. They are publications which are printed here in the District of Columbia and which must be moved by truck.

THE FEDERAL-AID HIGHWAY ACT OF 1968 AS IT AFFECTS THE DISTRICT OF COLUMBIA

Mr. MacGREGOR. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

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

There was no objection.

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

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

Mr. GUDE. I thank the gentleman from Minnesota for yielding to me at this time.

I would like to point out to the Members of the House that in regard to the two newspapers to which I alluded, they both have a great compassion and interest for the inner city of Washington and for the problems which exist in this area.

Mr. Speaker, insofar as special interests goes, I think you can find it in every field of endeavor. Some people may have an interest in the highway program because of the profit involved and that same interest would be manifested as I would like to point out by the financial interests through the construction of rail facilities and the construction of underground facilities for mass transit.

Therefore, Mr. Speaker, it is my opinion that a great deal of this depends upon whose ox is being gored.

I believe when two respected national newspapers support this program as in-

dicated by their editorials it merits our most careful consideration. I would suggest to the Members that they look at page 19411 of the CONGRESSIONAL RECORD and read those editorials.

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

Mr. MacGREGOR. I yield to the gentleman from Florida.

Mr. CRAMER. Mr. Speaker, the fact of the matter is that the District of Columbia does not come under the provisions of interstate operations with respect to interstate highways because of the Federal law.

Mr. Speaker, if the District of Columbia does not construct these highways within the period of 3 years, they will lose the money and the District of Columbia will be without interstate highways, being one of the few areas in the country without the benefit of the highway program.

PERSONAL EXPLANATION

Mr. KEITH. Mr. Speaker, on rollcall No. 225 on yesterday I was unable to be present. Had I been present I would have voted "yea" and I would like the RECORD to so indicate.

FEDERAL-AID HIGHWAY ACT OF 1968 AS IT AFFECTS THE DISTRICT OF COLUMBIA

Mr. MACHEN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

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

There was no objection.

Mr. MACHEN. Mr. Speaker, I take this time to also speak on the omnibus Federal-aid highway bill that we will be considering today. Unfortunately, due to the pressure of time, the gag rule has been put into effect, and time to speak on the various amendments almost eliminated, we will not be able to speak as long as we would like on some of the very important amendments that are to be considered.

Thus, Mr. Speaker, I would like to point out to the Members of the House how important section 22 of this bill is to the residents of the Washington area. I wish to compliment the subcommittee and the full committee upon putting section 22 in this bill, which contains mandatory provisions for completing a balanced transportation for the District of Columbia.

Mr. Speaker, it is my opinion that it is important that we adopt section 22 of this bill in order to break this logjam and obtain a balanced transportation system for the city of Washington, D.C., before it is too late.

We, the four Congressmen representing areas adjacent to the District of Columbia, ask that all of you support this section on a bipartisan basis. As a group we met with all interested parties in Maryland, Virginia, and the District of Columbia, to resolve the question that arose after the Secretary of Transportation stopped a freeway program that had been approved by all agencies responsible for the highway program, in-

cluding those in Maryland and Virginia. These plans cost untold millions of extra dollars because they were revised and re-revised so many times.

We need a balanced transportation system including highways; thus, let us not strike section 22.

I do ask the support of the Members on section 22 of this bill, so that it will remain as has been proposed by the committee.

The SPEAKER. The time of the gentleman from Maryland has expired.

WE SHOULD REEVALUATE OUR FOREIGN POLICY

Mr. ROGERS of Florida. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

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

There was no objection.

Mr. ROGERS of Florida. Mr. Speaker, there has been a great deal of talk about the need for this Nation to reevaluate its foreign policy. This has come about for numerous reasons over the past several years.

The concern is bipartisan and, I feel, merited. The proposition of evaluating our position abroad is a vast and, indeed, an ambitious one, but one which is needed. I feel that we can begin this task by looking at our foreign aid program.

For that reason, I hope you will join me in calling for and voting for a 1-year moratorium on the foreign aid program.

It should be pointed out that a 1-year halt in foreign aid appropriations would not mean a sudden and complete halt to all avenues of aid. There presently is an estimated \$4.5 billion in the "pipeline." The World Bank has \$2.2 billion available for lending; the Export-Import Bank, \$13.5 billion. The Inter-American Development Bank has \$175 million per year under the International Development Bank and is expected to have \$1.2 billion in the fund for special operations; the International Development Association, \$1.2 billion; the Asian Bank, \$188.5 million.

If this plan to invoke a 1-year moratorium is successful, then we can give the entire program a thorough examination and better determine what position would be in the best interest of the Nation.

The foreign aid bill will be brought before the House in the near future. We have an opportunity to cut the budget, as we have voted to do, and at the same time start in the process of reevaluating our position among the nations of the world.

A 1-year moratorium on the foreign aid bill would accomplish both goals. I hope you will give this your consideration and join with me to halt for 1 year the foreign aid authorization.

FEDERAL-AID HIGHWAY ACT OF 1968

Mr. KLUCZYNSKI. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on

the State of the Union for the further consideration of the bill (H.R. 17134) to authorize appropriations for the fiscal years 1970 and 1971 for the construction of certain highways in accordance with title 23 of the United States Code, and for other purposes.

The SPEAKER. The question is on the motion offered by the gentleman from Illinois.

The motion was agreed to.

IN THE COMMITTEE OF THE WHOLE

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill H.R. 17134, with Mr. ROSTENKOWSKI in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. When the Committee rose on yesterday there was pending the amendment of the gentleman from New York [Mr. McCARTHY]. If there is no objection, the Clerk will again report the amendment offered by the gentleman from New York [Mr. McCARTHY].

There was no objection.

The Clerk read as follows:

Amendment offered by Mr. McCARTHY: On page 41, strike out lines 9 through 18, inclusive.

Remember succeeding sections and references thereto accordingly.

The CHAIRMAN. Before rising on yesterday, the Committee had agreed to limit debate on the bill and all amendments thereto 1½ hours. The Chair on yesterday read off the names of 43 Members that the Chair observed seeking recognition under the limitation. Each Member so listed is entitled to recognition for 2 minutes.

Does any Member on the list desire to speak to the McCarthy amendment?

Mr. HOLIFIELD. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state his parliamentary inquiry.

Mr. HOLIFIELD. The limitation of debate applies to all amendments to the bill?

The CHAIRMAN. The Chair will state that that is correct.

Mr. HOLIFIELD. Mr. Chairman, I understand that there are at least two amendments which are major amendments, one being as to section 17, and the other on section 22.

Section 17 is now being considered in the amendment offered by the gentleman from New York [Mr. McCARTHY].

The CHAIRMAN. The Chair will state that that amendment is now pending.

Mr. HOLIFIELD. Those gentlemen who wish to speak on that amendment must speak at this time, and they will be precluded from speaking on the section 22 amendment; is that correct?

The CHAIRMAN. The Chair will state that if they so speak on the McCarthy amendment, that is correct.

Mr. HOLIFIELD. I thank the Chairman.

Mr. GROSS. Mr. Chairman, a further parliamentary inquiry.

The CHAIRMAN. The gentleman will state his parliamentary inquiry.

Mr. GROSS. That would be true if they exhaust their time?

The CHAIRMAN. The Chair will state that that is correct.

Mr. GROSS. And only in the event that they exhaust their time will they not be permitted to speak on another matter?

The CHAIRMAN. The Chair will state that that is correct.

Mr. HARSHA. Mr. Chairman, I ask unanimous consent that I may yield my time to the gentleman from Florida on this particular amendment.

The CHAIRMAN. Only on the amendment pending?

Mr. HARSHA. On the amendment pending.

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

There was no objection.

Mr. STRATTON. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state the parliamentary inquiry.

Mr. STRATTON. Mr. Chairman, there is an amendment pending at the desk to strike out money for the highway beautification program.

My inquiry is under what procedure would it be possible for Members to address themselves to that issue under this rule that we entered into last night.

The CHAIRMAN. When that amendment is reported, Members who want to address themselves to the amendment will be recognized.

Mr. STRATTON. A further parliamentary inquiry, Mr. Chairman, it is my understanding that there are other Members who also wish to address themselves to that amendment and I wonder how they would be advised as to when the amendment would be called up.

The CHAIRMAN. The Chair has already advised the House as to how they could be recognized.

Mr. STRATTON. I thought that the Chairman only advised the House with regard to two amendments. Is my understanding of that correct, Mr. Chairman?

The CHAIRMAN. The statement of the Chair was with reference to all amendments.

Mr. STRATTON. I thank the Chair.

SUBSTITUTE AMENDMENT OFFERED BY MR. CRAMER

Mr. CRAMER. Mr. Chairman, pursuant to the unanimous-consent request of the gentleman from Ohio [Mr. HARSHA], I offer a substitute amendment for the amendment of the gentleman from New York [Mr. McCARTHY] relating to Section 17.

The Clerk read as follows:

Amendment offered by Mr. CRAMER as a substitute for the amendment offered by Mr. McCARTHY: On page 41, strike out lines 10 through 18, inclusive and insert in lieu thereof the following:

"Sec. 17. Section 4(f) of the Department of Transportation Act (80 Stat. 931; P.L. 89-670) is amended by inserting 'federally owned' immediately after 'the use of any' in the last sentence of such subsection and by striking out '(1)' in such sentence and all that follows down through and including the period at the end thereof and inserting in lieu thereof the following: 'such program or project includes all possible planning, including feasible and prudent alternatives to

the use of such land, to minimize any harm to such park, recreation area, wildlife and waterfowl refuge, or historic site resulting from such use."

Mr. CRAMER (during the reading). Mr. Chairman, I ask unanimous consent that the substitute amendment be considered as read.

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

Mr. FRASER. Mr. Chairman, reserving the right to object, is it a long amendment?

Mr. CRAMER. A copy of the amendment is on the table there and, in view of the fact that the time was coming out of my 2 minutes, I thought it better to handle it this way.

Mr. DINGELL. Mr. Chairman, with all due respect to the gentleman's intention, most regrettably and as much affection and respect as I have for my good friend, the gentleman from Florida, I think in view of the length and the complexity, it would be well to have the amendment read. Therefore, Mr. Chairman, I object.

The CHAIRMAN. Objection is heard.

The Clerk concluded the reading of the amendment.

The CHAIRMAN. The Chair recognizes the gentleman from Florida [Mr. CRAMER].

Mr. CLEVELAND. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. Does the gentleman from Florida yield to the gentleman from New Hampshire for a parliamentary inquiry?

Mr. CRAMER. No, I do not yield, Mr. Chairman.

Mr. Chairman, if the gentleman will bear with me, I think I will answer the question.

Mr. Chairman, I recognize the concern that many have expressed with regard to this 4(f) section in the bill—and I am as dedicated to adequate parks as anyone is and to adequate recreation areas as anyone is. For that reason I am offering this amendment, which really can be considered a home rule, States rights amendment. I do not think Members fully appreciate that as the Department of Transportation Act was enacted, and as the language presently appears in this bill, this language which I have offered is adopted, with reference to every county, city, and local community, park, recreation area, fishing area, estuarine area, and so forth, the Secretary of the Interior and the Secretary of Transportation can say, "I do not care what you think locally—we are going to overrule you because we do not think this road should go through that area even though you do."

I cited as an example San Antonio, Tex., where by a vote of 2 to 1 the people of that city agreed that it was better to put a road through a city park than to say—tear down 494 private homes. The people voted there by a referendum to provide funds for the route through the park.

I say my amendment will prevent Federal control over local parks and recreation areas in the future, and I would like

to ask the gentleman from Illinois if he will not accept the amendment.

Mr. KLUCZYNSKI. Mr. Chairman, I am happy to accept the amendment as a substitute, the amendment offered by the gentleman from Florida [Mr. CRAMER].

The CHAIRMAN. Does the gentleman from California desire to be heard on the pending amendment?

Mr. MAILLIARD. Mr. Chairman, I am sure the amendment offered by the gentleman from Florida is some improvement over what is in the bill. Nevertheless, I would urge the members of the Committee to vote down the amendment of the gentleman from Florida and support the amendment of the gentleman from New York.

Highway engineers and highway departments are notoriously indifferent to what they run over when they plan their highways. They like the straight path, which is the easiest and cheapest way for them to do their job. But I know of three instances in my State, none of them in my own district, where arguments have developed between local communities and the people and the decisions of the State highway department.

I think this Congress ought to reiterate its position that it has taken in the past, that we are not going to make Federal contributions to highways that destroy historic sites, recreation areas, wildlife refuges, and that kind of use, and I would urge that the McCarthy amendment be adopted.

Mr. FRASER. Mr. Chairman, I ask unanimous consent to revise and extend my remarks at this point in the RECORD.

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

There was no objection.

Mr. FRASER. Mr. Chairman, I want to add my support to the amendment which deletes section 17 from H.R. 17134, the Federal-Aid Highway Act of 1968.

Section 17 needlessly weakens current controls over the encroachment of highways on parks, recreation areas, and wildlife preserves. Strict controls against encroachment were established in section 4(f) of the earlier Department of Transportation Act. Section 4(f) prohibits construction of a transportation facility through a natural area unless there is no feasible or prudent alternative. Section 17 replaces this specific language with a more permissive statement allowing park disruption provided merely that other alternatives have been considered.

My district, Minneapolis, is fortunate enough to have one of the finest park systems in the country. Due in part to the foresight of early civic leaders, Minneapolis residents are able to enjoy a system which includes 22 lakes and thousands of acres of park land. In recent years, however, this system has been gradually eaten away by other public projects—mainly highway construction. A total of 148 acres of park land have recently been taken or are expected to be taken soon for highway purposes. Major new freeways are being proposed which could seriously disrupt the most scenic areas of our city.

I know that my district and most other major urban centers need vastly expanded transportation systems. But these systems must not be allowed to develop at the expense of our irreplaceable park and recreation facilities. Section 4(f) carefully balances the need for more highways with the need for park preservation. If we approve section 17 today, I am afraid that we may be destroying this careful balance.

Mr. HOLIFIELD. Mr. Chairman, I rise in opposition to the substitute amendment and to support the amendment offered by the gentleman from New York [Mr. MCCARTHY]. The additional language added by the gentleman from Florida still is controlled by the word "consideration." In other words, the language of the committee bill places only a requirement that the Secretary consider. It makes it permissive for him to consider 1 minute, 5 minutes, or any number of minutes, and then he can reject.

The original language of the Department of Transportation bill which this Congress adopted provided that the Secretary must refrain from routing a highway through park recreation areas, wildlife recreation areas, and historic sites if there was a feasible and prudent alternative. This is the difference, and it is a very important difference. If there is a feasible and prudent alternative, in my opinion that meant that the Secretary should take it. If there is no feasible and prudent alternative, then, of course, the Secretary could exercise his right to go through the park lands.

Those two words have definite meanings. "Feasible" means engineeringly feasible. "Prudent" means to exercise prudence in making the evaluated judgment. Therefore, if the original language as contained in the Department of Transportation bill—and it considered not only highways but also airports, recreation areas, and maritime rights, as the gentleman from California [Mr. MAILLIARD] very well knows—and the reason the committee had to get a waiver of points of order from the Committee on Rules was because the highway bill as written encroached upon the jurisdiction of at least three standing committees of the House, that is, Interstate and Foreign Commerce, Banking and Currency, and the Merchant Marine Committee.

Mr. Chairman, I predict that the language of the Public Works Committee in section 17 will be changed in conference if it prevails today.

As author and floor leader of the Department of Transportation Act Public Law 89-670, which became law on October 15, 1966, I believe that I should give the House some background information on the events leading to the adoption of section 4(f) of that act, as well as express my concern about section 17 of the proposed Federal-Aid Highway Act of 1968, which in effect repeals or at least drastically changes section 4(f) of Public Law 89-670.

In 1966, when we were considering the Department of Transportation Act, the Committee on Government Operations was faced with a formidable task. We were pulling together into one depart-

ment the Federal Government's functions and responsibilities in all modes of transportation and in connection with all types of transportation projects—air transportation, including air traffic control and airports, railroads and rail research, highways and highway transportation, oil pipelines, the Coast Guard, the St. Lawrence Seaway, the Alaska Railway, and only this year we added urban mass transportation.

In dealing with this broad array of subjects, the Committee on Government Operations, both in the House and in the conference, had to consider literally hundreds of interests and subinterests, both public and private. For example, we had to consider all types of transportation safety and all types of standards for the investment of Federal funds in all types of transportation projects.

We were not considering only highways, only airports, and air traffic control sites, only rail lines or only Coast Guard facilities. We had to consider the impact of these projects on parks, recreation areas, waterfowl and wildlife refuges and historic sites. Even though these matters might not be within the normal day-to-day jurisdiction of the Committee on Government Operations, we were, when we created the Transportation Department, required to take a broad look at the relationship between conservation and transportation facilities. Where other committees may consider conservation and highways or conservation and rail lines or conservation and airports or conservation and Coast Guard stations, we had to take all of these in account in defining the powers of the new Secretary of Transportation.

As a result of this broad consideration by both the House and Senate Government Operations Committee and by the House and Senate themselves, section 4(f) of the Transportation Department Act was carefully drafted. Some extremely stringent Senate language was reworked in conference to provide an effective safeguard for our parks, recreation areas and wildlife refuges and at the same time to not make it impossible to place highways, airports, air traffic facilities, rail lines or Coast Guard stations in these areas when no feasible and prudent alternative exists.

I think we must all agree that our expanding population, our expanding industrialization, our increasing needs for food and fiber and the related transportation requirements will cause ever-increasing pressures on our relatively sparse areas devoted to recreation and conservation values and to our Nation's history. These pressures must be resisted if the national interest is to prevail and if our future generations are to be protected.

Section 17 of H.R. 17134, the proposed Federal Aid Highway Act of 1968, would nullify the language we put into the Transportation Act. In this bill, purporting to deal with highways, we have language completely surrendering conservation and historic values to the highway interests, to the airline interests, to the maritime interests and to the railroad interests.

In 1966 a dedicated Congress told these

interests: "You may go so far and no farther."

I am sure that we Members of the 90th Congress are no less dedicated to our Nation's health and to our wonderful natural and historic heritage.

I strongly urge that we reaffirm this dedication by deleting section 17 of the bill now before us.

The CHAIRMAN. The time of the gentleman has expired.

Mr. ROBERTS. Mr. Chairman, I rise in opposition to the original amendment and in support of the Cramer substitute. I oppose the amendment offered by my friend from New York [Mr. McCARTHY].

I must concede to the gentleman from California [Mr. MAILLIARD], that if the Secretary would rule as the gentleman from California [Mr. HOLIFIELD] wrote the original language, we would have no problem. But the Secretary takes the gentleman's language, which is discretionary and beautifully done and says, "This is an absolute prohibition against going across any park."

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

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

Mr. HOLIFIELD. Mr. Chairman, it was the intent of that language that it should be discretionary and it should not be mandatory upon the Secretary.

I appreciate the comment of the gentleman and I hope this will make the legislative history on that.

Mr. ROBERTS. I hope it will, too.

Will the gentleman from California give me his attention for the few minutes I have left? In the San Antonio case, the city voted to give a right-of-way across Breckinridge Park, but the Secretary said he was prohibited by the law from authorizing a highway across the park. Was he correct as you wrote the language?

Mr. HOLIFIELD. In my opinion the Secretary misinterpreted the intent of the Department of Transportation Act on this point.

Mr. ROBERTS. I think he did too, but we are given no choice or discretion. In one other case, the Colorado case, we had a chance to go across a corner of the wilderness area. That would have cost about \$11 million. The Secretary said it could not be authorized and the highway department had to tunnel through the mountains at a cost of \$27 million.

If the Secretary had interpreted the language the gentleman from California wrote, as it is written, we would have no problem, but under the existing circumstances we have no chance to amend the law.

I ask the Members to vote for the Cramer substitute in order that we may require the Secretary of Transportation to use prudent judgment and restrict his activities. At least tell him we are writing no such prohibition in the law. If it is reasonable and prudent, then put the road through. Avoid parks when reasonably possible—exactly as the gentleman from California wrote the law.

Mr. DINGELL. Mr. Chairman, I rise in support of the McCarthy amendment and in opposition to the Cramer substitute.

Mr. Chairman, it is unfortunate that we have such limited time to explore matters as important as this. I rise in support of the amendment offered by the gentleman from New York [Mr. McCARTHY], and in opposition to the Cramer substitute. I know the area just referred to by my colleague from Texas. The language we are seeking to amend was not used in that decision. The decision was not made by the Secretary of Transportation. It was made by the Secretary of Agriculture, protecting a wilderness area. That is one of the finest wilderness areas in this Nation.

But let us talk about the amendment. I want to express affection for the distinguished members of the Public Works Committee and those who have worked so hard on this amendment. I recognize there may be some problems in connection with the language and in connection with the discretion given the Secretary of Transportation.

Let me make it plain this amendment offered by the gentleman from New York should be adopted and the committee language should be rejected. This goes far beyond the subject of roads. It goes into things which my Subcommittee on Fisheries and Wildlife Conservation has worked a long time to protect the wildlife refuges of the Nation. It goes contrary to the policy of preserving our fish and wildlife refuges inviolate, and intrudes directly into the jurisdiction of the Interstate and Foreign Commerce Committee and goes into mass transit and airports and airlines and into navigational aids and into an abundance of things which are not properly within the jurisdiction of the able and distinguished Committee on Public Works. This is a bad amendment. It knocks down the fences around the parks and recreational areas. We should remember that when we build 1 mile of interstate road, we take up 55 acres of public domain. The roads do not only vitiate and impair the integrity of refuges, parks and historic sites. They often eliminate them as viable, usable, and enjoyable entities.

Mr. HALEY. Mr. Chairman, I rise in support of the Cramer substitute amendment.

(By unanimous consent, Mr. HALEY yielded his time to Mr. CRAMER.)

Mr. CRAMER. Mr. Chairman, I thank the gentleman for yielding.

Mr. Chairman, to make certain this amendment is fully understood, I think this is a fair and reasonable approach for us, fully recognizing the position of the committee and the opponents. This amendment would make certain that if a local community like San Antonio, Tex., says, "We believe we would rather have a portion of our parks—not the Federal parks, but our city parks—used for highways," and, by a vote of 2 to 1, the people back the city council, as they did in San Antonio, the decision of those people ought to stand. The Secretary of Transportation or the Secretary of Interior could not overrule it.

I offer this amendment as a substitute to clearly make the secretarial discretion applicable to all federally owned lands. I do not object to that. It should be that way, but I do not like to see the

Secretary make the decision for the local communities.

Second, there has been some suggestion with regard to the language "no feasible and reasonable alternative." I wrote that into our amendment as one of the considerations, but it is discretionary, and it has to pertain to Federal lands, not to local park property.

I believe anyone interested in local government ought to support the substitute amendment.

I thank the gentleman for yielding.

The CHAIRMAN. The question is on the substitute amendment offered by the gentleman from Florida [Mr. CRAMER] for the amendment offered by the gentleman from New York [Mr. McCARTHY].

The question was taken; and on a division (demanded by Mr. SAYLOR) there were—ayes 62, noes 32.

Mr. McCARTHY. Mr. Chairman, I demand tellers.

Tellers were refused.

So the substitute amendment was agreed to.

The CHAIRMAN. The question now occurs on the amendment offered by the gentleman from New York, as amended by the substitute amendment offered by the gentleman from Florida.

The amendment, as amended, was agreed to.

AMENDMENTS OFFERED BY MR. CRAMER

Mr. CRAMER. Mr. Chairman, I offer a series of amendments and ask unanimous consent that they be considered en bloc.

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

There was no objection.

The Clerk read as follows:

Amendments offered by Mr. CRAMER: On page 25, strike out line 11 and all that follows through and including line 23, and insert in lieu thereof the following:

"(b) The Secretary shall encourage and assist the States to provide for effective control of the erection and maintenance of outdoor advertising signs, displays, and devices along the Interstate System and the Federal-aid primary system which are within six hundred and sixty feet of the nearest edge of the right-of-way and visible from the main traveled way of the systems."

"(b) The first sentence of subsection (1) of section 131, title 23, United States Code, is amended by striking out 'under subsection (b) of this section, or to do so' and the seventh sentence of such subsection is amended by striking out 'under subsection (b) of this section or'."

And reletter succeeding subsections and references thereto accordingly.

On page 26, strike out line 11 and all that follows through and including line 25.

And reletter succeeding subsections and references thereto accordingly.

On page 27, strike out line 22 and all that follows through and including line 12 on page 28.

And reletter succeeding subsections and references thereto accordingly.

On page 28, strike out line 13 and all that follows through and including line 5 on page 29.

And reletter succeeding subsections and references thereto accordingly.

Mr. CRAMER (during the reading). Mr. Chairman, in an effort to conserve time for other Members, I ask unanimous

consent that the amendments be considered as read.

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

There was no objection.

(By unanimous consent, Mr. GROSS, Mr. ZION, Mr. MILLER of Ohio, and Mr. McCLOSKEY yielded their time to Mr. CRAMER.)

Mr. STRATTON. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. STRATTON. Mr. Chairman, the gentleman from Florida offered what he described as a series of amendments. Only one was even referred to with respect to a page number. Are we now deliberating on that amendment alone, or are other amendments, not read, being considered, on which we are being asked to vote?

The CHAIRMAN. The gentleman from Florida stated his request for consideration of the amendments. He asked for unanimous consent, and there was no objection.

The Chair recognizes the gentleman from Florida.

Mr. CRAMER. Mr. Chairman, I will be glad to explain to the gentleman what the amendments do and answer any questions he may have.

What they do very simply is what this House has done before; namely, it takes out the authorizations for beautification, with the exception of administrative money, amounting to \$1.25 million, which is needed to carry out the study written into this bill. That is No. 1.

An amendment was offered on our side, and adopted, which requires a report to be made in January of next year to the Congress with regard to where we are going in these programs and how we will get there. Frankly, no one knows. The States do not know and the Bureau of Public Roads does not know. Therefore, we have to find out what can be done, if anything, with regard to highway beautification, billboard control, the screening of junkyards, and so forth. We have to do that because all of those programs have been proved to be totally ineffective. So we are not ignoring the problem. We are saying: Come up with a plan that works and we can afford to pay for, and we will give some consideration to it next year.

However, now is not the time to do it. I just read the other day that the deficit for this fiscal year is \$25 billion—\$25 billion. Yet we have people saying, "Well, we had better give that beautification highway priority. We have to have that highway beautification program." Well, the funny thing is, you know, they planted a lot of trees a little while ago and now they have cut them down because they turned out to be safety hazards. So it is obvious we do not know where we are going and we should wait for the study on this subject to find out.

This amendment strikes out \$1.5 million for 3 years authorization for billboard control. It strikes out the \$21 million for 3 years authorization for the off-right-of-way beautification, and it strikes out the \$3 million for 3 years

authorization for the junk-year screening or junkyard control.

For those Members who say, "For goodness sake, we should not take out all of the money for highway beautification on the right-of-way," my answer to them is at the present time, unfortunately, in the manner in which the regulations have been established, according to their own regulations, the money spent for on-the-highway beautification, the median strips and the right-of-way and for the picnic areas along the right-of-way, this money is being spent out of construction funds. This amendment does not affect that whatsoever. That is spent out of construction money.

Now, Mr. Chairman, there is one other aspect to my amendment. Present law prescribes a 10-percent penalty of all highway money if a State does not go ahead with the beautification program on billboards and junkyard control. That is 10 percent apiece. The committee, in its wisdom, decided that this does not make good sense. This program is not working and there is not enough money for it. Therefore, we should take out the penalty. So they took out the 10-percent penalty and took out a similar 10-percent penalty with regard to safety. And look at what the committee then did. Look at the priorities. Safety is not important enough to have a penalty of some kind remaining in it. We struck it out. But you take that high priority item known as highway beautification, and they threw a penalty into that. They said if you will have off-right-of-way beautification money within the States for the purposes of buying up rock outcroppings—and that is their own definition—rock outcroppings and the beautiful agricultural landscapes and the beautiful forest areas along the highways beyond the right-of-way—if you are going to spend money for that purpose under 319 (b), then you are going to have to have billboard controls and you are going to have to have junkyard controls.

And, you are going to have to have some control of the situation. Unfortunately, we are not getting any money for it. We are not authorizing any money and are not appropriating any money, but you are going to have this control.

Mr. Chairman, this amendment strikes out that money. It should be stricken in entirety. Money is short and interest rates are high. So why should we even have in here \$1 for a project which is a peacetime program.

Mr. Chairman, we have heard dozens of times about this question of priorities and cutting back, and the tremendous deficit with which we are confronted, along with the increased cost of living and inflation.

Mr. Chairman, here is an opportunity to bring about some economy.

No one would claim that beautification is a high-priority item. Certainly, we will not accomplish beautification by this means.

Mr. Chairman, they talk about billboard control and that the billboards had to be constructed at least 660 feet from the highway. So, as a result thereof, they are building bigger billboards, located farther away. This is being done

today by the big combines, by the big motel chains and restaurant chains which can afford to do so. But the little fellow who has a family-type operation or a small operation cannot afford to do so.

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

Mr. CRAMER. I yield to the gentleman from New Hampshire.

Mr. CLEVELAND. I thank the gentleman for yielding. The time limits are such that debate is difficult. Having introduced a somewhat similar amendment 2 years ago, I hope this amendment is successful. Having introduced the amendment in committee that calls for a report by the Secretary by January 1, 1969, I feel any authorization before that report would be unwise. In addition, I would like to ask a question: Is it not true that last September the Public Works Committee passed a Senate bill authorizing funds for the highway beautification program and that that bill, in view of the fact that the entire situation is so totally confused has been languishing in the Committee on Rules and there has been no attempt to get it out of the Rules Committee since that time?

Mr. CRAMER. The gentleman from New Hampshire is correct. They propose to use this program unless some people who are interested in this program who would like to obtain funds for this purpose from other provisions of the bill. They feel this is a way of getting it in the bill by placing it in a bad section in the hope of getting that section adopted.

Mr. Chairman, I would like to see some fiscal responsibility exercised in regard to this matter.

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

Mr. CRAMER. I yield to the gentleman from Oklahoma.

Mr. EDMONDSON. Mr. Chairman, there are many of use who support highway beautification, but who have been concerned about the implementation of the program, and I share some of the views of the gentleman. At the same time, will not the gentleman agree that the committee already has cut the authorization for beautification far more severely than any other item before the committee this year? There is very little money left in program authorization, is there?

Mr. CRAMER. Mr. Chairman, recognizing the economy requirements and the allocation for this fiscal year for the control of billboards, a program of control which is most severe which was carried out in the Public Works Committee this year, I do not think we should be spending \$29 million, or even \$1 million, for beautification in the next 3 years when we have so many things we have to do, and especially after voting a 10-percent surtax on the people and after cutting funds for the purpose of fighting rats and poverty. I believe our efforts should not be directed toward the planting of posies along the highway.

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

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

Mr. GROSS. How much money does

the gentleman's amendment leave for this purpose in the bill? Any at all?

Mr. CRAMER. All that is left is \$1.25 million a year for administrative costs, and the reason for that is that they have to have a study for next year with reference to the question of the control of billboards. That does make some sense. But if you did not put some authorization in, they would end up taking money out of other facets of the highway program.

Mr. GROSS. I commend the gentleman from Florida for his amendment, and I only wish he had cut all of the money for that purpose out of the bill.

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

Mr. CRAMER. I yield to the gentleman from Minnesota.

Mr. KARTH. I suppose it is a matter of record that the gentleman from Florida and I do not too often agree, but I want the RECORD to show that this is one time we do agree.

Mr. Chairman, so long as we have priorities to deal with, and as long as we have such a critical budgetary situation, my yardstick is that any item ought to be deleted which is not absolutely necessary, and use those moneys for the purposes of education, for the purposes of on-the-job training and retraining of persons to become productive citizens, and I am in full support of the gentleman's amendment.

Mr. CRAMER. I thank the gentleman very much, and hope my usual supporters will not be affected in any way by the new coalition that is now being formed.

Mr. STRATTON. Mr. Chairman, I rise in support of the amendment which has been offered by the gentleman from Florida [Mr. CRAMER]. I had intended to offer a somewhat similar amendment, eliminating the funds for billboard removal.

Like the gentleman from Iowa, I am sorry that money has been left in for more studies, because I believe right now if any Member is disposed to wonder whether he should support the amendment of the gentleman from Florida, the best thing he could do would be through one study that has already been produced on that very issue of billboard control. I put it into the RECORD on page 19408 of the RECORD for July 1, because the Department of Transportation has not been publicizing its conclusions very widely these past few months. This is a study prepared at the direction of the Department of Transportation of New York State by Rensselaer Polytechnic Institute of Troy, N. Y., and paid for by the Federal Government. This study, which every Member ought to read, demonstrates that the real effect of the billboard program would be to force about 25 to 35 percent of the small restaurants and motels serving local tourist areas to the wall, and replace them by big chains, located not in our local tourist areas, but right at the exits and the intersections of the Interstate Highway System or the big, limited-access routes. Just read the study as it appears in the RECORD.

I do not believe any of us would want to do that. I do not believe that we would

really want to drive these people out of business, yet that is the reasoned conclusion of experts paid for by the Federal Government—college professors from Rensselaer Polytechnic Institute of Troy, N.Y.—if we begin to implement this highway billboard program.

That is the reason I voted against the highway bill when it first came up back in 1965, when we were kept here until 12 o'clock at night—not because I was in favor of billboards, but when you say that the only sign a tourist businessman can erect is one big enough to be seen some 660 feet away from a highway—and in upstate New York, in the Finger Lakes area, this could well mean putting it behind the second ridge, or in the middle of the lake—then you are driving the small businessman out of business, and we certainly should not do that. I urge the elimination of this money until we act to protect small tourist businesses.

The CHAIRMAN. The Chair recognizes the gentleman from Texas [Mr. WRIGHT].

(By unanimous consent, Mr. PICKLE and Mr. NIX yielded their time to Mr. WRIGHT.)

The CHAIRMAN. The gentleman from Texas [Mr. WRIGHT] is recognized.

Mr. WRIGHT. Mr. Chairman, I want to thank my colleagues for yielding their time to me, in order that I may try to put in some perspective this entire question of beautification. To accomplish that in 2 minutes would be impossible. To attempt it in 6 is challenge enough.

To begin, the committee fully recognizes that in a time of austere budgets, a war in Asia, and unrest in our cities, the ideals of conservation and beautification do not command an immediate high priority for spending. Recognizing that fact, the committee has made a more drastic cut in the authorization for our highway beautification program than we have made in any other program that has been approved by the Committee on Public Works in the last 10 years.

Listen to this: The present bill cuts this program to only one-tenth of the amount requested by the administration. We have reduced the annual funding authority to a mere 2.5 percent of the authorization for the fiscal year just ended. If that is not economy, if that is not a prudent recognition of priorities, I do not know what it is. And yet, Mr. Chairman, the gentleman from Florida would take away even that bare-bones remnant and leave the entire program and its dream of scenic highways utterly bereft of oxygen, strangling for breath and doomed to die.

The committee asks only a truly minimum program merely to keep the dream alive against the day when its momentum may be properly resumed. The Cramer amendment would kill the program outright.

Admittedly the present priorities, there has to be some rightful place in this ever-more-crowded and ever-more-cluttered American environment for the recognition of scenic beauty, some brief moment for serene reflection, some small consideration for the inspiration of nature and the unmarred grandeur of its open spaces. For this, too, is a part of the American legacy. And it is being sacrificed upon the pagan altar of our some-

times ruthless progress and our seemingly insatiable pursuit of profit.

And so we ask you to preserve just a remnant, a bare, bare remnant to protect the beauty of our land. The Vietnam war cannot last forever.

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

Mr. WRIGHT. I cannot yield, as much as I would like to. I do not have sufficient time to yield to any Member at this moment.

Consider how small indeed is the annual authorization we request.

We are asking you to preserve only \$500,000 to fund the entire billboard control section, only \$1 million for the total Nation to help screen the junkyards that scar and obliterate the view, only \$7 million for the entire scenic enhancement program to develop the potential of soothing scenic highway vistas throughout the entire United States.

This represents in each of these features a 90-percent reduction in the administrative request. The committee asks "How much more blood do you demand?" And the opposition replies, "We want it all."

The suggestion has been made by my distinguished friend from New York [Mr. STRATTON], and well I recognize the situation, that the committee should be assiduous in protecting the rights of the States, of the outdoor advertising industry, and of all of the enterprises served by that industry.

Mr. Chairman, I believe this committee has bent over backward to protect the States and every element of American commerce from any unwarranted intrusion or invasive injury by the administration or by any overly zealous administrator.

Simply look at what we have done in the bill. Look at the guarantees we give.

We guarantee in this bill that any State or any local zoning authority may of its own volition determine what constitutes customary practice—and that this determination will be accepted by the Federal authorities for purposes of compliance.

We guarantee in this bill that any State may of its own volition zone an area for commercial or industrial purposes, in which signboards will be permitted along the highways, and that this will be accepted by the administrator.

We guarantee in this bill that no individual may be required to remove a sign or an outdoor display until such time as public moneys are available to pay him a just and fair compensation.

I am advised that the gentleman from Missouri [Mr. RANDALL] will offer an additional amendment which I think the majority of the committee will accept, to allow any State or local zoning authority the further unrestricted freedom to determine those unzoned commercial areas that exist in the State and in which billboards should be permitted.

We are not determined to destroy billboards. We are not out to eradicate an industry. Quite the contrary. We have been at great pains to protect that legitimate industry and its customers. We ask merely that it demonstrate reasonable self-restraint. We seek only a minimal

means to restrain the more grotesque and unrepresentative examples of unsightly and cluttered proliferation of billboards and junkyards that rise here and there like patches of weeds to obliterate our view along certain segments of the public highways.

And in the more significant feature of this program which is often obscured in the fog of controversy, we seek a minimum means to preserve and protect a few of the remaining vestiges of natural beauty for the enjoyment of future generations.

On other occasions when this program has been discussed, there have been semi-humorous attempts to laugh it aside as a frivolous frill and a woman's whim. Facetious comment has referred to it as "Lady Bird's bill."

Permit me to address myself very briefly to this thought. The concept of preserving a modicum of graciousness and beauty in the American landscape is indeed a legacy which Mrs. Lyndon Johnson would bequeath to the country. For this unselfish desire she deserves profound respect and gratitude.

Mrs. Johnson is, in every fiber of her being, precisely what the title implies. She is a lady, a great and gracious lady—the First Lady of our land, in thought, word and deed. She has conducted herself in every instance, both public and private, so as to reflect credit upon the great man who calls her his wife and upon the Nation that honors her with the title of First Lady.

Mrs. Johnson has never coveted a personal spotlight. She has not sought the glitter and glamor of public applause. She has not presumed to set new styles, either in the world of fashion or in political ideology. It has been enough for her to love her husband and help him, to love her land and serve it—by quiet deed and gentle example.

For a third of a century, she has dwelt gracefully and with dignity in this "goldfish bowl" which is American public life. She has neither hastened after the butterflies of popularity nor clamored to be heard. Buffeted at times by the outrageous slings and arrows of sometimes unthinking and occasionally unkind comment, she has refrained from answering in kind. She knows what it is to turn the other cheek, and hers is the soft voice that turneth away wrath.

God love her, she is a wonderful lady. She is, in her own right, a person of splendid intellect, a great heart and exemplary manners.

That Lady Bird Johnson would wish to leave her Nation, as a legacy of her being here, a reverence for graciousness and kindness and beauty is only natural. For it is precisely these qualities that she so well exemplifies in her life.

And so I plead with you to recognize that in our quest for quantity we need also to think of quality. There is room in America for commerce and for conservation. There is room both for business and for beauty. We need not sacrifice the one and dare not sacrifice the other.

The amount we ask is so little. The war in Vietnam cannot last forever. One day it will be over. Then we can resume

the more normal priorities. Then again we can promote all the good things in our American life.

Meanwhile, let us not snuff the very life from this laudable effort by hasty action. Let us keep it at least alive. In our crowded, burgeoning cities and throughout the land, there arises a new generation which deserves a better birthright than smog and slums and cluttered roadsides. Part of the American birthright is what is left of our natural beauty, of our purple mountain majesties and amber waves of grain.

So let us preserve at least the remnant of this highway beautification program and preserve for the future an America that is still beautiful, still kind, and still gracious.

Mr. CRAMER. Mr. Chairman, I believe I have 1 minute remaining.

The CHAIRMAN. The gentleman from Florida [Mr. CRAMER] is recognized.

Mr. CRAMER. Mr. Chairman, no one has more respect for the First Lady than I. The gentleman from Texas is the only one, I think, who has mentioned her name on the floor of the House. I certainly did not.

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

Mr. CRAMER. I yield to the gentleman.

Mr. ZION. Mr. Chairman, I think we are all moved by the impassioned plea of the gentleman from Texas.

But I have before me pictures of two highway obstructions built in the name of beautification in my district. They are called flower planters. They consist of heavy concrete ovals that obstruct the entrance to a restaurant and a service station, resulting in a 50-percent loss of business.

They also can reduce an automobile from 60 miles per hour to zero in 1 second. I doubt if the survivors of people who end their lives on these bunkers take comfort in the fact that they died in beautiful surroundings.

Mr. CRAMER. Mr. Chairman, I demand tellers.

Tellers were ordered, and the Chairman appointed as tellers Mr. CRAMER and Mr. WRIGHT.

The Committee again divided, and the tellers reported that there were—ayes 92, noes 54.

So the amendments were agreed to.

AMENDMENT OFFERED BY McCARTHY

Mr. McCARTHY. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. McCARTHY: On page 47, strike out line 16 and all that follows down to (but not including) line 14 on page 48.

Redesignate the succeeding sections of the bill accordingly.

The CHAIRMAN. The Chair recognizes the gentleman from New York, in support of his amendment.

(By unanimous consent, Mr. HECHLER of West Virginia yielded his time to Mr. McCARTHY.)

Mr. McCARTHY. Mr. Chairman, this is a very simple amendment. It would strike section 22 from the bill before you. Section 22 would force the District of Columbia to build the disputed highway network despite the opposition of

the District government and an overwhelming number of citizens of the District of Columbia.

Rich and poor, black and white, from every quarter of the District they came before our committee—and the hearings are printed—to oppose these highways. Georgetown, Cleveland Park, Cathedral Park, Capitol Hill, Foxhall Village, American University, Kalorama, Spring Valley—name it, and all over the District they are against it.

We feel this would be a dangerous precedent. If we can force these highways to be built here, why not all over the United States where we have identical situations? Take Brooklyn, where the dean of the House called the proposed highway the rape of Brooklyn. In Cambridge, Mass., in New Orleans, in Buffalo, in Memphis, in Nashville, in San Antonio, in San Francisco, in Seattle, and in Cleveland, and in many more places, we may have these situations.

This would rupture the partnership we have laboriously built over the years between local government and the Federal Government. The Federal Government puts up the money and sets the criteria and the local government does the planning.

This would overrule the U.S. court of appeals' decision which ordered the suspension of construction until they had met the requirements in the District law for hearings, and until they conform to the L'Enfant plan, and that the people participate, and for 14 days before the hearings take place that the plans be published for public scrutiny. They never were.

The President tried to settle this dispute. It is a long dispute. They hired one of the Nation's most distinguished research firms, the Arthur D. Little Co., of Cambridge, Mass., A. D. Little issued a scathing indictment of the lack of imagination in these plans and urged all highway plans in the District of Columbia be shelved and restudied in the light of modern planning concepts. The Arthur D. Little report said the District had failed to take into full consideration the impact of the mass transit system this House has authorized.

They said it was excessively destructive. Let me list a few of the things it will destroy. It will go through Rock Creek Park, and destroy the Philips Gallery, the Boy Scout headquarters, the Cosmos Club, the Indonesian Embassy, go under the Lincoln Memorial and Tidal Basin and go through Glover-Archbold Park, destroy the Landon Golf Course, and Fort Totten Park. In all it would destroy 180 acres of land in residential use and displace 15,000 residents, it will destroy 225 acres in commercial use, and it will destroy 245 acres of park, monumental and other government-owned lands, and destroy 24 acres of land in use for education. It will involve a tax loss of over \$6 million. We are going to have a District revenue bill before us today.

These plans have been severely criticized by the Secretary of Transportation. He held them up, particularly as they relate to the Three Sisters Bridge. We are going to destroy the partnership we

have built and establish a very dangerous precedent that could be used to force these highways in other cities.

Mr. McDONALD of Michigan. Mr. Chairman, I rise in opposition to the amendment.

(By unanimous consent, Mr. McDONALD of Michigan yielded his time to Mr. FALLON.)

Mr. FALLON. Mr. Chairman, the argument that the preceding speaker just used has been used throughout this country by people who are just against construction of the highways. They believe in other modes of transportation rather than the highway system, so that is their argument and it has been their argument since the inception of the Interstate Highway System.

Mr. Chairman, I rise in support of section 22 and urge that this provision be retained in H.R. 17134. The matter of construction of the Interstate System within the District has been the subject of extensive hearings by the Committee on Public Works Subcommittee on Roads.

Not only is the interstate program at a complete stalemate in the District but furthermore a cloud has been placed over the entire highway program in our Nation's Capital. Although a recent court decision only enjoined the Highway Department from proceeding with four specific projects, this legal decision has, in reality, stopped all highway construction in the District. This legal action, relating to a technicality included in an outdated 1893 law, actually dates back to before the birth of the motor vehicle.

Sufficient safeguards do exist within the District of Columbia governmental structure, and will, of course, have to be followed before certain undecided provisions of the highway program can be resolved. Section 22 is strongly supported by the Washington Board of Trade, and many segments of the business community and city.

The CHAIRMAN. The time of the gentleman from Maryland has expired.

(By unanimous consent, Mr. MACHEN yielded his time to Mr. FALLON.)

Mr. FALLON. Mr. Chairman, ample precedent has been established for passage of this type legislation in the earlier congressional action taken to construct the Woodrow Wilson Bridge, the Theodore Roosevelt Bridge, and the new 14th Street SW Bridge.

Rather than destroy our Nation's Capital, this sorely needed interstate highway program in the District will enhance this city's transportation system. Only 11 out of 29 miles of the safe efficient freeways which earlier congressional action has authorized for the District are open to traffic today. I strongly urge inclusion of section 22 in H.R. 17134.

Mr. MACHEN. Mr. Chairman, I ask unanimous consent to extend my remarks at this point in the RECORD.

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

There was no objection.

Mr. MACHEN. Mr. Chairman, I am pleased to support H.R. 17134, the Omnibus Federal-Aid Highway Act of 1968. Aside from its other benefits, this legislative package would guarantee that the

District of Columbia will have a balanced transportation system of freeways and rapid rail transit.

At this point I would like to commend the chairman of the Subcommittee on Roads, and his colleagues, for their forthright action on the District of Columbia freeway system and to especially commend my colleague from Maryland, the chairman of the full House Public Works Committee.

The need for a balanced transportation system in the District and its environs has been amply demonstrated over the years. There has been no change in this need, and if anything, it is greater today than previously. Last year the four Washington metropolitan area Congressmen held a series of public hearings and meetings on problems of area concern. The need for a balanced transportation system was foremost among them.

Our attempts to find out the position of the Department of Transportation were completely rebuffed, and we received little if any cooperation from the Department. On the other hand, top officials from the District, Maryland, and Virginia Highway Departments spoke out in favor of the balanced system and they emphasized the great need for the completion of the District of Columbia freeway system as planned. In fact, they pointed out that many freeway projects in the suburban areas are being held up because of the continuing controversy and agonizing among some District citizens over the freeway system.

Mr. Chairman, as I testified before the Subcommittee on Roads during the pletion of the District of Columbia freeway system, this balanced transportation system had the approval and reapproval of the majority of agencies involved; that is, until the Department of Transportation was established. It took only one unilateral action by the Secretary of Transportation to cause the chaos that we are now attempting to correct. It is unfortunate that this public official listened to a handful of vociferous critics, and not to the broad spectrum of community interests who, in a responsible manner, have approved the balanced system. This public official has flown in the face of the responsible and responsive leaders of this community, including the major daily newspapers which have editorially spoken out for the balanced system.

As I stated when I cosponsored H.R. 16000 with the chairman of the distinguished Subcommittee on Roads, it is time for Congress to break the logjam on the District of Columbia freeway system. It is a tragedy that this problem has reached the point of congressional intervention, but we are acting on it and the District of Columbia freeway system shall be completed as planned so the balanced transportation system can become a reality as soon as possible.

THE PORT WASHINGTON PARKWAY

Mr. Chairman, the other section of the Omnibus Federal-Aid Highway Act of 1968 that concerns me is that dealing with the Fort Washington Parkway.

Originally, this project was known as the George Washington Memorial Park-

way and was first authorized by the Capper-Cramton Act of 1930. The Prince Georges County segment is the last one to be completed. I have introduced about three bills on the parkway, all the result of a decision by the House Appropriations Committee in 1965 that the Capper-Cramton Act was not sufficient authorization for an appropriation to complete the parkway in Prince Georges County. I believe, and I feel my colleagues will concur, the section in H.R. 17134 on the Fort Washington Parkway, upon enactment, will be sufficient authorization for appropriation.

The parkway is designed to protect the Potomac River shoreline in Prince Georges County; to maintain it in a state of natural beauty. This has been a long-range goal of mine, one that I worked toward as a member of the Maryland House of Delegates. I have continued my deep interest in this conservation project as a Member of the 89th and 90th Congresses. It would be impossible for me to express my delight and gratitude to the Public Works Committee for including this project in the Omnibus Highway Act.

All Members of Congress are well aware of the fantastic growth of this area. The increasing tempo of such growth must be accompanied by increasing efforts for proper and planned development, for intelligent zoning policies, and by comprehensive preservation of open spaces and scenic beauty for the enjoyment of the residents of the urban and suburban areas. Rapid development brings with it much higher costs in land and parkland acquisition. It exerts great pressure for the development of all underdeveloped spaces. As I have been stating time and time, somewhere we must draw the line and hold back development so we will have a significant degree of open spaces, parkland and scenic values. It is along the Potomac River shoreline in Prince Georges County that such a line should be drawn.

We have accomplished this in Piscataway Park, which I cosponsored last year and which now stands as a prime example of large-acreage protection of open spaces through a joint effort of private landowners and the Government. In such a cooperative effort the cost to the taxpayers is minimal. At Piscataway Park we have saved the view from Mount Vernon and we have protected a large portion of the Potomac River shoreline.

Now, under the provisions of H.R. 17134, we will move upstream to continue our preservation work. The Fort Washington Parkway is first, an elongated parkland project to preserve the Potomac River shoreline from density development. We shall acquire what open spaces are available and protect the remaining areas under scenic easements. It is my sincere hope that the private landowners will follow the lead of their neighbors at Piscataway Park and donate a large number of easements to the Government. Upon so doing, they will be eligible for a Federal income tax credit, and a credit of up to 50 percent on their county real estate taxes each year.

I also wish to emphasize that no pri-

vate homes or businesses will be acquired under this legislation. They will be permitted to remain as before. What we are offering them is protection, in perpetuity, from high density development of any form—apartments, or industrial or commercial uses. This is a protection that cannot be provided now because of the ever-present possibility of rezoning by the county commissioners. Under the Fort Washington Parkway project, the private homeowners will be safe from capricious rezonings and the scenic beauty of the area in which they live will be permanent.

With the ultimate completion of the Fort Washington Parkway project, the entire Potomac River shoreline of Prince Georges County—from the Charles County line across from Mount Vernon up to the Capital Beltway—will be preserved for today's generations and for future generations to come.

Mr. Chairman, I urge my colleagues to support this parkway and parkland preservation project.

(By unanimous consent, Mr. SPRINGER yielded his time to Mr. CRAMER.)

Mr. BROYHILL of Virginia. Mr. Chairman, I rise in opposition to the amendment.

(By unanimous consent, Mr. BLACKBURN yielded his time to Mr. BROYHILL of Virginia.)

Mr. BROYHILL of Virginia. Mr. Chairman, I want to commend the committee, and particularly the gentleman from Illinois [Mr. KLUCZYNSKI] and the gentleman from Florida [Mr. CRAMER] for their interest in and concern about the transportation problems in our Nation's Capital and for including the language in section 22 of the bill.

I regret that it was necessary for the committee to take action on this particular problem. It is not desirable for a legislative committee to become involved in the engineering details of highway design and location. But the committee had no choice. With all the procrastination and delay concerning the highway construction programs in the Nation's Capital and the surrounding area for so many years, some action on the part of the Congress has become imperative.

This is the Nation's Capital, and Congress is charged by the Constitution of the United States with responsibility for the Nation's Capital. We may delegate some of our authority and some of our responsibility, but in the final analysis if those to whom we delegate responsibility fail to do the job properly, we must take over and see to it that the job is done.

These programs and projects have been delayed for 22 years. We have had more than 26 separate studies, costing more than \$20 million of the highway system in the National Capital area.

The Three Sisters Bridge was mentioned here just a moment ago. I pointed out to the committee during its hearings last December a newspaper article which appeared in the Washington Evening Star on the 30th of April 1959, 9 years ago, which stated that the Three Sisters Islands area was being studied as a bridge site, and that the District of Columbia Highway Department was then

beginning to prepare preliminary designs and construction plans for the bridge.

Four years later, when no action had been taken, the District of Columbia Committee authorized a special hearing to find out what was the matter. The District of Columbia Engineering Commissioner said on December 11, 1963, at that hearing, that his department had entered into an agreement with the Highway Department of Virginia to hire another consultant to decide on the bridge location, and that they would accept the findings of that consultant. Today, after another 5 years this project and many others are being delayed for more study by the Secretary of Transportation. This project is holding up many other projects. A domino theory is involved here.

A few years ago we authorized a \$100 million airport to be constructed at Dulles, and a \$7 million access road. That airport was completed back in 1961, and it was planned that this access road would tie in with Route 66, in northern Virginia, the Interstate System tying in with the West. Route 66 has been held up for several years because we cannot come to an agreement on where the river crossing is to be.

So it will be impossible to get proper and full utilization of Dulles Airport until we can use the Dulles access road. This cannot be accomplished until either the Three Sisters Bridge is constructed or some bridge is constructed for Route 66 to tie into.

Mr. Chairman, we have a lot of difficulties here in the District of Columbia that make it practically impossible to get together to arrive at a decision. One thing is we have too many chiefs. We have two different States involved as well as the District government. They can generally get together. But we also have the National Capital Park and Planning Commission, the Fine Arts Commission, and the Park Service of the Department of the Interior. All of these agencies have a finger in the pie. Most of them are not concerned one iota with the problem of the movement of people and goods. The Park Service particularly would like to preserve all of the scenic trails and boulevards for the tourists.

The situation seems to boil down to a conflict between the dreamer-planners who envision tree-lined boulevards for Washington with only a few sightseeing minibuses or even horse-drawn carriages in sight, as opposed to the practical people who must provide for movement of people and goods. I am afraid our new Department of Transportation has too many of the former group on its staff.

The disturbing part of this situation, Mr. Chairman, is that each time the highway people, who are responsible for movement of people and goods, are able to modify their plans to make them acceptable to all the many boards and commissions whose approval must be obtained, some new group presents a new set of dreams and we are back where we started.

Mr. Chairman, the Congress should not be required to concern itself with the engineering aspects of highway design

and construction. But if the executive branch charged with the building of highways places greater emphasis on the esthetic values than on the movement of people and goods, we may have to consider hiring highway builders as staff assistants and building the highways ourselves.

The urgent need for a quick solution to the transportation problem in the District of Columbia is such that we have no choice, Mr. Chairman. This vitally needed 29 miles of freeway with the necessary bridges and approaches, must be constructed without further delay.

Mr. Chairman, I urge adoption of H.R. 17134 as reported.

The CHAIRMAN. The time of the gentleman from Virginia has expired.

Mr. EDMONDSON. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I am impressed by the fact that the area Congressmen, the Congressmen who represent the thousands and thousands of people who work in the capital city or live in the capital area are unanimously opposed to this particular amendment. I certainly believe it should be defeated.

Mr. Chairman, at this time I yield to the distinguished chairman of the subcommittee, the gentleman from Illinois [Mr. KLUCZYNSKI].

Mr. KLUCZYNSKI. Mr. Chairman, I want to thank the gentleman from Oklahoma for yielding me this time.

Mr. Chairman, with all due respect to the people who are opposing section 22 of this bill, its enactment is absolutely essential to the future well-being of the Nation's Capital.

These links of the Interstate System, which are designed to connect with major national corridors entering and leaving Washington in Maryland and Virginia, will not displace 15,000 people.

Most of the land to be acquired that involves displacement of people has already been acquired. On the much-publicized north-central freeway, for example, fewer than 500 people—not more than 122 families—remain to be relocated.

The opponents would have you believe that the court of appeals opposed these highway projects. The fact is the court very emphatically stated that they did not take issue with any of the projects involved, but only with the procedures. This system has been planned and planned again, for 20 years, and at a cost of more \$20 million in planning alone. The proposed system has been approved by the National Capital Planning Commission, the Fine Arts Commission, the National Park Service, and various other agencies who have an interest in specific segments of it.

Congress has not rejected this system. On the contrary, Congress has appropriated money for it every year for years.

This system is based on the assumption that the mass transit system will come into being. Without a mass transit system, the highway plans would have to be substantially more extensive.

The people who oppose this system would have you believe that every family that moves leaves the District, and that every business that moves leaves the District, and that is not true.

What is true—and this is the most important part of this whole controversy—is that if these highways are not built, both families and business, and particularly business, will be moving out, and Washington as a living, operating city will cease to exist. The Corporation Counsel for the District has told citizens in writing that the District is without authority to act to resolve this problem. If the Congress does not act, and approve section 22, we will have for all intents and purposes destroyed Washington, because as I understand the situation, the construction of the mass transit system is dependent upon progress in constructing a truly comprehensive transportation system for the District, including its highways.

I do not believe this Congress is prepared to say that Washington is not essential to the Nation, and I do not believe that this Congress is prepared to say that adequate transportation is not essential to Washington.

I believe in this country, and in the magnificent Capital City we have. I would like to keep it living and growing and moving ahead, and I think that is what my fellow Members want, too.

The CHAIRMAN. The time of the gentleman from Illinois has expired.

The Chair recognizes the gentleman from Minnesota [Mr. FRASER].

Mr. FRASER. Mr. Chairman, I rise in support of the amendment.

Mr. Chairman, what we see in section 22 of this bill from the Committee on Public Works is an illustration of the tragedy that faces the people of the District of Columbia. The 700,000 or 800,000 people who live in the District practically without exception oppose the present designs and plans for this freeway program.

They went to court on the basis that they had not had a fair hearing. It was the court's decision that they had not had a fair hearing within the meaning of the law. So, today we are being asked to override the courts. The District of Columbia and the residents thereof are being forced to build freeways which they do not want, under a mandate of this Congress.

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

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

Mr. McCARTHY. Will the gentleman from Minnesota agree that what really is at stake is a much broader concept than even the District of Columbia faces, a much broader concept which is at stake here during the consideration of this legislation. So, the question arises as to what are we going to do about transportation in the 20 or 30 biggest cities in the United States of America. This is the important question. These people do not understand the rather difficult problems which are involved. The problem is made more difficult by the surrounding users of the highways, but they are restricted, the people of the District of Columbia, to having their own highways overloaded by commuters from outside this community.

Mr. Chairman, I think we ought to address ourselves to the broader question of what we are to do in the future

with respect to the larger cities of the United States.

The CHAIRMAN. The time of the gentleman from Minnesota has expired.

The Chair recognizes the gentleman from Maryland [Mr. GUDE].

Mr. GUDE. Mr. Chairman, we have heard more alarming freeway statements here today with reference to such areas as Archbold Park and Rock Creek Park to the effect that they will be inundated by a great avalanche of concrete. This is not true. Those two parks are not involved in this legislation at all. However, a very real transportation problem has become such that many, many commuters from the State of Maryland have to use the system of "double-crossing." For instance, the people from Montgomery County cross over into Virginia and come down the Virginia side of the Potomac and ultimately cross the river again to the District of Columbia.

There is another aspect to this problem which should be noted, and steps should be taken to firmly establish the long planned balanced transportation system through mass transit, rapid rail transit and freeways. This is the reason we should put this proposal into effect. For the past 10 or 15 years we have been overloading the residential streets in the District of Columbia and an already bad condition is being made worse and more dangerous by the delay in this program.

We are making these neighborhoods more dangerous with the commuter and the truck traffic passing through the streets of the District of Columbia in increasing volumes. Under these conditions in many instances the highway engineers can do nothing except to widen the streets, chop down trees and tear up the lawns. Now, is that making for a more beautiful and finer Washington? What we need to do is to have a certain amount of this commercial and commuter traffic channeled from residential streets to the freeways which have been well planned.

I commend the work of the committee in taking the lead to properly treat the serious problems of dislocation of citizens from their homes or places of business because of public construction; namely, in highway construction. While such dislocation by public construction is not limited in any way to that caused by highway construction, the completion of our Interstate System into the urban centers has highlighted this problem. The committee has taken cognizance of this by establishing in this act a system of higher relocation payments for those displaced by the freeways.

I have been concerned with this problem and have sponsored legislation in the House which would provide for air rights construction, another way to alleviate the problems of dislocation. Such construction permits the use of the space over and around freeways, just as it can with rail transit, for the location of parking, public buildings, railroad right-of-way, housing, or businesses. Similar techniques of design have been planned for the north-central corridor in the District of Columbia freeway system. And to that point I am hopeful that the gentleman from Florida will speak as far as what the committee did in planning

this freeway system as to the selection of routes.

The CHAIRMAN. The Chair recognizes the gentleman from Nebraska [Mr. DENNEY].

Mr. DENNEY. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I ask unanimous consent to yield the balance of my time to the distinguished gentleman from Florida [Mr. CRAMER].

The CHAIRMAN. To speak on this amendment?

Mr. DENNEY. To speak on this amendment.

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

There was no objection.

The CHAIRMAN. The Chair recognizes the gentleman from Iowa [Mr. SCHWENGEL].

Mr. SCHWENGEL. Mr. Chairman, I ask unanimous consent that my time be allotted to the gentleman from Florida. I would also ask permission to ask the gentleman a question.

The CHAIRMAN. For the purpose of speaking on this amendment?

Mr. SCHWENGEL. Yes.

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

There was no objection.

The CHAIRMAN. The Chair recognizes the gentleman from Florida [Mr. CRAMER].

Mr. SCHWENGEL. Mr. Chairman, will the gentleman from Florida yield for the purpose of a question?

Mr. CRAMER. Mr. Chairman, I will be glad to yield to the gentleman from Iowa.

Mr. SCHWENGEL. Mr. Chairman, I am sure the gentleman knows, and that the Members of the House know of my great and abiding interest in the problems of the District of Columbia ever since I have been here, and I am concerned about the problem involved in this section.

But I also would like to state that as I read this bill, and after having consulted with people in authority, we have not closed all of the doors relative to the routes or possible changes in the routes of this system leading into the District of Columbia.

So I would ask the gentleman from Florida to comment on that.

Mr. CRAMER. Mr. Chairman, I will say to the gentleman from Iowa that what the committee did was say that the traffic corridors, as have been now determined after 20 years of study and hearings, shall be recognized and that we will get on with the business of building roads.

I further want to say to the gentleman from Iowa that if we do not do this, under the present law highway funds apportioned to the District of Columbia are available for expenditure for the fiscal year for which they are apportioned and the two following years—then the funds lapse. So, after a 3-year period the District of Columbia is going to lose the money unless it uses it to build the highways.

Now, what kind of a position would we be in as the governing authority of the District of Columbia—the Congress of

the United States, the basic governing authority of the District of Columbia—if this is the only place in America where we do not finish the Interstate Highway System, and permit the local people to lose the money because of the 3-year lapse requirement?

Mr. SCHWENGEL. I again would say to the gentleman: Is it true or is it not true that there still can be changes in that route?

Mr. CRAMER. There still can be changes in that route within the traffic corridor. At the same time there can be hearings. We have heard much with regard to the court decision with regard to hearings.

Here is what the language in the bill says: It does not preclude hearings. As far as I am concerned, let the City Council hold hearings, let them decide which location within the traffic corridor should be finally approved pursuant to the section of the bill. The language of this section contemplates that they will have plenty of time to hold any hearings needed and plenty of time to make decisions.

The term "routes" as used in section 22 of H.R. 17134, section 313, title 23, United States Code, refers to the traffic corridors included in the District of Columbia's 1968 estimate of the cost of completing the Interstate System and is not intended to prescribe a specific location for any of the interstate highways to be constructed.

In accordance with the policy of the Bureau of Public Roads at the time the 1968 cost estimate was prepared, the least expensive of all alternative alignments which had been considered for the location of highways within each corridor were required to be used as a basis for the dollar estimate. Thus, the map—figure 8—on page 15 of the District of Columbia 1968 cost estimate and the map showing Interstate Route 70S in the Maryland 1968 cost estimate show that the North-Central Freeway would depart from its alignment along the B. & O. railway track at a point near Kansas Avenue in the District of Columbia and follow a line generally parallel to, and easterly of, but some distance from the B. & O. railway track to a point southerly of the B. & O. station in Silver Spring, Md., where the North-Central Freeway would again follow the alignment of the B. & O. railway track.

This route, which goes through Takoma Park, Md., was required by the Bureau of Public Roads to be used as the basis of the dollar estimate, since it is less expensive, but more disruptive, than the route preferred by the District of Columbia and the Maryland Highway Departments, which would continue to follow the alignment of the B. & O. railway track the entire distance within the District of Columbia and through Silver Spring, Md.

The District of Columbia Highway Department has included its preferred alignment for the North-Central Freeway, along the B. & O. railway track, in table E-2 on page 45 of the District of Columbia interstate cost estimate.

The North-Central Freeway on the alignment that the Bureau of Public Roads required to be included in the

estimate was estimated to cost \$55,754,000, and the route preferred by the District of Columbia Highway Department, and also included in the estimate, is estimated to cost \$116 million.

Thus, both of these alignments, which are within the same general traffic corridors, are included in the District of Columbia 1968 cost estimate. During hearings held on the District of Columbia highway problems, the committee clearly indicated that it preferred that the North-Central Freeway be constructed on the alignment along the B. & O. railway track, rather than the alignment that went through a portion of the developed area of Takoma Park, and it is clearly within the intent of section 22 of H.R. 17134 that construction of the North-Central highway be on the alignment that follows the B. & O. railway track.

The preferred location along the B. & O. railway track within the District of Columbia and Maryland is favored by both the District of Columbia and Maryland Highway Departments and has been approved by the Takoma Park City Council, the former District of Columbia government—District of Columbia Commissioners—and by the Planning Commission in October 1966. This route has been formally presented to the Bureau of Public Roads for location approval, but has not yet been approved. However, Mr. Frank Turner, Director of Public Roads, approved this preferred alignment as a member of the National Capital Planning Commission.

But I say to the Members that if we do not get on with the job of making the decisions, then this Nation's Capital is not going to be the showplace of our country insofar as it relates to highways. It is going to be on the bottom of the totem pole as compared with other cities, and these localities are going to point to the District of Columbia and say "Look, the Federal Government cannot solve this problem within the District of Columbia, so then why should we be expected to solve the problems we have in our own areas?"

The question of dislocation also admittedly is a serious problem. What do you do? Now that we have built the highways in the affluent areas, and did not receive all these protests, and all these court cases and all this holdup, we now have to build highways in some of the less fortunate areas, and now we are getting all the delays and all the holdups. Well, we should recognize the problems in the ghettos, and we have language in section 23 of this bill on relocation, and that says that where you have somebody who has to be moved out of one of those downtrodden areas that he considers to be his home, and they have to move to another place—and hopefully it will be a fairly decent place—then the Federal Government can give them a bonus to help accomplish that.

Now that is the way to handle it—with a heart—and to get the job done.

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

Mr. CRAMER. I yield to the gentleman.

Mr. EDMONDSON. I want to commend the gentleman on his excellent statement and also to stress, as the gentleman just did, the very generous relocation provision that has been provided in this bill—something that has been needed for a long time but is now assured in this bill.

What in essence we have done is recognize that there is a national congressional responsibility for the Nation's capital city and that we have to move as a committee of the Congress to see that that responsibility is met.

Mr. CRAMER. I would hope that this will be a beacon that shows the way to other big communities in this Nation in solving their problems. We ought to take the leadership in the District of Columbia and not be the last to do these things.

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

Mr. CRAMER. I yield to the gentleman.

Mr. FRASER. I would like to make just one observation.

When the freeway was proposed to go through Northwest Washington, it was successfully defeated and there is no freeway planned through Washington. So when you say the freeway has been designed to go through the more affluent parts of Washington, D.C., the fact is that it is just the opposite.

But I would ask the gentleman this question. There is a serious professional concern as to whether the inner ring concept is any longer a valid and useful design feature of the freeway system.

Is it the gentleman's opinion under section 20 that if the professional people should decide the inner ring should not be used, but some other design substituted for it, then would it be possible under the section in the bill?

Mr. CRAMER. I personally support the inner ring concept.

Mr. FRASER. I am not asking the gentleman that question.

Mr. CRAMER. I think there should be an inner ring under that system—that is what the legislation says. If there is a difference of opinion, they can come back for an amendment at a later date.

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

Mr. CRAMER. I yield to the gentleman.

Mr. MACHEN. I would like to compliment the gentleman, and the members of the committee.

It is, indeed, tragic that we in the Congress, as area Congressmen, have to come down here and ask all of you to break a logjam, where millions of dollars have been spent, and roads stop at the District line. It is tragic that we cannot complete this balanced transportation system that would help all of us.

Mr. CRAMER. I will say that I am delighted to be here to support the bill that the gentleman from Illinois [Mr. KLUCZYNSKI] has brought before the House and I hope it is adopted. I am glad to work with him and to try to get it approved.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York [Mr. McCARTHY].

The amendment was rejected.

AMENDMENT OFFERED BY MR. RANDALL

Mr. RANDALL. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. RANDALL: On page 26, at line 4, strike the comma following the word "use," and insert in lieu thereof "or what constitutes unzoned commercial or industrial."

Mr. RANDALL. Mr. Chairman, this amendment is to the section of the bill relating to highway beautification.

The amendment which has been offered simply adds the words "or what constitutes unzoned commercial or industrial areas" to section 6 of H.R. 17134.

It should be recalled that the committee print of the bill at page 26 contained an amendment to the 1965 act which provided that whenever State authority or appropriate local zoning authority has made a determination of customary use, then such determination will be recognized in lieu of controls by agreement in the zoned or unzoned commercial or industrial areas within the areas of such authority. However, after mentioning what is called customary use, there was an omission to include the unzoned commercial or industrial areas. That is the purpose of this amendment. It is to make sure that the State authority is empowered by this bill to make a determination of what constitutes such unzoned commercial or industrial areas.

My amendment is simply to insure that the new sentence put in the bill at page 26, commencing on line 2, being in section 6(b) will coincide with the committee's intention as stated on page 8 of the accompanying report where the committee said:

Two of the most difficult, and most widely criticized requirements of the 1965 act are those relating to the definitions of "customary use" and "unzoned commercial and industrial areas" as those terms were applied to billboard control. Section 6(b) amends the 1965 act by placing responsibility for making both determinations where the Congress intended it to be and where it belongs, entirely in the hands of the states or the appropriate local jurisdictions.

May I suggest to my colleagues that all this amendment progress to do or accomplish is simply to provide the same prerogative or rights to the States as to unzoned commercial or industrial areas, as the State authority or bona fide local zoning authority has as to the customary use of zoned areas.

In my opinion the effect of my amendment would be to grant some latitude to the States who have thus far conformed to all of the requirements of the 1965 act except a determination of unzoned areas. This amendment could well allow a quick and early implementation within certain States of the 1965 act by providing means of quick conformation between those States and the Bureau of Public Roads. In other words this amendment could serve to knock out existing roadblocks.

Actually my amendment is very simple or low keyed. It does not strike off on a new course but goes hand in hand with the Committee on Public Works because it simply seeks to further strengthen State authority.

It should be remembered that in the original act of 1965 off-premise outdoor advertising signs could be erected in only two kinds of areas: First, those areas actually zoned commercial; second, so-called unzoned commercial or industrial areas as determined by agreement. Several of the States have been trying to reach an agreement with the Bureau of Public Roads. My amendment should hasten the process of conformation by the States to the requirements of the Bureau of Public Roads.

Repeating, the sole and simple purpose of my amendment is to give the States the right to determine where outdoor advertising can be erected in those actual and existing commercial and industrial areas which may at the present time be unzoned. It would seem that the amendment is reasonable. It would serve a useful purpose. I urge its adoption.

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

Mr. RANDALL. I yield to the gentleman.

Mr. KLUCZYNSKI. Mr. Chairman, we accept the amendment.

The committee thinks this is a very good amendment.

Mr. RANDALL. I thank the gentleman.

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

Mr. RANDALL. I yield to the gentleman.

Mr. CRAMER. Mr. Chairman, first I ask unanimous consent to revise and extend my remarks just made on the previous amendment.

The CHAIRMAN. Without objection, it is so ordered.

There was no objection.

Mr. CRAMER. Second, Mr. Chairman, I wish to say to the gentleman, I too support his amendment.

Mr. RANDALL. I thank the gentleman very much.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Missouri [Mr. RANDALL].

The amendment was agreed to.

AMENDMENT OFFERED BY MR. PODELL

Mr. PODELL. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. PODELL: On page 20, line 21, strike out the quotation marks and insert in lieu thereof the following: "Nothing in this subsection or in any other provision of law shall be construed to authorize the appropriation of any sums for the planning or construction as a part of the Interstate System, or any other Federal-aid system, of the Cross Brooklyn Expressway in New York State."

Mr. KUPFERMAN. Mr. Chairman, I reserve a point of order on the amendment.

The CHAIRMAN. The gentleman from New York is recognized in support of his amendment.

Mr. PODELL. Mr. Chairman, this amendment addresses itself to a very expensive highway in the Borough of Brooklyn called the Cross-Brooklyn Expressway. It probably is the most expensive expressway in the entire country at \$25 million per mile. This proposed highway would destroy Brooklyn, destroy its

colleges, and drive a Berlin wall through the heart of Brooklyn.

However, yesterday we contacted Secretary Boyd, and the distinguished gentleman from New York, Congressman CELLER, received a communication from Secretary Boyd that there has been no thoroughfare decided upon as yet; no route has been selected for the highway, and that proper hearings shall be held in connection with this highway before a route is selected.

For that reason, and for probably the reason again that the point of order may be well taken, I shall withdraw my amendment at this time and yield the balance of my time to the chairman of the subcommittee.

Mr. KLUCZYNSKI. Mr. Chairman, I wish to thank the gentleman from New York.

The CHAIRMAN. Is there objection to the request made by the gentleman from New York to withdraw his amendment?

There was no objection.

Mr. CELLER. Mr. Chairman, I move to strike the last word.

Reference has been made to a statement by Alan S. Boyd, Secretary of Transportation. I shall read a brief statement which I received from him. He says:

Attached is statement I discussed with you on the telephone and I subscribe to this position.

This is the statement. It is my statement:

Yesterday afternoon I discussed with Secretary of Transportation Alan S. Boyd his announcement of June 28 concerning a major revision of the Interstate highway system in the New York City area. Secretary Boyd stated to me that the Department's approval of the request by the State of New York for including the Cross Brooklyn and Queens Interborough Expressways on the Interstate system was only approval of a general transportation corridor and that no final route location has been selected.

The Secretary assured me that before specific route location approval for this Interstate corridor is given, the State Department of Transportation must hold public hearings required under Federal-aid highway law.

The Secretary advised me that he will be happy to meet with the Congressional Delegation (and anyone else) to discuss this matter.

Under those circumstances, I think it was very proper for the gentleman from New York who has just addressed the Committee to withdraw his amendment.

Mr. MURPHY of New York. Mr. Chairman, will the gentleman yield?

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

Mr. MURPHY of New York. I would like to compliment the dean of the New York delegation on his awareness of the critical issue in the routing of the Cross-Brooklyn Expressway, and also to state for the record that for over a year he has been interested in the routing and has been in contact with the Secretary of Transportation, as has the gentleman from New York [Mrs. KELLY], the gentleman from New York [Mr. POBELL], and myself, because this road goes through the heart of our four districts. We have been very careful in following this development with the Sec-

retary of Transportation. I wish to associate myself with the remarks of the distinguished chairman.

The CHAIRMAN. The Chair recognizes the gentlewoman from New York [Mrs. KELLY].

Mrs. KELLY. Mr. Chairman. I regret the joint action of three Federal departments: the Department of Transportation, the Department of Housing and Urban Development, and the Department of Health, Education, and Welfare, and the Ford Foundation to join with the governments of the State of New York and the city of New York to finance the planning and design of New York's "linear city."

The first step in their joint action was to grant over \$500,000 to assist in the design and the planning of this community facility which is in opposition to the wishes of the entire community of Brooklyn where this project would be located and must be stopped.

The linear-city concept involves the following:

Designation of the Cross-Brooklyn Expressway as an interstate highway facility will close the critical southern link in the outer circumferential loop for New York City.

The "linear-city" concept involves planning for construction of housing, commercial, industrial, and educational projects, including the possible use of air rights over the highway, along the freeway corridor.

The Department of Transportation will make available, through the highway program, 90 percent funding for the engineering design. This will amount to millions of dollars.

This community facilities complex would be an integral part of the expressway concentrated primarily in a 6-mile section east of Brooklyn College to Broadway Junction over the right-of-way of the Penn Central Railroad. Located where the Bedford-Stuyvesant, Brownsville, and the East New York communities meet, "linear city" would be closely related to HUD's model cities programs for central Brooklyn.

Among the facilities proposed for linear city are 20,000 school spaces at the intermediate and high school level; 6,000 housing units; a new community college and a regional shopping center for the Broadway Junction area. The project will also provide additional multistory industrial space and stimulate job opportunities.

The city intends to hire disadvantaged residents of the area to work on the design and other aspects of the study. Technicians of the three Federal departments are now meeting to develop the initial phases of the study in cooperation with the New York City Planning Commission and Mayor Lindsay's Washington office.

The entire community is opposed to this project and I have files of letters to substantiate this fact, including letters from the community action committee, whose president is Mr. Patrick J. Curran; the East Flatbush Association; and the Hyde Park Community Association of Flatbush, whose president is Mr. J. Vincent Gallagher.

For years I have addressed their meet-

ings and was the only Congressman from Brooklyn who carried on this opposition. I am now glad to have a few of the Brooklyn delegation raise their voices in protest and represent the wishes of the people of Brooklyn. I warn them again that unless they link and reject the entire "linear city" project along with their opposition to the proposed Brooklyn Expressway being constructed along the Long Island-Pennsylvania Railroad, then they will fail to represent their constituents.

I received the following letter from Mr. Alan S. Boyd, Secretary of the Department of Transportation, on May 22, 1968, which is proof of the fact that the present plan is "under careful study":

THE SECRETARY OF TRANSPORTATION,
Washington, D.C., May 22, 1968.

HON. EDNA F. KELLY,
House of Representatives,
Washington, D.C.

DEAR MRS. KELLY: I have your letter of May 6 concerning the proposal by the New York State Department of Transportation to include the proposed Cross Brooklyn Expressway as a part of the Interstate Highway System. You state your emphatic opposition to the construction of the Cross Brooklyn facility and ask that I direct the Federal Highway Administration to conduct public hearings in the communities through which the line would pass.

The request now before the Federal Highway Administration is for addition to the Interstate System of a Cross Brooklyn Expressway. This would make the facility eligible for financing with 90 percent Federal-aid monies, but would not constitute a commitment to a specific location or to a specific design for the facility. Such commitments are made only after public hearings have been held. It is anticipated that in the very near future our requirements will include two such hearings on a new routing such as the Cross Brooklyn; one on the location itself and one on the design proposed for the highway. It is anticipated also that in an area as heavily populated as Brooklyn there will be several hearings covering individual segments of the highway. All of these hearings will be held by the State highway organization, in this case the New York State Department of Transportation, in close cooperation with local borough governments. There is no provision in the law for hearings by the Federal Highway Administration.

The Federal Highway Administration now has the proposal for addition of the highway to the Interstate System under careful study and your opposition to its approval as a part of the System will be given full consideration.

Sincerely,

ALAN S. BOYD.

Mr. KUPFERMAN. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I want to commend the gentleman from New York [Mr. POBELL] for his judicious approval to this question. The point of order against his proposed amendment was clearly valid under rule XI subsection 15(a), as indicated during general debate on the rule on this bill. See pages 19390 and 19391 of the RECORD of Monday, July 1.

On the merits, I think the RECORD should show that Mayor John V. Lindsay, in conjunction with the Department of Transportation, has made an historic proposal for highway construction in Brooklyn, N.Y., that will help keep additional traffic out of the center of Manhattan and, for a change, not—I repeat

"not"—wreak havoc with the area and population involved.

This proposal called "inner city" provides for schools, housing, and shopping alongside the proposed highway.

While no one is wedded to the specific area, the proposal, as explained in the New York Times of Saturday, June 29, certainly deserves consideration.

By unanimous consent of the House, I am including in the RECORD the New York Times reference to Mayor Lindsay's inner city proposal.

UNITED STATES AGREES TO AID LINDSAY PROPOSAL FOR A LINEAR CITY—BROOKLYN EXPRESSWAY TO BE "BASE" FOR URBAN COMPLEX—QUEENS TO BENEFIT, TOO

(By Richard L. Madden)

WASHINGTON, JUNE 28.—After 16 months of negotiations, three Federal departments announced agreement today to finance the planning of Mayor Lindsay's proposed linear city through Brooklyn.

As part of the project, the Department of Transportation approved the inclusion of the proposed Cross-Brooklyn Expressway and the Queens Interborough Expressway in the interstate highway system for New York City.

The Cross-Brooklyn Expressway, providing a link from near the Verrazano-Narrows Bridge to the new Nassau Expressway near the Aqueduct Race Track, is to be the "base" for the linear city of schools, housing and other community facilities to be built over part of the highway.

A NORTH-SOUTH LINK

The Queens Interborough Expressway will provide a north-south link between the Cross-Brooklyn and the Long Island Expressways through west-central Queens.

Federal officials put the cost of the completed linear city project at more than \$500-million. The complex of community facilities—schools for 20,000 intermediate and high-school pupils, 6,000 housing units, a community college, a regional shopping center and space for industry—will be built in the air space over a six-mile section of the Cross-Brooklyn Expressway running east of Brooklyn College.

Because they will be part of the interstate system, the Federal Government will pay 90 per cent of the cost of the two new expressways, estimated at nearly \$400-million, with New York State paying the remaining 10 per cent.

In adding the Cross-Brooklyn and Queens Interborough Expressways to the interstate system, transportation secretary Alan S. Boyd announced that he had deleted four other previously approved city highway projects from the interstate system.

The deleted projects, most of which have been dormant since the beginning of the Lindsay administration in 1966, were the following:

The Mid-Manhattan Expressway, a proposed elevated structure across midtown near 30th Street; the Bushwick Expressway, a route through northern Brooklyn that had been favored over the Cross-Brooklyn Expressway by many Brooklyn officials; an Astoria Boulevard Expressway in Queens, and an extension of the Arthur Sheridan Expressway in the Bronx.

Approval of the Cross-Brooklyn and Queens Expressways as interstate highways was the key element in putting together the linear city proposal.

Federal officials said it was the first time that three Federal departments—in this case Transportation, Housing and Urban Development, and Health, Education and Welfare—had joined to help plan a major urban highway development.

In addition, the Ford Foundation will provide a \$100,000 grant for special planning and design studies for the linear city.

"This is our biggest project to develop a team approach to do a complete job of community planning instead of just running a highway through some area," one Federal official said.

FUND ALLOCATIONS

The Department of Housing and Urban Development will make a \$250,000 grant to help plan community facilities. The Department of Health, Education and Welfare will provide \$259,000 to study educational needs for the linear city.

The Transportation Department said it would make available "several million dollars" to pay 90 per cent of the cost of the engineering designs for the Cross-Brooklyn Expressway and linear city.

Mayor Lindsay first announced plans for the linear city on Feb. 26, 1967, and called it "a radically new concept in community development."

In New York, Mayor Lindsay praised the Federal Government's action as "a breakthrough of sweeping significance for the future of our nation's cities."

"Linear City will mean that for the first time a highway will become a unifying force in the community—that it will meet social and commercial needs rather than just transportation requirements," Mr. Lindsay said.

The Mayor said that placing the Cross-Brooklyn Expressway and the Queens Interborough Expressway in the interstate system, and deleting the Bushwick and Mid-Manhattan Expressways, means that existing rights-of-way will be used for construction and there will be no need for sweeping dislocation of businesses and families.

The plans call for the Cross-Brooklyn expressway to follow part of the existing right-of-way of the little-used Bay Bridge division of the Long Island Rail Road. The railroad right-of-way, which is now a cut running through the area, would be acquired for the expressway.

City officials have urged approval of the expressway on the ground that it would complete a southern bypass for traffic between New Jersey and Brooklyn, Queens and the rest of Long Islands and would help divert through traffic from Manhattan.

Brooklyn, the Department of Transportation noted, is "the largest urban jurisdiction in the nation not now served by an interstate system freeway."

Federal officials said the 10.5-mile Cross-Brooklyn Expressway would connect with the existing Brooklyn-Queens Expressway north-east of the Verrazano-Narrows Bridge and would extend along the railroad south of Fort Hamilton Parkway and Linden Boulevard to a junction with the Nassau Expressway near Aqueduct.

The announcement said the 6.7-mile Queens Interborough Expressway would extend northward from the Cross-Brooklyn near Pennsylvania Avenue to the Long Island Expressway and would "provide a much needed major north-south route through the west-central portion of Queens."

Last year Federal authorities rejected plans for the Cross-Brooklyn Expressway, but city officials contended that the rejection was on procedural grounds.

Putting the project together to win approval required numerous meetings by Mayor Lindsay and his aides with state officials—whose approval was required for the expressway—and officials of the three Federal departments, with different procedures and jurisdictions.

"It was the toughest thing I've ever negotiated," Peter F. Tufo, director of the New York City office in Washington, said today.

Mr. Chairman, I ask unanimous consent that the remainder of my time be yielded to the gentleman from Florida [Mr. CRAMER] on any matter during the proceedings to continue on this bill.

The CHAIRMAN. The Chair will state that the manner in which the gentleman can yield his time is on a pending amendment.

Mr. KUPFERMAN. Mr. Chairman, other Members have yielded the balance of their time for other purposes.

The CHAIRMAN. The Chair recognizes the gentleman from Florida [Mr. CRAMER].

Mr. CRAMER. Mr. Chairman, the gentleman from Florida does not wish to be recognized at this time and reserves the balance of his time.

AMENDMENT OFFERED BY MR. RYAN

Mr. RYAN. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. RYAN: On page 25, after line 7, insert the following:

"USE OF CERTAIN FUNDS FOR URBAN MASS TRANSPORTATION PURPOSES

"Sec. 6. (a) The Governor of a State may elect to have any funds apportioned to such State after the date of enactment of this Act under section 104 of title 23, United States Code, made available, in a manner prescribed by regulations of the Secretary of Transportation, for urban mass transportation purposes within such State, under section 3 of the Urban Mass Transportation Act of 1964.

"(b) For purposes of this section:

"(1) the term 'State' includes the District of Columbia and Puerto Rico, and

"(2) the term 'Governor' means the chief executive officer of a State."

And renumber the succeeding sections and references thereto accordingly.

Mr. FALLON. Mr. Chairman, I make a point of order against the amendment offered by the gentleman from New York.

Mr. RYAN. Mr. Chairman, will the gentleman reserve his point of order?

Mr. FALLON. Mr. Chairman, I reserve a point of order against the amendment offered by the gentleman from New York [Mr. RYAN].

Mr. RYAN. Mr. Chairman, this amendment is addressed to the broader issue which was mentioned a number of times during debate on this bill, mass transportation versus highways, and to the question of how during the next 10, 20, or 30 years a balanced transportation system is to be achieved.

This amendment does not compel any State to use its allotment of Federal-aid highway funds for mass transit. What it does is to allow the Governor of each State to decide how he wants to improve the transportation system within his own State. In those parts of a State where a Governor finds that additional highways are desirable, he will be free to build more highways. But under my amendment, in those areas where the Governor sees that the most efficient way to strengthen the highway system is to clear the existing arteries of most of the deluge of daily commuters, he would then be permitted to use funds under this act for mass transit.

This amendment is in keeping with the spirit and the intent of the Federal-aid highway program. If our cities are going to be saved in the next 10 or 20 or 30 years, then a way must be developed to get hundreds of thousands of commuters out of their cars and into mass transportation.

We are pouring millions of dollars into highways and comparatively little into achieving a balanced mass transportation system. This would permit the Governor to start to balance the transportation system within his own State.

The value to this country of a modern efficient highway system is unquestioned. I speak not only of the convenience it affords the traveler, but of the vital economic role it plays by making possible economical overland shipping. Indeed, it is difficult to imagine how this country would function if carriers were not able to move quickly, smoothly, and directly over the highways which tie coast to coast and city to country.

However, the time has come for a more sophisticated approach to the problem of the overcrowded highways which now feed our cities. In the past, our answer to one jammed freeway has been to build another freeway, and another, and then another. But the fact of the matter is that we cannot build new freeways fast enough to match the increase in the number of automobiles pouring into our cities each day. Despite the hundreds of miles of highways which have been built in the last decade, almost without exception, the congestion on urban highways is worse than it was 10 years ago. From the city of New York, it now takes many commuters as long as 2 or 3 hours to make a 20-mile trip home from work—despite the widening of many of the arteries around New York City in the past 15 years, as well as the opening of the six-lane Long Island Expressway. The situation is not peculiar to New York City, however, as my colleagues from Los Angeles, Detroit, or any other large city know.

Every new highway further aggravates the problem as more commuters use automobiles. Within a few years, the new highway is congested, and once again traffic to the city is crawling.

Yet, even if highways could be constructed fast enough to hold the ever increasing flood of commuters streaming into and out of our cities each workday, this would not increase the capacity of our city streets which are already so crowded that at times traffic comes to a virtual standstill.

The fact of the matter is that cities cannot absorb an infinite number of motor vehicles, and it is ludicrous to continue to plan our highway systems as if they could.

The original Federal-Aid Highway Act—23 United States Code 101—states that it is "the intent that local needs, to the extent, practicable, suitable, and feasible, shall be given equal consideration with the needs of interstate commerce." Yet to build more highways to the city would be diametrically opposed to local needs and, in weakening the city, would ultimately be detrimental to interstate commerce. Besides further adding to the congestion in the city streets, which makes truck delivery a slow and painful process, added highways hurt the cities in other ways.

For one, they eat up huge chunks of land formerly on the city tax rolls. There is hardly a city in the Nation which can afford to contract its tax base. It should be noted that not only does this strike at

the city, where a main source of revenue is usually the property tax, but it also costs State and Federal Government the extra tax receipts which would have been earned by a firm which could have operated more profitably closer to the heart of the city.

Another undesirable effect of building more highways is that more middle-class families are induced to leave the cities to become suburban commuters. Our cities need these people both as a tax base, and as a socializing force, bridging the gap between the very rich and the very poor.

Some shortsightedly say that these are strictly city problems, and that it is up to the individual cities to come up with the type of transportation programs which will deal with them. I would remind them that the bill we have before us subsidizes highways built by State governments. One of the chief justifications for the Federal Government's involvement in the area of highways is that it is in the interest of the whole Nation that every State be tied to every other State—so that potatoes from Idaho can reach families in New Jersey and tractors from Detroit may reach farmers in Louisiana—in short it is that interstate commerce is in the interest of all. But if this is so, it must be quite clear that our cities perform much the same type of function as our highways. It is in our cities that businessmen meet to discuss the agreements that will send computers to Nevada or oranges to New York City. The ties of commerce formed in our great commercial centers are just as real and just as vital to this Nation as the physical ties, the highways, which bind this Nation together. Should the cities slowly grind to a halt, should the commercial centers be gradually strangled by the automobiles of its workers, should the city lose its tax base as the middle class flees, it will be more than the city which will be destroyed. It will be the whole Nation which will crumble. The time has come for a more sophisticated approach to this country's urban highway needs. The Federal-aid highway program is necessary to the economic welfare of this Nation.

But to build more urban highways would only compound the traffic miseries of our cities. The best way to improve the Interstate System in our urban areas is to get the vast majority of commuters out of their cars and into mass transit. This means into buses which carry 40 passengers while occupying the space of two automobiles. This means into subways which allow thousands of commuters to get to work without taking a bit of space away from commercial vehicles, this means into commuter railroads to keep the Long Island Expressway from turning every morning into the world's largest parking lot.

A mass transit system is a major investment, much larger than most cities can afford to construct and operate. Just as each State needs Federal help in building highways which will ultimately benefit the entire Nation, large cities need help in building mass transit systems which will ultimately benefit all Americans.

The amendment which I have offered

will make it possible for additional funds to become available to meet this urgent need.

Mr. FALLON. Mr. Chairman, I insist upon the point of order.

The CHAIRMAN. The gentleman will state the point of order.

Mr. FALLON. Mr. Chairman, the point of order is that this is the same amendment which was offered by the gentleman in 1966 in the Highway Act, which will use moneys from the highway trust fund for other modes of transportation. The law of 1956 prevents any moneys from being used for other than highway building purposes.

The CHAIRMAN. Does the gentleman from New York wish to be heard on the point of order?

Mr. RYAN. Mr. Chairman, on the point of order, on August 11, 1966, I offered a similar amendment. At that time, it was ruled out of order on the ground that it related to mass transportation and not highways, and it was suggested by the chairman of the committee that this issue should be raised when the mass transportation bill was before the House. So on August 16, 1966, I offered it as an amendment to the mass transit bill; and it was ruled out of order, on the ground that it related to highways and not to mass transportation.

We cannot have it both ways. It must be in order in one place or another. The problem is how to get this issue before the House. It seems to me the only way to bring it before the House is to deal with the subject matter with which the bill presently pending deals; that is, the fund out of which money is appropriated to highways. Otherwise there is no way of bringing this issue before the House.

I have introduced a bill, H.R. 34, to accomplish my purpose, which was referred to the Public Works Committee. Therefore, it is within the jurisdiction of the committee.

I did not offer this amendment last year, but I do not see any other way to do it since the Committee on Public Works did not see fit to hold hearings on H.R. 34 or to report it out.

Mr. FALLON. It starts out, in the amendment, to use certain funds. The gentleman is talking about the funds in the bill before us. I make the point of order because those funds cannot be used for anything other than highway construction, according to law.

Mr. RYAN. I am suggesting an amendment to the law.

The CHAIRMAN (Mr. ROSTENKOWSKI). The Chair is ready to rule.

On August 11, 1966, the present occupant of the chair presiding at that time, in respect to a bill authorizing funds to Federal aid highways held that an amendment permitting the diversion of funds apportioned to a State from highway construction to urban mass transportation was not germane.

To a bill providing for the construction of highways, an amendment providing for grants for urban mass transportation was ruled out as not germane.

The Chair, following those precedents, sustains the point of order.

Mr. DON H. CLAUSEN. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I wish to take this opportunity here today to address myself to the magnitude and national significance of the Federal-Aid Highway Act of 1968 that has just been passed by the House in its collective wisdom.

In my judgment, history will record this particular highway legislation as one of the most significant of our time because it represents a "benchmark" proposal designed to yield maximum benefits for the overwhelming majority of our citizens. In many ways, Mr. Chairman, it comes close to matching the Interstate and Defense Highway Systems Act of 1956 in this significant regard.

As such, I am proud to have been in a key position on the Roads Subcommittee during the deliberation, debate, and drafting of this important and much-needed highway proposal. I am proud to be able to associate myself with legislation that contains not only provisions and money for better highways in the future, but also the vision and wisdom that is so necessary in considering the needs and wishes of our people—both those who will be inconvenienced by better roads and those who will be inconvenienced by their construction.

In recognizing our Roads Subcommittee as one of the key building organizations in the Congress, I would be remiss if I did not extend special recognition to our distinguished chairman, the gentleman from Illinois [Mr. KLUCZYNSKI]. Specifically, I refer to his keen sense of fairness, his patience, his understanding, and his willingness to give full consideration to the road problems of the entire country. This is particularly praiseworthy when you consider the fact that the gentleman comes from one of the largest metropolitan centers in America—Chicago. This, in my opinion, makes his contribution and unique leadership all the more significant.

Since my assignment to the subcommittee, the gentleman from Illinois [Mr. KLUCZYNSKI] has consistently shared many of his points of view and his treasure of knowledge with me on how to improve our national highway system. I am deeply indebted to the gentleman for this and I know I speak for many, if not all, of the members of our subcommittee in this regard.

I am indeed pleased to advise my colleagues here that the chairman and I agree on how to resolve many of the problems before our subcommittee. One of these that I believe is deserving of mention, is that we share the same concern for the serious problems of the larger cities of America. And, we also agree that one of the ways our subcommittee and this Congress can help resolve these problems is to improve our overall highway and transportation system throughout the entire country.

In actuality, we can and must seek ways and means for improving the ability of people to move out of, rather than bringing more into, the already overcrowded urban centers of our country.

With this in mind, I hasten to add that the gentleman from Illinois [Mr. KLUCZYNSKI], in my judgment, has become a champion of those road proposals

in the United States that will contribute to accomplishing that end.

The people in rural America who many of us represent from communities dependent on agricultural and forestry products, will be eternally grateful to this dedicated and unselfish man for taking the time to go out and "visit the countryside" in order to observe at firsthand the problems and potentials associated with our private and public land management programs.

During our subcommittee hearings, as a matter of fact, I referred to the gentleman from Illinois, our able chairman, as the "champion of our forest development roads and trails." So, once again Mr. Chairman, the gentleman from Illinois [Mr. KLUCZYNSKI] has demonstrated that if he gives you his word—you can count on him to keep his word "hell or high water."

Next, I wish to say a few words in recognition of the ranking minority member of our committee—Congressman CRAMER, of Florida. I believe, in all sincerity, that the gentleman from Florida is respected by members of the subcommittee as much or possibly more than any other Member on either side of the aisle. Certainly, no one has been a better student, become more knowledgeable, or demonstrated the ability to articulate our road and highway message to the Congress or the Nation, than the ranking Republican on the Public Works Committee—BILL CRAMER.

I am sure that future generations of Americans will come to appreciate the work he has done and the contributions he has made to our Nation's road and highway system. The entire Congress, in my judgment, owes the gentleman from Florida a deep debt of gratitude for the extraordinary leadership and statesmanship that he has provided in representing his position and his points of view in committee and here on the floor of the House.

I was sitting at the desk during the debate on this bill and I heard our distinguished Speaker, the gentleman from Massachusetts [Mr. McCORMACK], as he personally visited the minority desk on the floor, say: "Bill, this has been one of the most statesmanlike presentations that I have observed since coming to the Congress." I believe these words, coming from our highly respected Speaker of the House, best describe why we have been so successful in presenting this Federal highway "package" to the Congress.

I only wish it was possible for all concerned Americans to observe this dynamic southern gentleman from Florida in action. I may be personally prejudiced, but I honestly feel that BILL CRAMER must be regarded as one of the most articulate spokesmen in the Congress for better and safer highways in America. I feel we are indeed fortunate to have a man such as the gentleman from Florida serving this cause since Americans will surely benefit for years to come as a result.

The relocation assistance provisions which he guided through the subcommittee and presented so eloquently here on the floor, certainly demonstrate in particular that here is a man not only

with ability—but with compassion and a genuine concern for people as well. While many of us played a role in advancing this much-needed concept, I for one, feel that BILL CRAMER deserves the credit for having shepherded inclusion of these provisions in the final draft of the Federal-Aid Highway Act of 1968.

As a Californian, I am proud to point out that our own division of highways has taken the lead in advancing the relocation assistance concept at the State level. Therefore, I am doubly pleased that our subcommittee, the Public Works Committee, and the Congress have now followed through with legislation that will enable other States to follow suit.

As has been pointed out, many property owners throughout the country have been forced to move or relocate due to route selections for new highways. In offering compensation, these people have been treated unfairly in the past due to archaic laws based on fair market value as criteria for compensation. This was totally unrealistic and inadequate. Many small businessmen, senior citizens, and families found they just could not acquire comparable housing, business or farm facilities simply because the cost of acquisition was substantially higher than what they gave up. This, of course, was cruel and inhuman treatment and should have been corrected long ago because many people suffered a financial loss as a result.

While I have credited the gentlemen from Illinois and Florida for their leadership and superb management of this precedent-setting highway legislation, I believe the entire committee deserves an equal share of credit. I am especially grateful for the staff work that accompanied the formulation of this bill because I believe this congressional record would not be complete unless we recognized the superhuman effort of one of the most capable staffs on Capitol Hill.

In this regard, special recognition and appreciation is extended to Public Works Committee staffers Dick Sullivan, Cliff Enfield, Les Edeleman, Bob May, Sheldon Gilbert, Walt May, Audrey Warren, and Paul Yates, just to mention a few. These valuable people have all worked under extreme pressure in order to accommodate our Roads Subcommittee members with their multitude of questions, recommendations for bill content, various suggested amendments, and innumerable questions and the need for answers from constituents and interested people.

Needless to say, all of these dedicated staff members performed brilliantly under conditions approaching a nearly impossible burden for any human being to carry. But, without their help, counsel, and guidance, we would not have this "monument to highway building" that has come before us for adoption.

I am sure I speak for the entire committee in saying that we shall forever remain in their debt for their extraordinary efforts and a job well done.

In conclusion, Mr. Chairman, I wish to say for the record that I believe this legislation will "help us turn the corner" in redirecting the human and financial resources available in this great Nation

toward building a vastly improved and more diversified highway and transportation system in America.

Personally, I am gratified for the privilege of offering an amendment in the subcommittee relating to the TOPICS program and for additional funds for primary and secondary roads over and above those designated under the ABC formula. And, I am pleased that the committee accepted this amendment.

In addition, Mr. Chairman, I am particularly pleased and optimistic over the progress made in advancing the concept of decentralization of which I spoke earlier. Here is a concept that I personally believe has substantive and qualitative meaning for both our major metropolitan centers and for rural America as well.

Today marks a milestone for effective highway building and for the future of America. Some of us here today may never see these provisions and concepts carried through to ultimate fruition, but I submit that future generations of Americans will recognize and long remember what benefits were derived from the Federal-Aid Highway Act of 1968.

Mr. CLEVELAND. Mr. Chairman, I move to strike the requisite number of words, and I yield to the gentleman from Florida [Mr. CRAMER].

Mr. CRAMER. I thank the gentleman.

Mr. Chairman, apparently this is the termination of debate on the legislation. We have no additional amendments on our side.

I hope this bill will pass overwhelmingly, as I am convinced it will. I believe it is truly a product both of the majority and the minority working as a team to get the best possible highway legislation passed.

We have probably the most historic and significant highway authorization bill to come before this House since the Interstate Defense Highway System bill in 1956.

It is wisely that the Congress has seen fit to try to solve some of these monumental problems relating to the highway system, which have not been resolved to date and which are obviously in evidence. I for one felt that when we had this matter up for consideration and the administration's basic approach was to authorize it for 2 more years and to sweep under the rug the rest of the problems, we could not do that and act responsibly.

I believe we have a bill at the present time which is a responsible bill, which fully accepts the responsibility of the Congress in helping to solve some of these problems relating to relocation and some of the other numerous problems we face; for instance, additional miles on the Interstate System, so badly needed, which cannot wait until 1976 or 1978 in order to be accomplished, in the form of missing links and in the form of needed additional mileage within the urban areas.

This is a very good bill and should be supported by the Members of the House.

The CHAIRMAN. The Chair recognizes the gentleman from Illinois. [Mr. GRAY].

Mr. GRAY. Mr. Chairman, as we close

the debate on this most important piece of legislation I should like to commend the distinguished subcommittee chairman, the gentleman from Illinois [Mr. KLUCZYNSKI], the distinguished full committee chairman, the gentleman from Maryland [Mr. FALLON], and the ranking minority member of the Committee on Public Works, the gentleman from Florida [Mr. CRAMER], as well as all members of the Committee of the Whole for the excellent manner in which they have discussed this most important piece of legislation.

Mr. Chairman, we remember the old model T Ford, which did not have a starter. One had to get out in front and crank it to start it.

I remember a fellow, going up main street in my hometown one day, who had a Cadillac go around him so fast that he thought the motor had died on that old Ford.

He got out to crank it and it ran over him and broke his arm. That is exactly where we are in America today. We have a lot of model T Ford planners and a fast-moving transportation system. We are not keeping up with the needs of our highways in America.

Mr. Chairman, I would like to recite briefly some information you will get from the National Safety Council next week; 53,100 people lost their lives on the highways of America last year; 1.9 million people were injured. Please listen to this; \$10.7 billion worth of property damage was caused by accidents on our highways in America last year. This is deplorable.

The District of Columbia, as an example, is not keeping pace with the needs for better highways. Since I have been in Congress, for 14 years, traffic has increased 300 percent in the District of Columbia. The number of visitors to Washington is expected to rise to 30 million per year by 1980. This legislation has many new features. It is a good bill, so let us all vote yes on final passage and get on with the work of building bigger and better highways and cutting down on fatalities and this tremendous loss which occurs from property damage throughout the country. If we do we know our children and generations yet unborn will say that the 90th Congress did a job well done.

Mrs. DWYER. Mr. Chairman, I would like to call the attention of our colleagues to section 19 of the committee bill which would authorize the State of New Jersey to repay to the Federal Government the amount of all Federal-aid highway funds paid on account of approximately 21 miles of the Garden State Parkway, a substantial portion of which is located in the 12th Congressional District, which I have the honor to represent. Following negotiations with the State house commission, as the agent of the State, these Federal-aid sections would become the property of the New Jersey Highway Authority and would be fully incorporated in the parkway system. The parkway is a privately owned toll road.

Before this can be accomplished, however—and this is the crucial point—the legislation specifies that the authority "shall have constructed toll-free highway

facilities in the vicinity of said sections of the Garden State Parkway in accordance with a general plan approved by the Secretary of Transportation as adequate to service local traffic."

In other words, free parallel lanes must be constructed along the federally aided sections of the parkway for the use of local traffic before the authority can take title to those sections and impose tolls for their use. Thus, under this legislation, the rights of local residents to adequate toll-free highway facilities will be fully protected, just as they are under similar legislation already passed by the Senate.

I am grateful, Mr. Chairman, to the chairman and members of the Committee on Public Works and to its very able staff for the cooperation we have received in seeking language in the legislation which will be legally binding on the highway authority and, therefore, guarantee local residents against a situation which might have cost them several hundred dollars in unnecessary and inequitable fees.

This issue has been in dispute for too long and I am pleased that the provisions of section 19 will resolve the issue in a way that will accomplish everyone's principal objectives: Improvement of the capacity and safety of the Garden State Parkway and protection of the rights of those for whom the original Federal-aid sections of the highway were constructed.

Mr. GIBBONS. Mr. Chairman, I support this legislation for many reasons, but the primary reason is because I believe it will make it possible to build the major missing link in the Interstate System between Tampa and Miami.

Interstate I-75 now terminates in Tampa. It seems to me to be logical to extend this highway to Miami, thereby connecting the two largest areas of population in the State of Florida.

It is now impossible to travel between these two areas except by using a combination of State and Federal highways, none of which are at interstate requirements for use. There is a great deal of vehicular travel between these two cities even though they are about 250 miles apart. The completion of the missing link, I-75, from Tampa to Miami will serve commercial needs as well as the needs of traveling Americans. Without a doubt, this link could be very vital in times of national emergency as well as in times of peace. It is my belief that this link, connecting the Tampa Bay area and Miami, will be one of the first projects approved as a result of this legislation.

The Florida Road Board long ago, by formal resolution, approved and urged the building of the Tampa-Miami link of the Interstate System and expressed its willingness to cooperate in any manner to see that it is accomplished in the shortest possible time. After this bill becomes law, I shall urge the State Road Board of Florida to submit a priority request for the completion of I-75 to the Department of Transportation.

Mr. ADDABBO. Mr. Chairman, I believe the time has come to reassess the aims and goals of our Federal-aid highway program and, for this reason, I find myself compelled to oppose H.R. 17134.

As presently written, this bill legislates an interstate highway through the District of Columbia. If we can do this, will our next step be to tell a State where the highways are to be placed.

In my congressional district there is proposed a portion of the Interstate System known as the Clearview Expressway. The location of this expressway has been the subject of controversy for many months, and it has been proposed that a route will be taken which will completely divide a community which has existed for many, many years and uproot hundreds of families. Our communities must be protected. We are told that the location of the route that highway will take is the primary responsibility of the States, but State authorities use many excuses for "bulldozing" their way through, regardless of the wishes of the people.

My colleagues from Brooklyn have spoken of the wrongs that will be created by the Brooklyn Cross-County Expressway and its proposed route which has long been in controversy. The arguments as to the Clearview Expressway are similar and I daresay there are many other federally funded projects that have been "hashed and rehashed" and "starts and restarts," with great waste of taxpayers' dollars. I believe, Mr. Chairman, in this period of austerity that this is as good a time as any to stop and study our road systems and really see whether or not they are leading to the best for the future.

Our refusal to pass H.R. 17134 will not bring a halt to roadbuilding in this Nation. Present contracts and those projects which have been fully approved and accepted would continue under present authority. We would simply be saying that the program needs reappraisal and further study.

Mr. DONOHUE. Mr. Chairman, I earnestly hope that the House will carefully review and overwhelmingly approve this bill, H.R. 17134, the Federal-Aid Highway Act of 1968 because I am firmly convinced that, although not perfect in every respect, it will, nevertheless, add a great many desirable adjustments and improvements to our existing Federal-aid highway program.

The distinguished chairman and members of the committee have, I think, presented this House with one of the best bipartisan highway aid bills in modern time.

As you know, this measure provides the authorization of funds to continue the Nation's network of commerce and travel, and equally important, it spells out new policies designed to make that network increasingly efficient and responsive to the needs of the American people.

The 1968 Interstate System cost estimate is \$56½ billion, an increase of \$9,700 million over 1965. Financing and construction of the system are therefore extended through 1974.

Three thousand miles are added to the system, to make it possible for the States to program, if they wish, those obvious and serious missing links in the system; \$1,250 million is authorized for the ABC system, our primary, secondary, and urban roads; \$125 million is earmarked for the rural areas and \$125 million is earmarked for traffic improvement pro-

grams in urban areas. This additional \$250 million is new authorization, recognizing the great need to improve and expand our primary and secondary roads and to aid the cities in dealing with traffic congestion.

It is earnestly hoped that, through the provisions of this bill, the States and the Department of Transportation will, in planning all our Federal-aid highways, use a truly comprehensive planning approach, that they will try to bring together the planning for new highways, new airports, and new forms of mass transportation, and that in the cities, particularly, they will recognize in our new highways the very real opportunities to redesign and redevelop many areas of the cities. One of the new programs the bill included for this purpose is fringe parking, an optional, experimental program to be jointly supported by the States and the Federal Government, and intended to join together in a practical manner our highways and our mass transportation systems.

Perhaps the most important of the new programs, however, is relocation assistance, which will substantially lessen the housing and financial problems people will face when they are forced to move because of highway construction. The program is mandatory, and it covers individuals and families, businesses and farms, homeowners, and people who rent. It is, I believe, the best thought out and potentially the most effective relocation program the Federal Government has ever proposed.

The bill also makes some other essential changes in the law. It eliminates the penalty provision of the Safety Act.

It provides a revolving fund for advance acquisition of right-of-way, which should make it possible to save substantial amounts of money in this part of the highway program all over the Nation.

It prohibits future cutbacks or freezes on trust funds apportioned to the States.

The bill also strengthens the competitive bidding requirements of existing law which certainly should encourage a more economic and efficient program in the taxpayer's interest.

Mr. Chairman, this measure is truly a commendable example of a bipartisan legislative effort in the national interest and it merits overwhelming support.

Mr. VANIK. Mr. Chairman, I want to urge support of Representative McCARTHY's amendment to conserve and protect public parks and recreation areas from destruction through highway relocation or construction.

Under the present law, the Secretary of Transportation is precluded from approving any highway, rail, rapid transit, or other transportation project which requires the use of any public park, recreation area, wildlife or waterfowl refuge, or historical site unless there is no safe or prudent alternative.

The bill, in its present form, would strike out the protection to public parks and resources provided under existing law. The McCarthy amendment strikes this objectionable language and continues the present law on this point to insure that public lands would not be violated unless there was no safe or prudent alternative.

The Cramer amendment is unsatisfactory because it would apply only to federally owned parklands which exist principally in sparsely populated areas.

While it is essential and important to build freeways and modern highways, this construction must not destroy the few remaining open spaces in urban America which are equally as essential to modern, urban life.

The public park or parkway is usually a likely target for highway acquisition, not because it is the most direct or safe route, but more often because it is the easier route. The land has already been acquired for public purposes. No one has to be displaced or moved—except an irreplaceable natural resource which cannot cry out or fight back.

If life in urban America is to be kept tolerable and worthwhile, we must protect every open space in our inventory whether it is owned by the Federal Government or by a local community. There is no engineering task too difficult in the building of a road or highway—but no amount of engineering can quickly create a park, a lake, or a glen on which nature has been laboring for hundreds of years. These precious places must be protected before they are all destroyed. America is rich in parks and natural resources—but it is the park or parkway that we see every day that makes living really worthwhile.

Mr. BLACKBURN. Mr. Chairman, today the House is considering H.R. 17134, a bill to authorize appropriations for the fiscal years 1970 to 1971 for the construction of certain highways in accordance with title 23 of the United States Code.

While the Subcommittee on Roads of the House Public Works Committee was holding hearings on this measure, I appeared before the committee to urge them to consider placing some restrictions on the President's power to impound or freeze appropriate funds. At that time, I presented the case in which I felt that the President's action was in violation of many sections of the Federal Aid to Highways Act of 1956. I am glad to note that the committee in section 14 of this bill prohibits the President from impounding appropriated funds from the highway trust fund.

The language of section 14 is identical to that found in a bill which was introduced by Congressman ED GURNEY, of Florida and which I had the pleasure of introducing a companion measure.

For the information of my colleagues, I would like to insert a copy of my testimony before the subcommittee concerning this matter, and the text of House Resolution 961 and H.R. 14953:

STATEMENT ON H.R. 17134

(Statement of the Honorable BEN B. BLACKBURN, Republican, of Georgia, before the Subcommittee on Roads of the House Public Works Committee, Wednesday, June 5, 10 a.m., during public hearings on H.R. 16994 and H.R. 17134 (Federal Aid Highway Act of 1968).)

Mr. Chairman: Today, I have come before your subcommittee to discuss the practical and legal implications of the President's "freeze" of Highway Trust Funds.

On January 22, 1968, Secretary of Transportation, Alan S. Boyd announced that Federal-Aid Highway Program obligations during the calendar year 1968 will be held to

a level approximately five percent below the 1967 level. This meant that approximately \$350 million would be cut from planned levels in the first half of the present calendar year and \$250 million in the second half.

On October 31, 1968, I introduced H. Res. 961, which is a resolution urging the President to cease and desist from any further freezing or cutbacks relative to the Highway Trust Fund. Six companion resolutions were introduced by other Members of the House. On January 30, 1968, I introduced H.R. 14953, a bill which would not allow any part of sums authorized to be appropriated for expenditure upon any Federal-aid system, which has been apportioned pursuant to the provisions of this section, impounded or withheld from obligation.

On January 25, 1968, I wrote to Secretary of Transportation, Alan S. Boyd, to inform him of my concern over the 600 million dollar reduction in highway funds. My letter contained four main points, as follows:

"(1) In 1956, when the Congress decided to adopt the Highway Trust Fund, it stated, 'It is hereby declared to be essential to the national interest to provide for the early completion of the Interstate Highways as authorized and designated in accordance with Section 7 of the Federal Aid-Highway Act of 1944. It is the intent of Congress that the interstate system be completed as nearly as practicable over a 13-year period, and that the entire system in all states be brought to a simultaneous completion'.

"(2) Furthermore, the Congress stated through Sec. 108(b) of the Federal Aid Highway Act of 1956 that 'any sums apportioned to any state under the provisions of this section should be available for expenditures in that state for two years after the close of the fiscal year for which such sums are authorized'.

"(3) I would like to point out that the taxes raised to fund the construction are raised from taxes imposed upon those who use the highways. The Congress intended those funds to be held in 'trust' for the benefit of those who pay for the highways. I feel that the trust has been violated by the action of yourself.

"(4) My last point is one concerning the practicality of cutting back the funds when we see that the cost of highway construction has been steadily rising for the past 10 years and will probably continue to do so in the future."

I would like to discuss these arguments further with this committee. First, I would like to discuss the legality of impounding funds appropriated for the Highway Trust Fund. The basic problem facing Congress in this matter is whether the President, notwithstanding Congressional expression of dissatisfaction with this practice of impounding funds, is constitutionally authorized to act in defiance of the will of the Legislative Branch, and to persist in impounding appropriations. Furthermore, are any remedies available to Congress which, when employed by it, will prove effective in terminating this practice.

Before going any further, I would like to state that I am in complete accord with the objectives stated in the Anti-Deficiency Acts of 1905-1906. These acts encourage the President to try to effect savings and provide for contingencies. However, the Bureau of the Budget has stated many times that these acts do not embrace impounding, but do sanction apportionment as proper Presidential authority. It is definitely desirable to encourage the Executive establishment to effectuate savings in government as well as be prepared to meet every contingency.

The President cannot exercise any power unless it is first granted to him by the Constitution or the Congress. President William H. Taft stated, "The true view of the Executive function is that the President can exercise no power which cannot be fairly and

reasonably traced to some specific grant of power as proper and necessary to its exercise." The President is directly dependent upon Congress for the authority to raise revenue and then to spend these funds. Even in times of national emergency, the power to appropriate lies exclusively with the Congress. It would be direct contradiction of our basic constitutional principles to contend that the President has the power to finance or direct any activities in utter disregard of the legislative and fiscal powers vested in the Congress by Article I of the Constitution. Article II of the Constitution instructs the President to "take care that the Laws be faithfully executed."

When the President decides to impound funds which have been appropriated by the Congress, there is very little recourse for the Congress.

For the interest of my colleagues, I would like to insert the following material:

"If Congress were unable to compel adherence to its demands for increased spending, no restraints, prior or otherwise, would exist upon executive concentration upon one specific arm or service. In the absence of such authority, Congress might be able to criticize the Executive and arouse public opinion, but it would be unable to apply the ultimate sanction. Consequently, the constitutional issue as to whether Congress can compel the Executive to spend money which it appropriates assumes considerable significance. . . . Few people, and certainly no one in Congress would challenge the power of the President to refrain from spending money if he found that programs could be implemented with less funds than previously thought necessary. Congress is all in favor of administrative savings and reductions. But, it draws a sharp distinction between these and a refusal to carry out a congressional policy decision.

"The merits of this argument are definitely with Congress. If the President has the power to sign an appropriations statute into law and then nullify a major policy embodied in that statute by refusing to spend a substantial portion of the funds appropriated, he has in effect an Item Veto. More than that, he has an Absolute Veto exercised without danger of being overridden by a two-thirds vote of Congress. Neither the Commander-in-Chief clause nor any other clause in the Constitution gives him an Item Veto or an Absolute Veto. Congress, not the President has the final authority to determine the size and composition of the armed forces. The powers of Congress to raise and support armies and to 'provide and maintain a Navy' are positive powers not limited to establishing a ceiling on the services. The constitutional authority of Congress to provide funds for the military and other executive departments necessarily implies the constitutional power to compel the funds to be expended.

"The Hoover Commission was of the opinion that the authority should be vested in the President: 'We recommend . . . that the President should have authority to reduce expenditures under appropriations, if the purposes intended by the Congress are still carried out'. (Emphasis supplied.) There seems little doubt that the Commission presumed that the Budget Bureau would make most of the decisions for the President."

"Since the appropriation was made by act of law, it may be that only Congress should decide whether any part of it should revert to the Treasury. We want Congress to keep its hands on the money. The President has no time to decide any issues in dispute except those of very high political significance, but he has close working relations with and direction over the administrative force that

will do the work of detailed review. Congress has no staff of its own for such an inquiry and has shown little inclination to use the Budget Bureau for its purposes.

"But, the members of a congressional committee can spare far more time for determination of the hard cases than the President can. . . . If final authority is to rest in Congress, the Bureau or some other agency will study and recommend, but any of its recommendations that are opposed will get a pretty thorough examination at the hands of one or more committee members." (Emphasis supplied.)

I would now like to delve into the legality of the present cut, impounding, or freeze of Highway Trust Funds by the Secretary of Transportation. The five percent cut-back ordered by the President froze approximately 600 million dollars in Highway Trust Funds.

My main contention in this matter is that funds appropriated by Congress cannot be impounded or frozen by Administrative action. The Congress has the sole power to decide whether the funds should be spent. First I feel that the legislative intent of Congress has been violated by the recent actions of the Secretary of Transportation.

When reviewing the legislative intent of the Federal Aid to Highways Act of 1956, one finds that Congress was very explicit in stating its intent on this matter:

"It is the intent of the Congress that the Interstate System be completed as nearly as practicable over a thirteen-year period (now fifteen-years as a result of an amendment effected by Pub. L. 88-4237) and that the entire system in all the states be brought to simultaneous completion." (Emphasis supplied).³

The Congress was very clear in setting forth its intention that the Interstate System be completed by 1971. There are no provisions in this Act that can be construed to mean anything else.

There are two additional sections of the Act which express that Congressional desire that the Interstate system be completed with maximum speed. Specifically, Section 108(b) authorizes the appropriations of funds for fiscal years 1956 through 1969, indicating that the early authorization is "for the purpose of expediting the construction, reconstruction, or improvement inclusive of necessary bridges and tunnels of the Interstate System, including extension thereof through urban areas designated in accordance with the provisions of Section 7 of the Federal Aid to Highways Act of 1944". Furthermore, the Act allows States to construct certain portions of the Interstate System before they receive the funds. The Congress has allowed advance acquisition of right-of-ways in the interest of completion in the "most expeditious and economical manner." In short, Congress has granted broad authority to the Administration and the States to implement its desire for speedy action.

In establishing the Highway Trust Fund, an apportionment formula for the distribution of funds was established. This formula gives specific directions on how the funds are to be divided between the states. The recent cut-backs seriously disrupt this formula. There are no provisions in this act to provide for the suspension of allocations to the states as funds accumulate. Any changes in the apportionment formula cannot be made subject to Executive or Administrative Order, which would result in its suspension. The statute specifically states: "Any sums apportioned to any state under the provisions of the section shall be available for expenditure in that state for two years after the close of the fiscal year for which such sums are authorized".

¹ *Budgeting and Accounting; A Report to the Congress by the Commission on Organization of the Executive Branch of the Government (1949)*, p. 17.

² Charles S. Hyneman, *Bureaucracy in a Democracy (1950)*, pp. 224-250.

³ 23 U.S.C. Sec. 101 CA.

Congress thus provided the Highway Trust Funds to be apportioned for a two-year period. The so-called "freeze" placed upon authorized amounts is directly in conflict with statutory provisions of this act.

Prior to 1956, all funds derived from the

Federal Excise Tax on motor fuels, motor vehicles, and associated products were placed in the general fund of the United States Treasury.

In 1956, Congress augmented the federal aid to state highway programs in order to

establish a National System of Interstate Highways. To pay for these programs, the Congress increased the excise tax and created new taxes. For the information of my colleagues, I insert the following chart showing how these taxes are imposed:

FEDERAL HIGHWAY-RELATED EXCISE TAXES AND THE HIGHWAY TRUST FUND

Tax and rate basis	Tax rate ¹										
	Before July 1, 1956	From July 1, 1956	From Oct. 1, 1959	From July 1, 1961	From Jan. 1, 1966	From Mar. 15, 1966	From Jan. 1, 1970	From Jan. 1, 1971	From Jan. 1, 1972	From Oct. 1, 1972	From Jan. 1, 1973
Dedicated to highway trust fund:											
Motor fuel, cents per gallon	2	3	4	4	4	4	4	4	4	1½	1½
Rubber:											
Tires, ² cents per pound	5	8	8	10	10	10	10	10	10	5	5
Tubes, cents per pound	9	9	9	10	10	10	10	10	10	9	9
Retread, cents per pound	None	3	3	5	5	5	5	5	5	None	None
New trucks, buses, and trailers, ³ percent of manufacturer's sales price	8	10	10	10	10	10	10	10	10	5	5
Annual heavy vehicle use tax, ⁴ per 1,000 pounds per year	None	\$1.50	\$1.50	\$3.00	\$3.00	\$3.00	\$3.00	\$3.00	\$3.00	None	None
Lubricating oil, ⁵ cents per gallon	(⁶)	(⁶)	(⁶)	(⁶)	6	6	6	6	6	6	6
Truck and bus parts and accessories, ⁷ percent of manufacturer's sales price	(⁸)	(⁸)	(⁸)	(⁸)	8	8	8	8	8	5	5
Other highway-related excise taxes:											
Lubricating oil, ⁵ cents per gallon	6	6	6	6	(⁶)	(⁶)	(⁶)	(⁶)	(⁶)	(⁶)	(⁶)
New automobiles, ⁷ percent of manufacturer's sales price	10	10	10	10	6	7	5	3	1	1	None
Motor-vehicle parts and accessories, ⁷ percent of manufacturer's sales price	8	8	8	8	(⁸)	(⁸)	(⁸)	(⁸)	(⁸)	(⁸)	(⁸)

¹ "Before July 1, 1956" rates are those in effect just prior to passage of the 1956 legislation. "From Oct. 1, 1972" rates are those to which the taxes revert under existing (July 1965) law. Some changes in the "From Jan. 1, 1966" column became effective on different dates, as indicated in footnotes 3 and 7. (Legislation in 1959 called for portions of the taxes on new automobiles and parts to go to the trust fund during fiscal years 1962-64, and the fuel tax to revert to 3 cents during the same period, but legislation of 1961 nullified these provisions.)
² The tax rate on tires other than for highway use has remained at 5 cents per pound.
³ From July 1, 1956 to July 1, 1962 only ½ the tax on new trucks, buses, and trailers was dedicated to the trust fund. Beginning June 21, 1965 the following are tax exempt: bodies for camper coaches and self-propelled mobile homes; house trailers; bodies designed for seed, feed, and fertilizer; small 3-wheeled trucks; and school buses.
⁴ Annual use tax on vehicles over 26,000 pounds gross weight (vehicle plus load); levied on total weight, not just on excess over 26,000 pounds.

⁵ Prior to Jan. 1, 1966, the lubricating oil tax went to the general fund. Beginning Jan. 1, 1966 this tax (excluding cutting oil) was dedicated to the trust fund, and refunds can be claimed for nonhighway use (applicable to motor fuel also).
⁶ The 8 percent tax on motor vehicle parts and accessories, in effect prior to July 1, 1956, continued thereafter with revenue going to the general fund. Effective Jan. 1, 1966, the tax on automobile parts and accessories was repealed; the tax on truck and bus parts and accessories remains in effect, with revenue dedicated to the trust fund.
⁷ The tax rate on new automobiles, 10 percent until May 14, 1965, was scheduled to gradually decrease over a period of years under a provision of the Excise Tax Reduction Act of 1965. Under later amendments, however, the tax rate schedule will be 7 percent until Jan. 1, 1970, 5 percent until Jan. 1, 1971, 3 percent until Jan. 1, 1972, and 1 percent until Jan. 1, 1973, when it falls to zero.

These funds are placed in a special trust fund for the use of highway construction only. All the funds for the interstate system come from this trust fund. Unfortunately, a trust in the legal sense has not been created. If the Administration feels that it is essential to the economy that a reduction in highway spending be achieved, it would make that recommendation to Congress. The ultimate authority to decide how funds for highway construction should be spent lies with the Legislative Branch.

I would like to read, for the members of the Committee, the following Declaration of Purpose as found in the 1956 Act:

"It is hereby declared to be in the national interest to accelerate the construction of the Federal-aid highway systems, including the Interstate System, since many of such highways, or portions thereof, are, in fact, inadequate to meet the needs of local and interstate commerce, the national and civil defense . . . It is further declared that one of the most important objectives of this Act is the prompt completion of the Interstate System . . ."

The appropriation of money and decision with respect to its use, is the responsibility of Congress. This responsibility cannot be abdicated by Congress, nor should it be usurped by the Executive Branch. Nor can the court be relied upon to protest that Congressional prerogative for litigation begun by the states would be long and complex.

It is the duty of the Congress to call the Executive to task on this matter, and I hope that the Committee will rise to the challenge.

H. RES. 961

Whereas the ever-increasing, tragic loss of life in automobile accidents could certainly be reduced by prompt completion of a modern and safe system of interstate highways.

Whereas the cost of highway construction has increased substantially during the past decade and consequently, the deferment of essential highway construction will inevitably result not only in substantial construc-

tion cost increases, but also in additional engineering, design, and administrative expenses.

Whereas there is no doubt of Congress' intent as reflected by its statement in 1956 concerning the adoption of the highway trust fund: "It is hereby declared to be essential to the national interest to provide for the early completion of the interstate highways as authorized and designated in accordance with section 7 of the Federal-Aid Highway Act of 1944. It is the intent of Congress that the Interstate System be completed as nearly as practicable over a thirteen-year period and that the entire system in all States be brought to simultaneous completion."

Whereas Congress further stated its intent by giving specific direction with respect to the availability of highway funds for expenditures through section 108(b) of the Federal-Aid Highway Act of 1956. "Any sums apportioned to any State under the provisions of this section shall be available for expenditure in that State for two years after the close of the fiscal year for which such sums are authorized."

Whereas the funds which are to be apportioned and expended for highway construction are raised by taxes and fees imposed upon those who make use of highways the income derived from such taxes and fees has been intended by Congress to be held in "trust" for the benefit of the highway program, a "trust" in the normal legal sense has not been created:

Resolved, That it is the sense of Congress that it is the sole prerogative of Congress to designate the use of all funds which fall under the highway trust fund.

Furthermore, the appropriation of money, and decision with respect to its use, are the responsibility of Congress. This responsibility cannot be abdicated by Congress, nor should it be usurped by the President.

Therefore, Congress hereby urges the President to cease and desist from any further freezing or cutbacks of funds relative to the highway trust fund.

H.R. 14953

A bill to amend title 23, United States Code, in regard to the obligation of Federal-aid highway funds apportioned to the States

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 104 of title 23, United States Code, is amended by adding at the end thereof the following new subsection:

"(f) No part of any sums authorized to be appropriated for expenditure upon any Federal-aid system which has been apportioned pursuant to the provisions of this section shall be impounded or withheld from obligation, for the purposes and projects as provided in this title, by any officer or employee of any department, agency, or instrumentality of the executive branch of the Federal Government, except such specific sums as may be determined by the Secretary of the Treasury, after consultation with the Secretary of Transportation, are necessary to be withheld from obligation for specific periods of time to assure that sufficient amounts will be available in the highway trust fund to defray the expenditures which will be required to be made from such fund."

Mr. MILLER of Ohio. Mr. Chairman, I rise in support of the amendment to strike the authorization to carry out the provisions of the Highway Beautification Act of 1965.

This program is a nonessential one that this country can ill afford at this time. The United States faces serious financial problems at home and abroad. We are experiencing runaway inflation and a war that becomes more expensive each day.

Furthermore, someone—namely, the American people—must pay for these costs. We should not make the burden greater by investing money in cosmetic treatment of highways at this time.

With the income surtax now effective and the national debt growing each day, this is the time to set priorities in their proper perspective. The highway beautification program is a low-priority item and should be deferred until a later date.

The CHAIRMAN. The question is on the committee amendment, as amended.

The committee amendment, as amended, was agreed to.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. ROSTENKOWSKI, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 17134) to authorize appropriations for the fiscal years 1970 and 1971 for the construction of certain highways in accordance with title 23 of the United States Code, and for other purposes, pursuant to House Resolution 1237, he reported the bill back to the House with an amendment adopted by the Committee of the Whole.

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

Is a separate vote demanded on any amendment to the committee amendment adopted in the Committee of the Whole?

Mr. GERALD R. FORD. Mr. Speaker, I demand a separate vote on the so-called Cramer beautification amendment.

The SPEAKER. Is a separate vote demanded on any other amendment?

If not, the Clerk will report the amendment on which a separate vote has been demanded.

The Clerk read as follows:

Amendment:

On page 25, strike out line 11 and all that follows through and including line 23, and insert in lieu thereof the following:

"(b) The Secretary shall encourage and assist the States to provide for effective control of the erection and maintenance of outdoor advertising signs, displays, and devices along the Interstate System and the Federal-aid primary system which are within six hundred and sixty feet of the nearest edge of the right-of-way and visible from the main traveled way of the systems."

"(b) The first sentence of subsection (1) of section 131, title 23, United States Code, is amended by striking out 'under subsection (b) of this section, or to do so' and the seventh sentence of such subsection is amended by striking out 'under subsection (b) of this section or.'"

And reletter succeeding subsections and references thereto accordingly.

On page 26, strike out line 11 and all that follows through and including line 25.

And reletter succeeding subsections and references thereto accordingly.

On page 27, strike out line 22 and all that follows through and including line 12 on page 28.

And reletter succeeding subsections and references thereto accordingly.

On page 28, strike out line 13 and all that follows through and including line 5 on page 29.

And reletter succeeding subsections and references thereto accordingly.

Mr. GERALD R. FORD (during the reading). Mr. Speaker, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

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

There was no objection.

The SPEAKER. The question is on the amendment to the committee amendment.

Mr. GERALD R. FORD. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 211, nays 145, not voting 77, as follows:

[Roll No. 227]

YEAS—211

Abbitt	Frelinghuysen	Nelsen
Abernethy	Fuqua	O'Neal, Ga.
Adair	Galfianakis	Pelly
Addabbo	Gardner	Pettis
Anderson, Ill.	Gathings	Pike
Andrews, Ala.	Goodell	Pirnie
Arends	Goodling	Poage
Ashbrook	Griffin	Pollock
Ayres	Gross	Price, Tex.
Bates	Grover	Qule
Battin	Gubser	Quillen
Belcher	Gude	Rallsback
Bennett	Gurney	Randall
Betts	Hagan	Rarick
Bevill	Haley	Reid, Ill.
Blester	Hammer-	Reffel
Blackburn	schmidt	Rhodes, Ariz.
Bolton	Hanley	Riegle
Bray	Harrison	Robison
Brinkley	Harsha	Rogers, Fla.
Brock	Henderson	Rooney, Pa.
Broomfield	Herlong	Roth
Brotzman	Hicks	Roudebush
Brown, Mich.	Horton	Rumsfeld
Brown, Ohio	Hull	Satterfield
Broyhill, N.C.	Hungate	Schadeberg
Broyhill, Va.	Hunt	Scherle
Buchanan	Hutchinson	Schneebell
Burleson	Jacobs	Schwelker
Burton, Utah	Jarman	Schwengel
Bush	Johnson, Pa.	Scott
Byrnes, Wis.	Jonas	Selden
Cabell	Jones, N.C.	Shibley
Cahill	Karth	Skubitz
Carter	Keith	Slack
Casey	King, N.Y.	Smith, Calif.
Cederberg	Kleppe	Smith, Iowa
Chamberlain	Kuykendall	Smith, N.Y.
Clancy	Kyl	Smith, Okla.
Clausen,	Laird	Snyder
Don H.	Landrum	Springer
Cleveland	Langen	Stanton
Collier	Lennon	Steiger, Ariz.
Conable	Lipscomb	Steiger, Wis.
Cowger	Lukens	Stratton
Cramer	McClure	Stubblefield
Curtis	McCulloch	Stuckey
Davis, Ga.	McDade	Talcott
Davis, Wis.	McDonald,	Thompson, Ga.
Delaney	Mich.	Thomson, Wis.
Dellenback	McEwen	Tuck
Denney	McMillan	Utt
Derwinski	Macdonald,	Vigorito
Devine	Mass.	Wampler
Dickinson	Mailliard	Watkins
Dole	Marsh	Watson
Dowdy	Martin	Watts
Downing	May	Whalen
Dulski	Mayne	Whalley
Duncan	Meskill	White
Edwards, Ala.	Miller, Ohio	Whitener
Edwards, La.	Mills	Whitten
Erlenborn	Minshall	Williams, Pa.
Esch	Mize	Wilson, Bob
Eshleman	Monagan	Winn
Evans, Colo.	Montgomery	Wyatt
Findley	Moore	Wyder
Fino	Morris, N. Mex.	Wylie
Fisher	Morton	Wyman
Flynt	Mosher	Zion
Ford, Gerald R.	Myers	Zwach
Fountain	Natcher	

NAYS—145

Adams	Brasco	Daddario
Albert	Brooks	Daniels
Annunzio	Burke, Mass.	Dawson
Ashley	Burton, Calif.	de la Garza
Aspinall	Button	Dent
Barrett	Byrne, Pa.	Dingell
Blatnik	Celler	Donohue
Boggs	Clark	Dow
Boland	Cohelan	Edhardt
Bolling	Conte	Edmondson
Brademas	Corbett	Edwards, Calif.

Ellberg	Kee	Reid, N.Y.
Everett	Kelly	Reuss
Fallon	Kluczynski	Rhodes, Pa.
Farbstein	Kupferman	Rivers
Fascell	Kyros	Roberts
Feighan	Leggett	Rodino
Flood	McCarthy	Rogers, Colo.
Foley	McClory	Ronan
Fraser	McCloskey	Rosenthal
Friedel	McFall	Rostenkowski
Fulton, Pa.	Machen	Roybal
Fulton, Tenn.	Mahon	Ryan
Gallagher	Matsunaga	St Germain
Garmatz	Meeds	St. Onge
Glaime	Mink	Sandman
Gibbons	Moorhead	Saylor
Gilbert	Moogan	Scheuer
Gonzalez	Morse, Mass.	Sisk
Gray	Moss	Stafford
Green, Ore.	Murphy, Ill.	Staggers
Green, Pa.	Murphy, N.Y.	Steed
Halpern	Nedzi	Sullivan
Hansen, Wash.	Nix	Taylor
Hathaway	O'Hara, Mich.	Teague, Calif.
Hawkins	O'Konski	Teague, Tex.
Hays	Olsen	Tenzer
Hebert	O'Neill, Mass.	Tierman
Hechler, W. Va.	Ottinger	Tunney
Heckler, Mass.	Patten	Udall
Helstoski	Pepper	Vanik
Holifield	Perkins	Waggonner
Howard	Philbin	Wilson,
Irwin	Pickle	Charles H.
Joelson	Podell	Wright
Johnson, Calif.	Price, Ill.	Yates
Jones, Ala.	Pucinski	Young
Kastenmeyer	Purcell	Zablocki
Kazen	Rees	

NOT VOTING—77

Anderson,	Griffiths	Nichols
Tenn.	Hall	O'Hara, Ill.
Andrews,	Halleck	Passman
N. Dak.	Hamilton	Patman
Ashmore	Hanna	Poff
Baring	Hansen, Idaho	Pool
Bell	Hardy	Pryor
Berry	Harvey	Reinecke
Bingham	Holland	Resnick
Blanton	Hosmer	Rooney, N.Y.
Bow	Ichord	Roush
Brown, Calif.	Jones, Mo.	Ruppe
Burke, Fla.	Karsten	Shriver
Carey	King, Calif.	Sikes
Clawson, Del	Kirwan	Stephens
Colmer	Kornegay	Taft
Conyers	Latta	Thompson, N.J.
Corman	Lloyd	Ullman
Culver	Long, La.	Van Deerlin
Cunningham	Long, Md.	Vander Jagt
Diggs	MacGregor	Waldie
Dorn	Madden	Walker
Dwyer	Mathias, Calif.	Widnall
Evins, Tenn.	Mathias, Md.	Wiggins
Ford,	Michel	Willis
William D.	Miller, Calif.	Wolf
Gettys	Minish	

So the amendment to the committee amendment was agreed to.

The Clerk announced the following pairs:

On this vote:

Mr. Hamilton for, with Mr. Rooney of New York against.

Mr. Burke of Florida for, with Mr. Kirwan against.

Mr. Mathias of California for, with Mr. Wolff against.

Mr. Colmer for, with Mr. Willis against.

Mr. Bow for, with Mr. Hanna against.

Mr. Hall for, with Mr. Carey against.

Mr. Shriver for, with Mr. William D. Ford against.

Mr. Poff for, with Mr. Minish against.

Mr. Berry for, with Mr. Madden against.

Mr. Latta for, with Mr. Miller of California against.

Mr. Hosmer for, with Mr. Waldie against.

Mr. MacGregor for, with Mr. King of California against.

Mr. Del Clawson for, with Mr. Thompson of New Jersey against.

Mr. Andrews of North Dakota for, with Mr. Van Deerlin against.

Mr. Michel for, with Mr. Brown of California against.

Mr. Vander Jagt for, with Mrs. Griffiths against.

Mr. Cunningham for, with Mr. O'Hara of Illinois against.

Mr. Lloyd for, with Mr. Bingham against.
Mr. Harvey for, with Mr. Conyers against.
Mr. Reinecke for, with Mr. Corman against.
Mr. Ruppe for, with Mr. Diggs against.
Mr. Halleck for, with Mr. Holland against.
Mr. Hansen of Idaho for, with Mr. Patman against.

Mr. Blanton for, with Mr. Resnick against.

Until further notice:

Mr. Ashmore with Mr. Wiggins.
Mr. Ichord with Mrs. Dwyer.
Mr. Anderson of Tennessee with Mr. Mathias of Maryland.
Mr. Pryor with Mr. Taft.
Mr. Nichols with Mr. Bell.
Mr. Dorn with Mr. Hardy.
Mr. Evins of Tennessee with Mr. Long of Louisiana.
Mr. Culver with Mr. Long of Maryland.
Mr. Gettys with Mr. Kornegay.
Mr. Ullman with Mr. Baring.
Mr. Karsten with Mr. Passman.
Mr. Walker with Mr. Roush.
Mr. Sikes with Mr. Stephens.

Messrs. BOLAND and BURKE of Massachusetts changed their votes from "yea" to "nay."

The result of the vote was announced as above recorded.

The SPEAKER. The question now occurs on the committee amendment, as amended.

The committee amendment, as amended, was agreed to.

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

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

MOTION TO RECOMMIT OFFERED BY
MR. SCHWENGEL

Mr. SCHWENGEL. Mr. Speaker, I offer a motion to recommit.

The SPEAKER. Is the gentleman opposed to the bill?

Mr. SCHWENGEL. I am in its present form, Mr. Speaker.

The SPEAKER. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. SCHWENGEL moves to recommit the bill H.R. 17134, to the Committee on Public Works with instructions to report it back forthwith with the following amendments: On page 47, strike out line 16 and all that follows down to (but not including) line 14 on page 48.

Remember the succeeding sections of the bill accordingly.

Mr. KLUCZYNSKI. Mr. Speaker, I move the previous question on the motion to recommit.

The previous question was ordered.

The SPEAKER. The question is on the motion to recommit.

The motion to recommit was rejected.

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

The bill was passed.

A motion to reconsider was laid on the table.

Mr. KLUCZYNSKI. Mr. Speaker, I ask unanimous consent for the immediate consideration of a similar Senate bill (S. 3418) to authorize appropriations for the fiscal years 1970 and 1971 for the construction of certain highways in accordance with title 23 of the United States Code, and for other purpose.

The Clerk read the title of the Senate bill.

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

There was no objection.

The Clerk read the Senate bill, as follows:

S. 3418

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

TITLE I—FEDERAL-AID HIGHWAY ACT
OF 1968

SHORT TITLE

SECTION 101. This title may be cited as the "Federal-Aid Highway Act of 1968".

AUTHORIZATION OF USE OF COST ESTIMATE FOR
APPORTIONMENT OF INTERSTATE FUNDS

SEC. 102. (a) The Secretary of Transportation is authorized to make the apportionment for the fiscal years ending June 30, 1970, and 1971, of the sums authorized to be appropriated for such years for expenditures on the National System of Interstate and Defense Highways, using the apportionment factors contained in revised table 5 of House Document Numbered 199, Ninetieth Congress.

(b) Section 104(b)(5) of title 23, United States Code, is amended by striking the three sentences preceding the last sentence and inserting the following: "Upon the approval by the Congress, the Secretary shall use the Federal share of such approved estimate in making apportionments for the fiscal years ending June 30, 1970, and June 30, 1971. The Secretary shall make a revised estimate of the cost of completing the then designated Interstate System after taking into account all previous apportionments made under this section, in the same manner as stated above, and transmit the same to the Senate and the House of Representatives within ten days subsequent to January 2, 1970. Upon the approval by the Congress the Secretary shall use the Federal share of such approved estimate in making apportionments for the fiscal year ending June 30, 1972."

AUTHORIZATIONS

SEC. 103. For the purpose of carrying out the provisions of title 23, United States Code, the following sums are hereby authorized to be appropriated:

(1) For the Federal-aid primary system and the Federal-aid secondary system and for their extension within urban areas, from the Highway Trust Fund, \$1,200,000,000 for the fiscal year ending June 30, 1970, and \$1,400,000,000 for the fiscal year ending June 30, 1971. Nothing in this paragraph shall be construed to authorize the appropriation of any sums to carry out sections 131, 136, or 319(b) of title 23, United States Code, or any provision of law relating to highway safety enacted after May 1, 1966. The sums authorized in this paragraph for each fiscal year shall be available for expenditure as follows:

(A) 45 per centum for projects on the Federal-aid primary highway system;

(B) 30 per centum for projects on the Federal-aid secondary highway system; and

(C) 25 per centum for projects on extensions of the Federal-aid primary and Federal-aid secondary highway systems in urban areas.

(2) For traffic operation projects in urban areas as authorized in section 135 of title 23, United States Code, from the Highway Trust Fund, the additional sum of \$250,000,000 for the fiscal year ending June 30, 1970, the additional sum of \$250,000,000 for the fiscal year ending June 30, 1971.

(3) For forest highways, \$33,000,000 for the fiscal year ending June 30, 1970, and \$33,000,000 for the fiscal year ending June 30, 1971.

(4) For public lands highways \$16,000,000 for the fiscal year ending June 30, 1970, and \$16,000,000 for the fiscal year ending June 30, 1971.

(5) For forest development roads and trails, \$170,000,000 for the fiscal year ending June 30, 1970, and \$170,000,000 for the fiscal year ending June 30, 1971.

(6) For public lands development roads and trails, \$3,500,000 for the fiscal year ending June 30, 1970, and \$5,000,000 for the fiscal year ending June 30, 1971.

(7) For park roads and trails, \$30,000,000 for the fiscal year ending June 30, 1971.

(8) For parkways, \$11,000,000 for the fiscal year ending June 30, 1971.

(9) For Indian reservation roads and bridges, \$30,000,000 for the fiscal year ending June 30, 1970, and \$30,000,000 for the fiscal year ending June 30, 1971.

AUTHORIZATION FOR STATE AND COMMUNITY
HIGHWAY SAFETY PROGRAMS

SEC. 104. For the purpose of carrying out section 402 of title 23, United States Code, there is hereby authorized to be appropriated, from the Highway Trust Fund, the sum of \$50,000,000 for the fiscal year ending June 30, 1970, and \$75,000,000 for the fiscal year ending June 30, 1971.

AUTHORIZATION FOR HIGHWAY SAFETY RESEARCH
AND DEVELOPMENT PROGRAMS

SEC. 105. For the purpose of carrying out sections 307(a) and 403 of title 23, United States Code, there is hereby authorized to be appropriated to remain available until expended the additional sum of \$30,000,000 for the fiscal year ending June 30, 1970, and the additional sum of \$40,000,000 for the fiscal year ending June 30, 1971.

AUTHORIZATIONS FOR HIGHWAY BEAUTIFICATION

SEC. 106. (a) Section 131(m) of title 23, United States Code, is amended to read as follows:

"(m) There is authorized to be appropriated to carry out the provisions of this section, out of any money in the Treasury not otherwise appropriated, not to exceed \$20,000,000 for the fiscal year ending June 30, 1966, not to exceed \$20,000,000 for the fiscal year ending June 30, 1967, not to exceed \$5,000,000 for the fiscal year ending June 30, 1969, not to exceed \$5,000,000 for the fiscal year ending June 30, 1970, and not to exceed \$5,000,000 for the fiscal year ending June 30, 1971. The provisions of chapter 1 of this title relating to the obligation, period of availability, and expenditure of Federal-aid primary highway funds shall apply to the funds authorized to be appropriated to carry out this section after June 30, 1967."

(b) Section 136(m), title 23, United States Code, is amended to read as follows:

"(m) There is authorized to be appropriated to carry out this section, out of any money in the Treasury not otherwise appropriated, not to exceed \$20,000,000 for the fiscal year ending June 30, 1966, not to exceed \$20,000,000 for the fiscal year ending June 30, 1967, not to exceed \$10,000,000 for the fiscal year ending June 30, 1969, not to exceed \$10,000,000 for the fiscal year ending June 30, 1970, and not to exceed \$10,000,000 for the fiscal year ending June 30, 1971. The provisions of chapter 1 of this title relating to the obligation, period of availability, and expenditure of Federal-aid primary highway funds shall apply to the funds authorized to be appropriated to carry out this section after June 30, 1967."

(c) Section 319(b) of title 23, United States Code, is amended by striking the last two sentences and inserting in lieu thereof the following: "There is authorized to be appropriated to carry out this subsection, out of any money in the Treasury not otherwise appropriated, not to exceed \$120,000,000 for the fiscal year ending June 30, 1966, not to exceed \$120,000,000 for the fiscal year ending

June 30, 1967, not to exceed \$70,000,000 for the fiscal year ending June 30, 1969, not to exceed \$70,000,000 for the fiscal year ending June 30, 1970, and not to exceed \$70,000,000 for the fiscal year ending June 30, 1971. The provisions of chapter 1 of this title relating to the obligation, period of availability, and expenditure of Federal-aid primary highway funds shall apply to the funds authorized to be appropriated to carry out this subsection after June 30, 1967."

(d) Funds authorized to be appropriated by this section to carry out the provisions of sections 131, 136, and 319(b) shall be subject to a deduction for necessary administrative expenses which shall not exceed 5 per centum of the aggregate total of amounts authorized for any fiscal year.

ADVANCE ACQUISITION OF RIGHTS-OF-WAY

SEC. 107. (a) Section 108 of title 23, United States Code, is amended to read as follows:

"(a) For the purpose of facilitating the acquisition of rights-of-way on any of the Federal-aid highway systems, including the Interstate System, in the most expeditious and economical manner, and recognizing that the acquisition of rights-of-way requires lengthy planning and negotiations if it is to be done at reasonable cost; to facilitate the orderly relocation of persons, businesses, farms, and other existing users of property; to minimize right-of-way costs by forestalling development of land ultimately required for highway purposes, and to achieve a rational development of communities, the Secretary, upon the request of the State highway department, is authorized to make available the funds apportioned to any State for expenditure on any of the Federal-aid highways systems, including the Interstate System, for acquisition of rights-of-way in anticipation of construction and under such rules and regulations as the Secretary may prescribe.

"(b) In addition to funds available under subsection (a) of this section, the Secretary is authorized to allocate to each State, subject to the provisions of section 124(b) of this title, an additional amount equivalent to 2 per centum of the aggregate sums apportioned to it under section 104 of this title for any fiscal year. Within six months subsequent to the allocation to a State of funds under this subsection the State shall demonstrate to the satisfaction of the Secretary that it will obligate such funds for the purposes of this section. Any funds made available under this subsection with respect to which a State has not made the demonstration required by the preceding sentence shall automatically revert to the Secretary who may, in his discretion, make such reverted funds available for the purposes of this subsection and on the basis of need to any other State requesting such funds and making the requisite demonstration.

"(c) Before any funds may be made available to a State pursuant to this section, the State highway department shall enter into an agreement with the Secretary which shall provide (1) for the reimbursement of the costs of such rights-of-way, and (2) for the actual construction of a road on such rights-of-way, both within a period not exceeding seven years following the fiscal year in which such request is made or by the terminal date of the Highway Trust Fund, whichever occurs first.

"(d) Federal participation in the cost of rights-of-way acquired under subsection (a) of this section shall not exceed the Federal pro rata share applicable to the class of funds from which Federal reimbursement is made except for advance payments that are to be repaid under the provisions of section 124(c) of this title."

(b) That section 124 of title 23, United States Code, is amended by relettering the first paragraph as subsection "(a)", substituting the word "subsection" for the word

"section" in the third sentence of such subsection "(a)" and adding at the end thereof the following new subsections:

"(b) For the purpose of carrying out the provisions of section 108(b) of this title relating to the allocation of additional amounts to the States for the advance acquisition of rights-of-way, there is hereby authorized to be appropriated from the Highway Trust Fund such moneys, not to exceed \$100,000,000, as may be necessary for the initial establishment of a fund and for its replenishment on an annual basis, which may be used by the Secretary, upon the request of any State, for payment of the total cost of rights-of-way acquired in advance of construction, including any net expenses of property management, on any of the Federal-aid systems. Pending such appropriation, the Secretary may advance from any cash heretofore or hereafter appropriated from the Highway Trust Fund to Federal-aid highways (Trust Fund) for liquidation of contract authority, such sums as may be necessary for payments to the States for the rights-of-way acquired in advance of construction, that appropriation to be reimbursed from the appropriations herein authorized when made.

"(c) Before any funds are made available to a State under subsection (b) of this section, the respective State highway department shall enter into an agreement with the Secretary which shall provide for repayment by the State of its pro rata share of funds made available under section 108 of this title. Before actual construction commences on rights-of-way acquired under section 108 of this title, repayment by the State of its pro rata share of the costs applicable to such project shall be credited to the Highway Trust Fund and the Federal pro rata share of the costs applicable to such project shall be charged to the unobligated balance of regularly apportioned funds available to the State for improvement of the Federal-aid system for which the right-of-way was purchased.

"(d) The provisions of subsections (d), (f), and (g) of section 209 of the Highway Revenue Act of 1956 (70 Stat. 374) shall be applicable to section 108(b) of this title and to subsection (b) of this section."

DEFINITIONS OF FOREST ROADS OR TRAIL AND FOREST DEVELOPMENT ROADS AND TRAILS

SEC. 108. The fourth and fifth paragraphs in section 101(a) of title 23, United States Code, are amended to read as follows:

"The term 'forest road or trail' means a road or trail wholly or partly within or adjacent to and serving the national forests and other areas under Forest Service administration.

"The term 'forest development roads and trails' means those forest roads or trails of primary importance for the protection, administration, and utilization of the national forest and other areas under Forest Service administration or where necessary, for the use and development of the resources upon which communities within or adjacent to the national forest and other areas administered by the Forest Service are dependent."

FOREST DEVELOPMENT ROADS AND TRAILS

SEC. 109. The first two sentences of subsection (c) of section 205 of title 23, United States Code, are amended to read as follows:

"(c) Construction estimated to cost \$15,000 or more per mile or \$15,000 or more per project for projects with a length of less than one mile, exclusive of bridges and engineering, shall be advertised and let to contract. If such estimated cost is less than \$15,000 per mile or \$15,000 per project for projects with a length of less than one mile or if, after proper advertising, no acceptable bid is received or the bids are deemed excessive, the work may be done by the Secretary of Agriculture on his own account."

URBAN AREA TRAFFIC OPERATIONS IMPROVEMENT PROGRAMS

SEC. 110. Chapter 1 of title 23, United States Code, is hereby amended by adding the following new section 135 thereto:

"§ 135. Urban area traffic operations improvement programs

"(a) The Congress hereby finds and declares it to be in the national interest that each State should have a continuing program within the designated boundaries of urban areas of the State designed to reduce traffic congestion and accidents and to facilitate the flow of traffic in the urban areas.

"(b) To accomplish this objective the sums available for expenditure for the purposes of this section shall be used for projects which include but are not limited to those which directly facilitate and control traffic flow.

"(c) The sums available for expenditure for the purposes of this section shall be apportioned in accordance with 104(b)(3).

"(d) The Federal share payable on account of any project authorized by this section shall be that provided for in section 120(a) of this title. Sums available for expenditure for the purposes of this section shall be used to finance the Federal share payable under this section.

"(e) The provisions of chapter 1 of this title relating to the obligation, period of availability, and expenditure of Federal-aid primary highway funds shall apply to the sums available for expenditure for purposes of this section.

"(f) The urban area traffic operations improvement program shall be developed and carried out in accordance with the comprehensive urban plans developed pursuant to section 134 of this title."

SEC. 111. The analysis of chapter 1 of title 23, United States Code, is hereby amended by adding thereto, in the appropriate numerical order, the following:

"135. Urban area traffic operations improvement programs".

FRINGE PARKING FACILITIES

SEC. 112. Chapter 1 of title 23, United States Code, is hereby amended by adding the following new section 139 thereto:

"§ 139. Fringe parking

"(a) It is hereby declared to be in the national interest, in furtherance of the orderly development of balanced transportation systems based on a continuing comprehensive transportation planning process, to encourage and assist the States in the development of publicly owned parking facilities outside central business districts to reduce traffic volume and increase the mobility and safe flow of traffic on highways and streets within urban areas of more than fifty thousand population.

"(b) The Secretary may approve, as a project under this title, the acquisition of land adjacent to the right-of-way on any Federal-aid highway system outside a central business district, as defined by the Secretary, and the construction of publicly owned parking facilities thereon or within such right-of-way, including the use of the airspace above and below the established gradeline of the highway, to serve an urban area of more than fifty thousand population. Such parking facility shall be located and designed to permit its use in conjunction with existing or planned mass transportation facilities. In the event fees are charged for the use of any such facility, the rate thereof shall not be in excess of that required for maintenance and operation.

"(c) The Federal share payable on account of any project authorized by this section shall be 50 per centum. Sums apportioned in accordance with section 104(b)(3) and section 135 of this title shall be used to finance the Federal share payable under this section.

"(d) The Secretary shall not approve any project under this section until the following conditions have been satisfied:

"(1) The State highway department has provided assurances satisfactory to the Secretary that the State, or a political subdivision thereof has the authority and is capable of providing for the construction, maintenance, and operation of the facility;

"(2) The design standards for construction of the facility have been concurred in by the Secretary, which shall be developed in cooperation with the State highway department;

"(3) The Secretary and the State highway department or other appropriate public agency have entered into an agreement governing the financing, maintenance, and operation of the facility; and

"(4) The fringe parking facilities must be based on the comprehensive urban planning process required by section 134 of this article.

"(e) The term 'parking facilities', for purposes of this section, shall include access roads, buildings, structures, equipment, improvements and interests in lands.

"(f) The Secretary shall not approve any project under this section unless he determines that it is needed for carrying out a plan, completed or under active preparation, for a unified or officially coordinated urban transportation system as part of the comprehensively planned development of the urban area."

SEC. 113. The analysis of chapter 1 of title 23, United States Code, is hereby amended by adding thereto, in the appropriate numerical order, the following:

"139. Fringe parking".

URBAN IMPACT AMENDMENTS

SEC. 114. (a) The second paragraph in section 101(a) of title 23, United States Code, is amended by striking the period at the end thereof, inserting a comma and adding the following: "and the costs of adjustments to reduce adverse economic, social, environmental and other impact caused by a project."

(b) Clause (2) of subsection (a) of section 109 of title 23, United States Code, is amended by adding after the word "particular" the following: "economic, social, environmental, and other".

(c) The first sentence of subsection (a) of section 128 of title 23, United States Code, is amended by striking everything after the word "economic" and adding the following: "and social effects of such a location, its impact on the environment, and its consistency with the goals and objectives of the community."

(d) The third sentence of section 134 of title 23, United States Code, is amended by striking the word "transportation" and inserting the word "urban" in lieu thereof.

CONSTRUCTION BY STATES IN ADVANCE OF APPORTIONMENT

SEC. 115. (a) Subsection (a) of section 115 of title 23, United States Code, is amended to read as follows:

"(a) When a State has obligated all funds for any of the Federal-aid systems, including the Interstate System, apportioned to it under section 104 of this title, and proceeds to construct any project without the aid of Federal funds, including one or more parts of any project, on any of the Federal-aid systems in such State, including the Interstate System, as any of those systems may be designated at that time, in accordance with all procedures and all requirements applicable to projects on any such system, except insofar as such procedures and requirements limit a State to the construction of projects with the aid of Federal funds previously apportioned to it, the Secretary, upon application by such State and his approval of such application, is authorized to pay to such State the Federal share of the costs of construction of such project when additional

funds are apportioned to such State under section 104 of this title if—

"(1) prior to the construction of the project the Secretary approves the plans and specifications therefor in the same manner as other projects on the Federal-aid system involved, and

"(2) the project conforms to the applicable standards adopted under section 109 of this title;

"Provided, the Secretary may not approve an application under this section unless an authorization is in effect for the fiscal year for which the application is sought beyond the currently authorized funds for such State and that no application may be approved which will exceed the State's expected apportionment of such authorizations."

(b) Subsection (b) of section 115 of title 23, United States Code, is amended by striking the following: "of subsection (b)(5)".

(c) The analysis of chapter 1 of title 23, United States Code, is hereby amended to read as follows:

"115. Construction by States in advance of apportionment."

BRIDGE INSPECTION

SEC. 116. Section 116 of title 23, United States Code, is amended by adding a new subsection (d):

"(d) The Secretary in consultation with the State highway departments and interested and knowledgeable private organizations and individuals shall as soon as possible establish national bridge inspection standards in order to provide for the proper safety inspection of bridges on any of the Federal-aid highway system. Such standards shall specify in detail the method by which inspections shall be conducted, the maximum time lapse between inspections and the qualifications for those charged with the responsibility for carrying out such inspections. Each State shall be required to maintain written reports to be available to the Secretary pursuant to such inspections together with a notation of the action taken pursuant to the findings of such inspections. Each State shall be required to maintain a current inventory of all bridges on the Federal-aid system."

SEC. 117. The Secretary shall establish in cooperation with the State highway departments a program designed to train those employees of the Federal Government and the State governments charged with the responsibility for carrying out bridge inspections. Such a program shall be revised from time to time in light of new or improved techniques. For the purposes of this section the Secretary may use funds made available pursuant to the provisions of section 104(a) and section 307(a) of title 23, United States Code.

EMERGENCY RELIEF

SEC. 118. (a) The first sentence of section 125 of title 23, United States Code, is amended to read as follows: "An emergency fund is authorized for expenditure by the Secretary, subject to the provisions of this section and section 120, for the repair or reconstruction of highways, roads, and trails which he shall find have suffered serious damage as the result of (1) natural disaster over a wide area such as by floods, hurricanes, tidal waves, earthquakes, severe storms, or landslides, or (2) catastrophic failures from any cause, in any part of the United States."

(b) The first sentence of section 120(f) of title 23, United States Code, is amended by inserting before the period the following: "And provided further, That the Secretary may increase the Federal share payable on account of any repair or reconstruction under this section up to 100 per centum of the replacement cost of a comparable facility if he determines it is in the public interest".

TOLL ROADS

SEC. 119. Section 129 of title 23 of the United States Code is amended by adding to subsection (b) thereof the following language:

"After June 30, 1968, all agreements between the Secretary and a State highway department for the construction of projects on the Interstate System shall contain a clause providing that no toll highway will be constructed on the interstate highway route involved without the official concurrence of the Secretary. The Secretary shall not concur in any such construction unless he makes an affirmative finding that, under the particular circumstances existing, the construction of such highway as a toll facility rather than a toll-free facility is in the public interest."

GUAM

SEC. 120. (a) Effective for fiscal years beginning after June 30, 1969, section 101(a) of title 23 of the United States Code is amended in the clause relating to the definition of the term "State" by inserting "Guam," after "District of Columbia,".

(b) Section 103 of title 23 of the United States Code is amended by inserting at the end thereof a new subsection as follows:

"(f) The system or systems of highways in Guam on which Federal-aid funds may be expended under this chapter shall be determined and agreed upon by the Governor of Guam and the Secretary."

PREVAILING RATE OF WAGE

SEC. 121. Section 113 of title 23, United States Code, is amended by (1) striking subsection (a) and (b) thereof and inserting, in lieu thereof, the following:

"(a) The Secretary shall take such action as may be necessary to insure that all laborers and mechanics employed by contractors or subcontractors on the initial construction work performed on highway projects on the Federal-aid systems, the primary and secondary, as well as their extensions in urban areas, and the Interstate System, authorized under the highway laws providing for the expenditure of Federal funds upon the Federal-aid systems, shall be paid wages at rates not less than those prevailing on the same type of work on similar construction in the immediate locality as determined by the Secretary of Labor in accordance with the Act of August 30, 1935, known as the Davis-Bacon Act (40 U.S.C. 267a).

"(b) In carrying out the duties of subsection (a) of this section, the Secretary shall consult with the highway department of the State in which a project on any of the Federal-aid systems is to be performed. After giving due regard to the information thus obtained, he shall make a predetermination of the minimum wages to be paid laborers and mechanics in accordance with the provisions of subsection (a) of this section which shall be set out in each project advertisement for bids and in each bid proposal form and shall be made a part of the contract covering the project.

"(c) The provision of the section shall not be applicable to employment pursuant to apprenticeship and skill training programs which have been certified by the Secretary of Transportation as promoting equal employment opportunity in connection with federal-aid highway construction programs."

(d) The analysis of chapter 1 of title 23, United States Code, is hereby amended to read as follows:

"113. Prevailing rate of wage."

EQUAL EMPLOYMENT OPPORTUNITY

SEC. 122. Section 105 of title 23, United States Code, is amended by adding a new subsection (e) at the end thereof:

"(e) Prior to approving any programs for projects as provided for in subsection (a) of this section, the Secretary in consultation with the Secretary of Labor shall receive assurances that employment in connection with proposed projects will be open to all qualified applicants. He shall require that each State shall notify all prospective bidders of their equal employment opportunity responsibilities. In approving programs for

projects on any of the Federal-aid systems, the Secretary shall require certification by any State desiring to avail itself of the benefits of this chapter that there are in existence and available on an areawide or statewide basis, apprentice and skill improvement programs, registered with the Department of Labor appropriate State apprentice council, to insure equal employment opportunity to all persons without regard to race, color, creed or national origin; and that such persons are being given full opportunity to achieve employment on any projects approved for construction under this chapter. The Secretary shall periodically receive from the Secretary of Labor and the respective State highway departments information which will enable him to judge compliance with the requirements of this subsection and the Secretary of Labor shall render to the Secretary such assistance and information as he shall deem necessary to carry out the equal employment opportunity program required hereunder. Acceptance by the Secretary of the program or programs submitted by any State shall be in lieu of any other preaward of preconstruction requirement of law or regulation concerning equal employment opportunity."

Sec. 123. Section 15 of the Federal-Aid Highway Act of 1966 (80 Stat. 766; P.L. 89-574, Act of September 13, 1966) is hereby amended by striking all of subsection (a) and inserting in lieu thereof a new subsection as follows:

"(a) Chapter 1 of title 23 of the United States Code is amended by inserting at the end thereof a new section as follows:

"§ 138. Preservation of parklands

"It is hereby declared to be the national policy that special effort should be made to preserve the natural beauty of the countryside and public park and recreation lands, wildlife and waterfowl refuges, and historic sites. The Secretary of Transportation shall cooperate and consult with the Secretaries of the Interior, Housing and Urban Development, and Agriculture, and with the States in developing transportation plans and programs that include measures to maintain or enhance the natural beauty of the lands traversed. After the effective date of this Act, the Secretary shall not approve any program or project which requires the use of any land from a public park, recreation area, wildlife and waterfowl refuge, or historic site unless (1) there is no feasible and prudent alternative to the use of such land, and (2) such program includes all possible planning to minimize harm to such park, recreational area, wildlife and waterfowl refuge, or historic site resulting from such use."

Sec. 124. (a) The Commissioner of the District of Columbia is authorized to acquire by purchase, donation, condemnation or otherwise, real property for transfer to the Secretary of the Interior in exchange or as replacement for park, parkway, and playground lands transferred to the District of Columbia for a public purpose pursuant to section 1 of the Act of May 20, 1932 (47 Stat. 161; D.C. Code, sec. 8-115) and the Commissioner is further authorized to transfer to the United States title to property so acquired.

(b) Payments are authorized to be made by the Commissioner, and received by the Secretary of Interior, in lieu of or in addition to property transferred pursuant to subsection (a) of this section. The amount of such payment shall represent the cost to the Secretary of Interior of acquiring real property suitable for replacement of the property so transferred as agreed upon between the Commissioner and the head of said agency and shall be available for the acquiring of the replacement property.

TITLE II—RELOCATION ASSISTANCE AND LAND ACQUISITION PRACTICES

Sec. 201. This title may be cited as the "Highway Relocation Assistance and Land Acquisition Practices Act of 1968".

SEC. 202. Title 23, United States Code, is hereby amended by adding at the end thereof a new chapter:

"Chapter 5.—HIGHWAY RELOCATION ASSISTANCE

"Sec.

"501. Declaration of policy.

"502. Assurances of adequate relocation assistance program.

"503. Administration of relocation assistance program.

"504. Federal reimbursement.

"505. Relocation payments.

"506. Rent adjustment expenses.

"507. Replacement housing.

"508. Expenses incidental to transfer of property.

"509. Relocation services.

"510. Relocation assistance programs on Federal highway projects.

"511. Authority of Secretary.

"512. Definitions.

"§ 501. Declaration of policy

"Congress hereby declares that the prompt and equitable relocation and reestablishment of persons, business concerns, farmers, and nonprofit organizations displaced as a result of the construction of Federal-aid highways are necessary to insure that a few individuals do not suffer disproportionate injuries as a result of programs designed for the benefit of the public as a whole. Therefore, Congress determines that relocation payments and advisory assistance should be provided to all persons so displaced in accordance with the provisions of this Act.

"§ 502. Assurances of adequate relocation assistance program

"The Secretary shall not approve any project under section 106 or section 117 of this title which will cause the displacement of any person, business, or farm operation unless he receives satisfactory assurances from the State highway department or any agency designated by a State highway department that:

"(a) fair and reasonable relocation and other payments shall be afforded to displaced persons in accordance with sections 505, 506, 507, and 508 of this title; *Provided*, That no State need agree to make any payment in excess of \$25,000 to any displaced person in order to receive the assistance authorized by this Act.

"(b) relocation assistance programs offering the services described in section 509 of this title shall be afforded to displaced persons; and

"(c) within a reasonable period of time prior to displacement from real property in (1) an urban area, and (2) nonurban areas in any State to the extent practicable as designated by the Secretary, after consultation with the Governor, there will be available in areas not generally less desirable in regard to public utilities and public and commercial facilities and as rents or prices within the financial means of the families and individuals displaced, decent, safe and sanitary dwellings, as defined by the Secretary, equal in number to the number of and available to such displaced families and individuals and reasonably accessible to their places of employment.

"§ 503. Administration of relocation assistance program

"In order to prevent unnecessary expenses and duplication of functions, a State highway department may make relocation payments or provide relocation assistance or otherwise carry out the functions required under this chapter by utilizing the facilities, personnel, and services of any other Federal, State, or local governmental agency having an established organization for conducting relocation assistance programs.

"§ 504. Federal reimbursement

"(a) The Secretary shall approve, as a part of the cost of construction of a project under any Federal-aid highway program which he

administers, the cost of providing the payments and services described in section 502; *Provided*, That, notwithstanding any other law, the Federal share of the first \$25,000 of such payments to any person, on account of any real property acquisition or displacement occurring prior to July 1, 1971, shall be increased to 100 per centum of such cost.

"(b) Any agreement with a State highway department executed before the date of this Act for a project for which property has not been acquired as of the date of enactment of this Act under any such program shall be amended to include the cost of providing the payments and services described in section 502.

"§ 505. Relocation payments

"(a) PAYMENTS FOR ACTUAL EXPENSES.— Upon application approved by the State agency, a person displaced by any highway project approved under section 106 or section 117 of this title may elect to receive:

"(1) his reasonable actual expenses in moving himself, his family, his business, farm operation, or other personal property, and for his actual and reasonable expenses in searching for a replacement property;

"(2) if he disposes of personal property on moving his business or farm operation and replaces such property at the new location at a price exceeding the sale price, the amount of the difference between such prices, not to exceed, however, the estimated cost of moving the property or its market value, whichever is less; and

"(3) such other expenses as may be provided for in regulations issued by the Secretary; or

"(b) OPTIONAL PAYMENTS—DWELLINGS.— Any displaced person who moves from a dwelling who elects to accept the payments authorized by this subsection in lieu of the payments authorized by subsection (a) of this section may receive:

"(1) a moving expense allowance, determined according to a schedule established by the Secretary, not to exceed \$200;

"(2) a dislocation allowance of \$100; and

"(3) an additional payment of \$400 if the displaced person purchases a dwelling for the purpose of residence within one year from the date of actual displacement, except that such displaced person shall only be eligible for payment under this subparagraph when the dwelling purchased is situated upon real estate in which such person acquires fee title, life estate, ninety-nine-year lease, or other type of long-term lease equivalent to a proprietary interest.

"(c) ADDITIONAL PAYMENTS—FARM OPERATIONS.— Any displaced person who moves or discontinues a farm operation shall receive, in addition to the payment authorized by subsection (a) of this section, a fixed relocation payment in the amount of \$1,000; *Provided*, That, in the case where the entire farm operation is not acquired by the State, the payment authorized by this subparagraph shall be made only if the State agency determines that the remainder property is no longer an economic unit.

"(d) ADDITIONAL PAYMENTS—BUSINESSES.— Any displaced person who moves or discontinues his business shall receive, in addition to the payment authorized by subsection (a) of this section, a fixed relocation payment in an amount equal to the average annual net earnings of the business or \$5,000, whichever is the lesser. No payment shall be made under this subsection unless the State agency is satisfied that the business (1) cannot be relocated without a substantial loss of its existing patronage, and (2) is not part of a commercial enterprise having at least one other establishment, not being acquired by the State or by the United States, which is engaged in the same or similar business. For purposes of this subsection, the term 'average annual net savings' means one-half of any net earnings of the business, before Federal, State, and local income taxes, during

the two taxable years immediately preceding the taxable year in which such business moves from the real property acquired for such project, or such other reasonable period and basis as the Secretary may approve, and includes any compensation paid by the business to the owner, his spouse, or his dependent children during such two-year period. Such earnings and compensation shall be established by Federal income tax returns filed by such business and its owner and his spouse and dependent children for such taxable period.

“§ 506. Rent adjustment expenses

“(a) In addition to amounts otherwise authorized by this title, the State agency may pay to or on behalf of any displaced family, displaced elderly individual, or displaced handicapped individual monthly payments over a period not to exceed twenty-four months an amount not to exceed \$500 in the first twelve months and \$500 in the second twelve months to assist such displaced family or individual to secure a dwelling determined, in accordance with standards established by the Secretary, to be decent, safe, and sanitary. Subject to the limitation imposed by the preceding sentence, the additional payment shall be an amount which, when added to 20 per centum of the annual income of the displaced individual or family at the time of displacement, equals the average annual rental required for such a decent, safe, and sanitary dwelling of modest standards adequate in size to accommodate the displaced individual or family in areas not generally less desirable in regard to public utilities and public and commercial facilities: *Provided*, That such payment shall be made only to an individual or family who is unable to secure a dwelling unit in a low-rent housing project assisted under the United States Housing Act of 1937, or under a State or local program found by the Secretary of Housing and Urban Development to have the same general purposes as the Federal program under such Act, or a dwelling unit assisted under section 101 of the Housing and Urban Development Act of 1965.

“(b) The Secretary shall make the determinations under this section on the amount of assistance according to family size, family or individual income, average rents required, or similar considerations.

“(c) The additional payments under this section may be paid on a basis other than monthly in cases in which the small size of the payments that would otherwise be required does not warrant a number of separate payments or in other cases in which other than monthly payments are determined warranted by the Secretary.

“(d) No payment received under this section shall be considered as income for the purpose of determining the eligibility or the extent of eligibility of any person for assistance under the Social Security Act or any other Federal Act.

“§ 507. Replacement housing

“(a) In addition to amounts otherwise authorized by this title, the State agency may make a payment to the owner of real property acquired for a project which is improved by a single-, two-, or three-family dwelling actually occupied by the owner for not less than one year prior to the initiation of negotiations for the acquisition of such property. Such payment shall be (1) the amount, if any, not to exceed \$5,000, which, when added to the acquisition payment, equals the average price required for a comparable dwelling determined, in accordance with standards established by the Secretary, to be a decent, safe, and sanitary dwelling adequate in size to accommodate the displaced owner, reasonably accessible to public services and places of employment, and available on the private market and (2) an amount determined by the Secretary to be necessary to compensate such owner for any loss of favorable financing due to such ac-

quisition: *Provided*, That such payment shall be made only to a displaced owner who purchases and occupies a dwelling within one year subsequent to the date on which he is required to move from the dwelling acquired for the project: *And provided further*, That no such payment shall be required or included as a project cost under section 504 of this title if the owner-occupant receives a payment required by the State law of eminent domain which is determined by the Secretary to have substantially the same purpose and effect as this section and to be part of the cost of the project for which Federal financial assistance is available.

“(b) Subject to the approval of the Secretary, the State agency shall determine the prices prevailing in the locality for dwellings meeting the requirements of subsection (a) of this section.

“§ 508. Expenses incidental to transfer of property

“In addition to amounts otherwise authorized by this title, the State shall reimburse the owner of real property acquired for a project for reasonable and necessary expenses incurred for (a) recording fees, transfer taxes, and similar expenses incidental to conveying such property; (b) penalty costs for prepayment of any mortgage encumbering such real property: *Provided*, That such mortgage shall be on record as required by law on the date of official announcement of such project; and (c) the pro rata portion of real property taxes paid which are allocable to a period subsequent to the date of vesting of title in the State, or the effective date of the possession of such real property by the State, whichever is earlier.

“§ 509. Relocation services

“(a) Each State shall provide a relocation assistance program which shall include such measures, facilities, or services as may be necessary or appropriate in order:

“(1) to determine the needs of displaced families, individuals, business concerns, and farm operators for relocation assistance;

“(2) to assure a feasible method for the temporary relocation of families and individuals displaced from the property acquired;

“(3) to assure that, within a reasonable period of time prior to displacement from real property in (i) an urban area, or (ii) any other area of a State designated by the Secretary, after consultation with the Governor, there will be available, in areas not generally less desirable in regard to public utilities and public and commercial facilities and at rents or prices within the financial means of the families and individuals displaced, housing meeting the standards established by the Secretary for decent, safe, and sanitary dwellings, equal in number to the number of, and available to, such displaced families and individuals and reasonably accessible to their places of employment;

“(4) to assist owners of displaced businesses and displaced farm operators in obtaining and becoming established in suitable business locations;

“(5) to supply information concerning the Federal Housing Administration home acquisition program under section 221(d)(2) of the National Housing Act, the small business disaster loan program under section 7(b)(3) of the Small Business Act, and other State or Federal programs offering assistance to displaced persons;

“(6) to assist in minimizing hardships to displaced persons in adjusting to relocation; and

“(7) to assure, to the greatest extent practicable, the coordination of relocation activities with other project activities and other planned or proposed governmental actions in the community or nearby areas which may affect the carrying out of the relocation program.

“(b) Any State may offer relocation services under such program to other persons occupying property abutting any real prop-

erty acquired for a Federal-aid highway project who it determines are caused substantial economic injury because of such project.

“§ 510. Relocation assistance programs on Federal highway projects

“Notwithstanding any other provision of law, on and after the effective date of this Act any Federal agency which acquires real property for use in connection with a highway project authorized by chapter 2 of this title or any other Federal law shall, in accordance with regulations issued by the Secretary, provide the payments and services described in sections 502, 505, 506, 507, 508, and 509, of this Act. When real property is acquired by a State or local governmental agency for such a Federal project, for purposes of this chapter, the acquisition shall be deemed an acquisition by the Federal agency having authority over such project. Funds appropriated or otherwise available to any Federal agency for such project shall be available also for obligation and expenditure to carry out the provisions of this chapter.

“§ 511. Authority of the Secretary

“(a) To carry into effect the provisions of this chapter, the Secretary is authorized to make such rules and regulations as he may determine to be necessary to assure:

“(1) that the payments authorized by this chapter shall be fair and reasonable and as uniform as practicable;

“(2) that a displaced person who makes proper application for a payment authorized for such person by this Act shall be paid promptly after a move or, in certain hardship cases, the Secretary may, by regulation, authorize advance payment of certain relocation costs;

“(3) that any person aggrieved by a determination as to eligibility for a payment authorized by this chapter, or the amount of a payment, may have his application reviewed by the head of the State or Federal agency making such determination; and

“(4) that a displaced person shall have a reasonable time in which to apply for a payment authorized by this Act.

“(b) The Secretary may make such other rules and regulations consistent with the provisions of this chapter as he deems necessary or appropriate to carry out this chapter.

“§ 512. Definitions

“Unless the context requires otherwise, as used in this chapter—

“(1) The term ‘displaced person’ means—

“(a) any person who is the owner of a business which moves from real property or is discontinued on or after the effective date of this Act as result of the acquisition or reasonable expectation of acquisition of such real property, in whole or in part, for a Federal-aid highway;

“(b) any person who is the farm operator of a farm operation which moves from real property or is discontinued on or after the effective date of this Act as a result of the acquisition or the reasonable expectation of acquisition of such real property, in whole or in part, for a Federal-aid highway;

“(c) any individual who is the head of a family which moves from real property occupied as a dwelling on or after the effective date of this Act, as a result of the acquisition or reasonable expectation of acquisition of such real property, in whole or in part, for a Federal-aid highway, or which moves from such dwelling as a result of the acquisition or reasonable expectation of acquisition of other real property, later acquired, for such highway on which such family conducts a business or farm operation;

“(d) any individual, not a member of a family, who moves from real property occupied as a dwelling on or after the effective date of this Act as the result of the acquisition or the reasonable expectation of acquisition of such real property, in whole or in part, for a Federal-aid highway, or who moves from such dwelling as a result of the acquisition, or reasonable expectation of other real

property, on which such individual conducts a business or farm operation; or

"(e) any individual not described in paragraph (a), (b), (c), or (d) of this subsection who moves his personal property from real property on or after the effective date of this Act as a result of the acquisition or reasonable expectation of acquisition of such real property for a Federal-aid highway: *Provided*, That this shall not include the owner of property on the premises of another under a lease or licensing arrangement where such owner is required pursuant to such a lease or license to move such property at his own expense.

"(2) The term 'business' means any lawful activity conducted primarily—

"(a) for the purchase and resale of products, commodities, or any other personal property;

"(b) for the manufacture, processing, or marketing of any such property;

"(c) for the cultivation, processing, or marketing of timber;

"(d) for the sale of services to the public; or

"(e) by a nonprofit organization.

"(3) The term 'farm operation' means any activity conducted solely or primarily for the production of one or more agricultural products or commodities other than timber for sale and home use, and customarily producing such products or commodities in sufficient quantity to be capable of contributing materially to the operator's support.

"(4) The term 'farm operator' means any owner, part owner, tenant, or sharecropper who operates a farm.

"(5) The term 'elderly individual' means a person not a member of a family who is sixty-two years of age or over.

"(6) The term 'handicapped individual' means a person not a member of a family who is handicapped within the meaning of section 202 of the Housing Act of 1959.

"(7) The terms 'owner' and 'person' means any individual, partnership, corporation, or association.

"(8) The term 'Federal agency' means any department, agency, or instrumentality in the executive branch of the Government and any corporation wholly owned by the Government.

"(9) The term 'State agency' means a State highway department or any agency designated by a State highway department to administer the relocation assistance program authorized by this chapter."

SEC. 203. Paragraph (3) of section 7(b) of the Small Business Act is amended to read as follows:

"(3) to make such loans (either directly or in cooperation with banks or other lending institutions through agreements to participate on an immediate or deferred basis) as the Administration may determine to be necessary or appropriate to assist any small business concern in continuing in business at its existing location, in reestablishing its business, in purchasing a business, or in establishing a new business, if the Administration determines that such concern has suffered substantial economic injury as the result of its displacement by, or location in, adjacent to, or near, a highway project constructed by the Federal Government or any State government; and the purpose of a loan made pursuant to such project or program may, in the discretion of the Administration, include the purchase or construction of other premises whether or not the borrower owned the premises occupied by the business and."

SEC. 204. Section 106 of title 23, United States Code, is amended by adding new subsections (d) and (e) at the end thereof as follows:

"(d) Before approving projects under this chapter, the Secretary shall obtain from the State highway department the following assurances:

"(1) that every reasonable effort shall be

made to acquire the real property by negotiated purchase;

"(2) That the construction of projects shall be so scheduled that to the greatest extent practicable no person lawfully occupying the real property shall be required to move from his home, farm, or business location without at least ninety days written notice from the State of the date by which possession of such real property is required; and

"(3) that it will be the policy of the State, before initiating negotiations for real property, to establish a price which it believed to be a fair and reasonable consideration therefor, such price not to be less than the appraised value of the property as approved by such State, and to make a prompt offer to acquire the property for the full amount so established.

"(e) Before approving any project under this chapter after the date of enactment of this Act, the Secretary shall obtain from the State highway department the following assurances:

"(1) that no owner will be required to surrender possession of real property before the State (A) pays the agreed purchase price, (B) makes available for the benefit of the owner, by court deposit or otherwise, an amount equal to the appraised fair values of such property, as approved by such State, without prejudice to the right of the owner to contest the amount of compensation due for the property, or (C) deposits or pays the final award of compensation in the condemnation proceeding for such property;

"(2) that any decrease in the value of real property prior to the date of valuation caused by the project for which such property is acquired, or by the likelihood that the property would be acquired for the proposed project, other than that due to physical deterioration within the reasonable control of the owner, will be disregarded in determining the compensation for the property; and

"(3) that for the purpose of determining the extent of the acquisition of real property and the valuation thereof, no building, structure, or other improvement will be deemed to be other than a part of the real property solely because of the right or obligation of a tenant, as against the owner of any other interest in the real property, to remove such building, structure, or improvement at the expiration of his term, and the head of the State agency shall pay to the tenant the fair value of the building, structure, or improvement, which fair value shall be determined by such agency head as the greatest of (1) the contributive value of the improvement to the present use of the entirety, (2) the current cost of the reproduction less depreciation of the improvement, or (3) the value of the improvement for removal from the property: *Provided*, That (1) payment hereunder will not result in duplication of any payments otherwise authorized by law; (2) that the fee owner of the land involved disclaims any interest in the improvements of the lessee; and (3) the lessee in consideration for such payment shall assign, transfer, and release to the State agency all his right, title, and interest in and to such improvements. *Provided further*, That no provision of this section shall be construed to deprive the lessee of his right to reject the payments hereunder and to obtain payment for this property interests of just compensation as otherwise defined by law."

SEC. 205. No provision of this title shall be construed to give any person a cause of action in any court, nor may any violation of this title be raised as a defense by such person in any action.

SEC. 206. If any provision of this title, or the application thereof to any person or circumstance is held invalid, the remainder of this title and the application of the provision to other persons or circumstances shall not be affected thereby.

SEC. 207. Section 133 of title 23, United States Code, is hereby repealed. Any rights or liabilities now existing under such section shall not be affected by the repeal thereof under this section.

SEC. 208. The government of the District of Columbia is authorized to participate in the Highway Relocation Assistance Program pursuant to chapter 5 of title 23 of the United States Code.

SEC. 209. EFFECTIVE DATE.—This Act shall take effect on the date of enactment.

TITLE III—ESTABLISHMENT OF PARKING FACILITIES IN THE DISTRICT OF COLUMBIA

FINDINGS OF FACT: SHORT TITLE

SEC. 301. (a) The Congress finds that—

(1) the growth and development of the National Capital area has been accompanied by an ever-increasing number of persons entering the District of Columbia by motor vehicle which has resulted in serious traffic congestion;

(2) this congestion restricts the interchange of goods, services, and people between the District of Columbia and the surrounding suburbs, to the detriment of both; imposes hardships and inconvenience on residents, employers, employees, and tourists in the National Capital area; impedes the efficient conduct of the United States and the District of Columbia government; and interferes with the rapid and effective disposition of police and firefighting equipment.

(3) the orderly growth and development of the National Capital area requires a balanced transportation system which provides residents of and visitors to the National Capital area a variety of economic and efficient means of travel into and through the District of Columbia;

(4) a balanced transportation system requires adequate highways, rapid rail transit, buses, and off-street parking facilities for motor vehicles;

(5) off-street parking facilities in sufficient numbers and at rates and locations adequate to meet the needs of the National Capital area have not been provided; and

(6) the establishment of a parking authority to supplement existing parking with additional off-street parking facilities is necessary to maintain and improve the economic well-being of the National Capital area, the safety, convenience, and welfare of the residents thereof and the visitors thereto, and the efficiency of the United States and District of Columbia governments.

(b) This Act may be cited as the "District of Columbia Parking Facility Act".

CREATION OF PARKING BOARD

SEC. 302. (a) There is hereby created and established a body politic and corporate of perpetual duration, to be known as the "District of Columbia Parking Board" (herein called the "Parking Board"). The Parking Board shall consist of three members, who shall be the Commissioner of the District of Columbia and the Chairman and the Vice Chairman of the District of Columbia Council. The term of office of any member of the Parking Board shall be the same as his term of office as such Commissioner, such Chairman, or such Vice Chairman. Two members of the Parking Board shall constitute a quorum. The members of the Parking Board shall select from among their number a chairman and a vice chairman of the Parking Board.

(b) The Parking Board shall appoint, subject to the provisions of the Classification Act of 1949, as amended, and other applicable laws relating to employees of the District of Columbia, an Administrator. The Parking Board may delegate to the Administrator such authority as may be necessary or convenient to carry out the purposes of this Act.

PARKING ADVISORY COUNCIL

SEC. 303. (a) There is hereby established a Parking Advisory Council (herein called the

"Advisory Council"). The Advisory Council shall be composed of eleven members, consisting of the Secretary of the Interior or his designee, the Director of the District of Columbia Department of Highways and Traffic or his designee, the Administrator of General Services or his designee, the Chairman of the National Capital Planning Commission or his designee, the Administrator of the Washington Metropolitan Area Transit Authority or his designee, all ex officio, and six members from private life appointed by the Parking Board of whom one shall be designated biennially by the Parking Board to serve as chairman. The members from private life shall be chosen to reflect a range of experience in such fields as architecture, engineering, retail trade, real estate, financing, law, motor vehicle parking, and transportation.

(b) The members of the Advisory Council appointed by the Parking Board shall be appointed for a term of four years, except that with respect to the first appointments made after this Act becomes effective, one member shall be appointed for a one-year term, one member shall be appointed for a two-year term, two members shall be appointed for a three-year term, and two members shall be appointed for a four-year term. Any member appointed to fill a vacancy shall serve only for the unexpired term of the member he is replacing. Any member shall be eligible for reappointment.

(c) (1) Members of the Advisory Council who are officers or employees of the United States or of the District of Columbia shall serve without compensation in addition to that received in their regular public employment, but shall be entitled to reimbursement for travel, subsistence, and other necessary expenses incurred by them in the performance of duties vested in the Council.

(2) Members of the Advisory Council, other than those to whom paragraph (1) is applicable, shall receive compensation at the rate of \$50 per day for each day they are engaged in the performance of their duties as members of such Council and shall be entitled to reimbursement for travel, subsistence, and other necessary expenses incurred by them in the performance of their duties as members of the Council.

(d) It shall be the duty of the Advisory Council to advise and assist the Parking Board in carrying out its functions under this Act, including the overall planning of parking facilities, the acquisition, construction, design, and operation of such facilities and such other matters as the Parking Board shall request or the Advisory Council shall determine. The Parking Board shall request the views of the Advisory Council on each matter made subject to a public hearing by this Act, and shall include the report of the Council, if any, in the Parking Board's record.

(e) The Advisory Council is authorized, within the limits of funds authorized by the Parking Board and subject to the provisions of the Classification Act of 1949, as amended, and other applicable laws relating to employees of the District of Columbia, to appoint an executive secretary. Subject to reimbursement by the Parking Board for the salaries, retirement, health benefits, and similar costs for such employees, the ex officio members of the Advisory Council and the Commissioners of the District of Columbia shall make available to the executive secretary such staff, information, and technical assistance as he shall require to enable the Advisory Council to carry out its responsibilities under this Act.

(f) The Advisory Council is authorized, within the limits of funds authorized by the Parking Board, in accordance with the provisions of section 20(a)(11) of this Act to hire independent consultants to assist it in carrying out its responsibilities under this Act.

COMPREHENSIVE PARKING STUDY

SEC. 304. (a) The Advisory Council shall, within one year following the date of enact-

ment of this Act, and not less than once each five years thereafter, prepare and distribute a comprehensive report on parking in the District of Columbia metropolitan area. Such report shall include—

(1) an inventory of existing parking facilities in the District of Columbia, both public and private, and an analysis of the manner and extent to which they are utilized;

(2) an inventory of the existing and reasonably anticipated transportation facilities in the National Capital area, including roads, highways, buses, and rapid rail transit, and an analysis of the manner and extent to which they are utilized;

(3) an analysis of the extent, type, and location of all parking facilities and on-street parking which are necessary or desirable for achieving balanced transportation and an efficient flow of traffic in the National Capital area together with recommendations as to the need, if any, for additional public parking facilities and the areas within which such facilities should be located; and

(4) any other information or recommendations that the Advisory Council determines to be useful to the Parking Board in carrying out its duties under this Act.

(b) The Advisory Council shall refer the parking report to all interested agencies in the National Capital area for their information and comments. The parking report and all relevant data used to compile the report shall be made available to owners and operators of private parking facilities in the District of Columbia in order to enable them more effectively to plan the operation and expansion of their facilities.

ACQUISITIONS OF PARKING FACILITIES

SEC. 305. (a) The Parking Board is authorized to acquire, in its own name, by purchase, lease, gift exchange condemnation or otherwise, such property, real or personal in the District of Columbia, including any rights or interests therein, as the Parking Board may require to carry out the provisions of this Act; except that in no case shall the Parking Board acquire by condemnation any real property on which there is located a parking facility, unless the Parking Board intends substantially to increase the number of vehicles which can be parked on such property: *Provided*, That if within thirty days after the Board institutes a condemnation proceeding to acquire land on which there is located a parking facility the owners of such property file with the court a signed statement to the effect that they plan to undertake such construction as is necessary to cause to be located thereon a parking facility equal in capacity to that proposed to be constructed thereon by the Board and that they will cause such construction to be commenced within one year after the date such statement is filed, the condemnation proceeding shall be stayed pending the completion of such construction. Upon such completion, the court shall enter an order dismissing the condemnation proceeding. If such construction does not commence within such one-year period and proceed expeditiously thereafter, the Board may proceed with the condemnation proceeding.

(b) The Commissioner of the District of Columbia is authorized to make available to the Parking Board, without consideration, air and subsurface rights in areas consisting principally of land in street, highway, railway, or subway rights-of-way, bridges, and other lands under his jurisdiction and control in the District of Columbia for use by the Parking Board in carrying out its duties under this Act. The Commissioner to the extent feasible, shall exercise this authority to enable the Parking Board to locate parking facilities in such manner as to coordinate parking with any future highway or subway construction in the District of Columbia. Nothing in this Act

shall be construed as modifying or superseding title 23, United States Code.

(c) The Secretary of the Interior and the Administrator of General Services are authorized, subject to such terms and conditions as they may prescribe, to make available to the Parking Board, without consideration, subsurface rights in lands in the District of Columbia under their respective jurisdiction and control for use by the Parking Board in carrying out its duties under this Act.

(d) The Parking Board shall take no final action with respect to the acquisition of a parking facility or the acquisition of any real property for the purpose of establishing thereon a parking facility (other than the taking of options) until the Parking Board has—

(1) obtained a study of such proposed facility from an independent expert qualified to evaluate the feasibility of any such facility, and

(2) held a public hearing to obtain views on the need for such facility, its proposed size, and its economic feasibility. The Board shall publish notice of any such hearing in at least one newspaper of general circulation in the District of Columbia at least twenty days prior to such hearing.

(e) No condemnation proceeding shall be instituted under this Act unless the Commissioner, acting in his capacity as Commissioner, shall have approved the filing of such proceedings. Condemnation proceedings brought pursuant to this section shall be brought in the name of the Parking Board. Such proceedings shall be instituted and conducted in the United States District Court for the District of Columbia, which court shall have jurisdiction of such proceedings, and shall be prosecuted in accordance with the procedure in proceedings instituted and conducted under the authority of sections 1311 through 1321 of title 16 of the District of Columbia Code, except that (1) wherever in such sections the term "Board of Commissioners" or "Board" appear, such terms shall be deemed, for the purposes of this Act, to mean the Parking Board, (2) wherever in such sections provision is made for property to be taken in the name of the District of Columbia, such provisions shall, for the purposes of this Act, be construed to mean the Parking Board, (3) wherever in such sections reference is made to the District of Columbia (as a party to a proceeding instituted or conducted under the authority of such sections), such terms shall be deemed to refer to the Parking Board, and (4) wherever in such sections any payment is required by any of such sections to be made from appropriated funds, such payment is authorized to be made from any moneys of the Parking Board which are available for such purpose.

(f) The acquisition, by condemnation, of real property for use by the Parking Board under this Act shall be authorized only if, prior to the initiation of proceedings to condemn such property, the Parking Board shall have taken the following actions:

(1) Retained at least two qualified, independent real estate appraisers to assist it in establishing the fair market value of the property, and such appraisers have advised the Parking Board, in writing, of such value;

(2) Established a fair market value for the property based on such appraisal;

(3) Certified that it has been unable to purchase the property at such fair market value;

(4) Initiated condemnation proceedings within ninety days from the date of the certification required by paragraph (3): *Provided*, That in the event the Parking Board shall fail to initiate such proceedings within the prescribed period, the Parking Board shall be foreclosed from initiating any such proceeding against said real property for a period of at least five years from the expiration of said ninety-day period;

(5) Certified that decent, safe, and sanitary housing can reasonably be expected to be available to any families which may be displaced by such condemnation action at rentals or prices they can reasonably afford; and

(6) Certified that, barring acts of God or other unforeseeable circumstances, it will commence, or cause to be commenced, construction of a parking facility upon such property within one year following the date of acquisition.

(g) In addition to any payments required by the preceding subsection, the Parking Board is hereby authorized to make relocation payments to persons displaced by reason of its acquisition of property under the authority of this section to the same extent as such persons would have been entitled to have received if such displacements had been within the purview of section 114 of title I of the Housing Act of 1949, as amended. The Parking Board and the District of Columbia Redevelopment Land Agency are authorized to enter into an agreement under which such Agency shall undertake to administer the payments authorized to be made by this subsection, and provide the Parking Board with relocation services in like manner as such Agency provides such services to the Commissioner.

(h) No parking facility shall be established under this Act upon any property zoned residential without the approval of the Zoning Commission of the District, which may grant such approval only after public notice and hearing in accordance with the provisions of section 3 of the Act of June 20, 1938 (52 Stat. (1938)); D.C. Code, sec 5-415).

PARKING BOARD AUTHORIZED TO CONSTRUCT AND OPERATE FACILITIES

SEC. 306. (a) The Parking Board is authorized to undertake, by contract or otherwise, the clearance and improvement of any property acquired by it under this Act as well as the construction, establishment, reconstruction, alteration, repair, and maintenance thereon of parking facilities. The Parking Board shall take such action as may be necessary to insure that all laborers and mechanics employed in the performance of such construction, alteration, and/or repair shall be paid wages at rates not less than those prevailing on similar construction in the locality as determined by the Secretary of Labor, in accordance with the Davis-Bacon Act, as amended. The Secretary of Labor shall have, with respect to the labor standards specified herein, the authority and functions set forth in Reorganization Plan Numbered 14 of 1950 (15 F.R. 3176; 64 Stat. 1267; 5 U.S.C. 133z-15) and section 2 of the Act of June 13, 1934, as amended (48 Stat. 948, as amended; 40 U.S.C. 276(c)).

(b) The Parking Board may, with respect to any facility acquired or constructed pursuant to this Act,

(1) lease space in such facility at or below the level of the street on which such facility fronts or abuts for commercial purposes, and

(2) lease or sell air rights above any parking structure of four or more stories for commercial purposes.

If the Parking Board determines that the utilization of such space or air rights for commercial purposes is expedient for the financing of such parking facility and is compatible with the development and zoning of the vicinity in which such facility is located: *Provided*, That no petroleum products shall be sold or offered for sale in any entrance to or exit from any parking facility constructed or acquired under this Act. The rentals so generated shall be taken into account in fixing the rental or sales price of any real property or facility leased or sold pursuant to sections 7 and 8.

(c) The Parking Board shall, as soon as practicable, lease or sell, pursuant to sections 7 and 8 hereof, any facility acquired or constructed under this Act unless the Park-

ing Board determines that the public interest would best be served if it operated such facility itself, and includes in its record of the matter a statement as to its reasons therefor. Each such determination so made shall be reviewed by the Parking Board not less than every three years following the date on which such determination is made. The Parking Board shall extend to all qualified persons experienced in the business of motor vehicle parking who owned a parking facility on any land acquired by condemnation pursuant to section 5 the right of first refusal with respect to any sale, or the right to meet the high bid, with respect to the leasing, of any parking facility constructed on such land.

(d) In operating any such facility, the Board shall, to the extent feasible, provide, by contract or otherwise, for such operation of its parking facilities by any person or management firm competent to manage the operation. Any such contract shall be subject to the Service Contract Act of 1965 (79 Stat. 1034).

PARKING BOARD AUTHORIZED TO LEASE FACILITIES

SEC. 307. (a) The Parking Board is authorized to lease any parking facility acquired or constructed by it for such period of time, as the Board may determine, except that a lease which is used as security for permanent financing shall not exceed forty years in duration and any other lease shall not exceed five years in duration. The Parking Board shall invite competitive bids for the lease of any parking facility, but may, whenever it determines it to be in the public interest, negotiate the lease of any such facility. The Parking Board shall include in its record of the matter a statement as to its reason for so negotiating any such lease.

(b) The Parking Board shall not lease any such facility for an annual rental in an amount less than that which is necessary to amortize, within a forty-year period, the cost of acquiring or constructing such facility and to provide a reasonable reserve for such purpose; to meet the Parking Board's obligations, if any, under the lease including any obligation to repair, maintain, or insure the facility, to make payments in lieu of taxes; and to meet all administrative expenses and other charges in connection therewith; except that the Parking Board may, for good cause, accept for such number of years as the Parking Board may determine is necessary, a lower rental than the minimum hereinabove prescribed, subject to the repayment to the Parking Board of the difference between such lower rental and such minimum rental prior to the termination of the period for which the parking facility is leased.

(c) The lease of a parking facility shall be upon terms and conditions requiring that such parking facility shall be operated and maintained, during the term of the lease, for the parking of motor vehicles by the general public in accordance with rates, hours of service, methods of operation, rules, and regulations established or approved by the Parking Board and posted in such parking facility by the lessee.

PARKING BOARD AUTHORIZED TO SELL FACILITIES

SEC. 308. (a) The Parking Board is authorized to sell any parking facility other than any facility constructed on land owned by or acquired from the governments of the United States or the District of Columbia. The Parking Board shall invite competitive bids for the sale of any such parking facility, but may, whenever it determines it to be in the public interest, negotiate the sale of such facility. The Parking Board shall include in its record of the matter a statement as to its reason for so negotiating any such sale.

(b) The sale of any such parking facility shall be upon terms and conditions requir-

ing that such parking facility shall be operated and maintained for the parking of motor vehicles by the general public in accordance with rates, hours of service, method of operation, rules, and regulations established or approved by the Parking Board and posted in such parking facility by the purchaser.

(c) The Parking Board is authorized, in connection with the sale of a parking facility acquired or constructed by it, to include in the deed for such property a covenant, running with the land, whereby the purchaser agrees, for himself and his successors in interest, that the property purchased from the Parking Board will be used as a parking facility for such period of time as the Parking Board shall specify in said covenant. The Parking Board is authorized to agree, subject to the requirements of the preceding subsection (b), to the release or modification of any such covenant whenever the Parking Board shall find, after public hearing, that the operation of a parking facility no longer is in the public interest, or the development of the vicinity in which such parking facility is located is or will be of such a character as to make such facility incompatible with such vicinity.

LEASING PROPERTY FOR DEVELOPMENT

SEC. 309. (a) The Parking Board is authorized to lease for terms not exceeding forty years, any real property acquired pursuant to this Act, and to stipulate in such lease that the lessee shall erect at his or its expense a structure or structures on the land leased, which structure or structures and property shall be primarily used, maintained, and operated as a parking facility. Every such lease shall be entered into upon such terms and conditions as the Parking Board shall impose including, but not limited to, requirements that such structure or structures shall conform with the plans and specifications approved by the Board; that such structure or structures shall become the property of the District, or in the case of a facility constructed on land under the control and jurisdiction of the United States, such structure shall become the property of the United States, upon termination or expiration of any such lease; that the lessee shall furnish security in the form of a penal bond, or otherwise, to guarantee fulfillment of his or its obligations; that the lessee shall take such action as may be necessary to insure that all laborers and mechanics employed in the performance of such construction, alteration, and/or repair shall be paid wages at rates not less than those prevailing on similar construction in the locality as determined by the Secretary of Labor, in accordance with the Davis-Bacon Act, as amended, and any other requirements which, in the judgment of the Parking Board, shall be related to the accomplishments of the purposes of this Act.

(b) The lessee may, with the consent of the Parking Board—

(1) sublease space in such facility at or below the level of the street upon which such facility fronts or abuts for commercial purposes; or

(2) sublease air rights above any parking structure of four or more stories for commercial purposes;

If the Parking Board determines that the utilization of such space or air rights for commercial purposes is expedient for the financing of such parking facility and is compatible with the development of the vicinity in which such facility is located: *Provided*, That no petroleum products shall be sold or offered for sale in any entrance to or exit from any parking facility constructed or acquired under this Act. The rentals so generated shall be taken into account in fixing the sales price of any real property sold pursuant to this section and the approval of rates for the parking of motor vehicles in the parking facility constructed thereon.

(c) Any such lease made pursuant to this section shall be upon such terms and conditions as the Parking Board shall determine, and shall include requirements that any parking facility constructed on the land so leased shall be operated and maintained for the parking of motor vehicles by the general public in accordance with rates, hours of service, method of operation, rules, and regulations established or approved by the Parking Board and posted in such parking facility by the lessee.

RATES

SEC. 310. (a) The Parking Board shall establish and, from time to time, revise, with or without public hearings, schedules of rates to be charged for use of space in each parking facility established pursuant to this Act. In establishing such rates, the Parking Board shall (1) consider, among other factors, the existing rates charged by privately operated parking facilities serving the same vicinity; and (2) consider, in light of the overall transportation needs and problems of the District of Columbia metropolitan area, the extent of which long-term and short-term parking is desirable at each location and shall fix a schedule of rates for each location which is designed to encourage the types of use that are desired at such locations. The Parking Board is authorized to provide rate differentials for such reasons as the amount of space occupied, the location of the facility, and other reasonable differences.

(b) The rates to be charged for the parking of motor vehicles within the parking facilities operated by the Parking Board shall be fixed at the lowest rates that will defray the cost of maintaining, operating, and administering such parking facilities; amortize, within a forty-year period, the cost of acquiring or constructing such facilities; pay all charges, fees, and payments in lieu of taxes attributable to such facilities.

(c) The rates to be charged for the parking of motor vehicles within any parking facilities leased pursuant to this Act shall be fixed at the lowest rates that will enable the lessee to meet all his obligations under his lease or leases; to defray all reasonable and necessary operating expenses; and to earn a fair and reasonable profit or return on his investment.

(d) The rates to be charged for the parking of motor vehicles within any parking facilities sold by the Parking Board pursuant to this Act, or constructed on any unimproved real property leased pursuant to section 9 of this Act, shall be fixed at the lowest rates that will enable the purchaser or lessee, as the case may be, to meet all his obligations under the purchase or lease agreement or agreements to amortize his investment over a reasonable period; to defray all reasonable and necessary operating expenses; and to earn a fair and reasonable profit or return on his investment.

AUTHORITY TO ISSUE OBLIGATIONS

SEC. 311. (a) The Parking Board is authorized to issue and sell, upon such terms and conditions as it shall by resolution prescribe, its obligations having such maturities and bearing such rate or rates of interest as may be determined by the Parking Board: *Provided*, That not more than \$50,000,000 in such obligations shall be outstanding at any time. Obligations issued under this Act shall be offered at public sale to the lowest responsible bidder. Such obligations may be made redeemable at the option of the Parking Board before maturity in such manner as may be stipulated in such obligations. The principal of and the interest on any such obligations so issued shall be payable out of any moneys or revenues of the Parking Board available under the provisions of this Act. The obligations issued under this Act, together with the interest thereon, shall not constitute a debt or obligation of the

United States or of the District of Columbia, and the obligations issued by the Parking Board shall clearly so state.

Obligations authorized hereunder may be issued by the Parking Board in the form of temporary, interim, or definitive bonds, at one time or from time to time, for any of its corporate purposes, including acquiring necessary cash working funds, constructing, reconstructing, extending, or improving a parking facility or facilities or any part thereof and acquiring any property, real or personal, useful for the construction, reconstruction, extension, improvement, or operation of a parking facility or part thereof. The Parking Board shall also have power from time to time to refund any bonds by the issuance of refunding bonds, whether the bonds to be refunded shall have or have not matured, and may issue bonds partly to refund bonds outstanding and partly for any other of its corporate purposes. To the extent feasible, the provisions of this Act governing the issuance and securing of other obligations shall govern refunding bonds. All bonds issued under the provisions of this Act shall have and are hereby declared to have all the qualities and incidents of negotiable instruments under article 3 of the Uniform Commercial Code of the District of Columbia. The Parking Board shall determine the date, the price or prices, and the terms of redemption, and the form and the manner of execution of the bonds, including any interest coupons to be attached thereto, and shall fix the denomination or denominations of the bonds and the place or places of payment of principal and interest, which may be at any bank or trust company within or without the District of Columbia. In case any officer whose signature or a facsimile of whose signature shall appear on any bonds or coupons shall cease to be such officer before the delivery of such bonds, such signature or such facsimile shall nevertheless be valid and sufficient for all purposes the same as if he had remained in office until such delivery, and any bond may bear the facsimile signature of, or may be signed by, such person as at the actual time of the execution of such bond shall be duly authorized to sign such bond although at the date of such bond such person may not have been such officer. The bonds may be issued in coupon or in registered form, or both, as the Parking Board may determine, and provisions may be made for the registration of any coupon bonds as to principal alone and also as to both principal and interest, for the reconversion into coupon bonds of any bonds registered as to both principal and interest, and for the exchange of either coupon bonds or registered bonds without coupons for an equal aggregate principal amount of other coupon bonds or registered bonds without coupons, or both, of any denomination or denominations.

In the discretion of the Parking Board, bonds may be secured by a trust agreement by and between the Parking Board and a corporate trustee, which may be any trust company or bank having the powers of a trust company within or without the District of Columbia. Such trust agreement may contain provisions for protecting and enforcing the rights and remedies of the bondholders, including covenants setting forth the duties of the Parking Board in relation to the acquisition of property and the construction of parking facilities and the improvement, maintenance, operation, repair, and insurance of parking facilities, the rates to be charged and the custody, safeguarding, and application of all moneys; shall set forth the rights and remedies of the bondholders and of the trustees; may restrict the individual right of action by bondholders; and may contain such other provisions as the Parking Board may deem reasonable and proper for the security of the bondholders. All expenses incurred in carrying out the provisions of

such trust agreement may be treated as a part of the cost of operation.

In order to secure the payment of its bonds, the Parking Board shall have power, in the resolution authorizing the issuance thereof or in the trust agreement securing such bonds (which shall constitute a contract with the holders thereof): to pledge all or any part of its revenues, including future revenues, the proceeds of bonds and any other moneys available to the Parking Board; to covenant with respect to pledges of revenues, liens, mortgages, sales, leases, any property then owned or thereafter acquired, or against permitting or suffering any lien on such revenues or property; to covenant with respect to limitations on any right to sell, lease, or otherwise dispose of any parking facility or part thereof, or any property of any kind; to covenant with respect to the terms of any bonds to be issued, the custody, application, investment, and disposition of the proceeds thereof, the issuance of additional bonds, the incurring of any other obligations by it, the payment of the principal of and the interest on the bonds or any other obligations, the sources and method of such payment, the rank or priority of any such bonds or other obligations with respect to any lien or security or as to the acceleration of the maturity of any such bonds or other obligations; and to covenant with respect to the replacement of lost, destroyed, or mutilated bonds. The Parking Board is further authorized to pledge as security for revenue bonds, the revenues of parking meters, and to covenant with respect to the installation, relocation, operation, and maintenance of parking meters; the maintenance of its real and personal property, the replacement thereof; the insurance to be carried thereon and use and disposition of insurance money; the rates and other charges to be established and charged by the Parking Board under the authority of this Act; the amount to be raised each year or other period of time by rentals, sales, fees, rates, or other charges, and as to the use and disposition to be made thereof; and for the creation of special funds and accounts, including reasonable reserves.

(b) Obligations issued by the Parking Board, their transfer and the income therefrom (including any profit made on the sale thereof), shall be exempt from all taxation now or hereafter imposed by the United States or the District of Columbia, and by any State, territory, or possession, or by any county, municipality, or other municipal subdivision or taxing authority of any State, territory, or possession of the United States, with the exception of estate, inheritance, and gift taxes.

(c) Notwithstanding any restrictions on investment contained in any other laws, all domestic insurance companies, and domestic insurance associations, and all executors, administrators, guardians, trustees, and other fiduciaries within the District of Columbia, may legally invest any sinking funds, moneys, or other funds belonging to them or within their control in any bonds or other obligations issued pursuant to this Act, it being the purpose of this section to authorize the investment in such bonds, or other obligations of all sinking, insurance, retirement, compensation, pension, and trust funds; except that nothing contained in this section shall be construed as relieving any person, firm, or corporation from any duty of exercising reasonable care in selecting securities for purchase or investment.

(d) No trustee or receiver of any property of the Parking Board shall assign, mortgage, or otherwise dispose of all or part of any parking facility established under this Act, except in the manner and to the extent permitted under any trust or other agreement securing an obligation of the Parking Board. A trustee under any trust or other agreement securing an obligation of the Parking Board

may be authorized in the event of default under any such trust or agreement to seek the appointment of a receiver who may enter and take possession of any parking facility of the Parking Board, operate and maintain such facility, collect all revenues arising therefrom, perform all duties required by this Act or by any trust or other agreement securing an obligation of the Parking Board to be performed by the Parking Board or any officer thereof, and take possession of the revenues from parking meters applicable to the payment of any obligations of the Parking Board.

PARKING METERS

Sec. 312. (a) The Parking Board shall, subject to the approval of the Commissioner install, maintain, repair, relocate, and remove parking meters at such locations on the streets, rights-of-way, avenues, roads, highways, and other public open spaces under the jurisdiction and control of the Commissioner as the Parking Board may determine as an aid to the regulation and control of the movement and parking of motor vehicles. In carrying out the aforementioned duties, the Parking Board shall, from time to time, consult with the Director of the District of Columbia Department of Highways and Traffic. The Parking Board is authorized to prescribe fees for the parking of vehicles where parking meters are now or hereafter installed and to utilize its own personnel to collect such fees. Such fees shall be collected by the Parking Board and shall be accounted for and disposed of in like manner as other revenues of the Parking Board.

(b) The Parking Board is authorized to pledge, in addition to its other revenues, the revenues of parking meters as security for its obligations, except that no such pledge shall extend to more than 75 per centum of the revenues of the meters in existence at the time such pledge is made. No covenant or agreement entered into by the Parking Board shall prohibit it from relocating parking meters.

EXEMPTIONS FROM TAXATION

Sec. 313. The Parking Board shall not be required to pay any taxes or assessments upon any parking facilities or any part thereof, or upon the income thereof: *Provided*, That in lieu of such taxes or assessments the Parking Board may pay to the District of Columbia an amount equal to the taxes or assessments that would have been levied against the property of the Parking Board were the Parking Board not exempt from taxation. The exemption from taxes and assessments hereunder shall not be extended to any interest in a parking facility conveyed by the Parking Board to a grantee or lessee. The authority to make payments in lieu of taxes shall be subordinate to the obligations of the Parking Board under any bond, mortgage, obligation, other evidence of indebtedness, or contract.

FRINGE LOTS

Sec. 314. (a) Notwithstanding any other provision of this Act, the Parking Board is authorized, after consultation and coordination with the Washington Metropolitan Area Transit Authority, the Metropolitan Washington Council of Governments, and the Washington Metropolitan Area Transit Commission, to establish fringe lots in the National Capital area. The head of any Federal or District of Columbia government agency or department is authorized to make lands in the National Capital area under his jurisdiction and control available, on such terms and conditions as he shall determine, to the Parking Board for use by it in establishing fringe lots under this section. No fringe lot shall be established outside the District of Columbia, except on land owned by the United States, or any department or agency thereof, unless the Parking Board has first obtained approval therefor from the

local governing body of the jurisdiction in which such fringe lot may be located.

(b) The Parking Board is authorized to operate any fringe lot established by the Board under this section, or to lease any such fringe lot pursuant to such terms and conditions as the Board may determine. The Parking Board is further authorized to operate or arrange for the operation of such fringe lots either with or without charge to the persons patronizing such lots, or at such rate as the Parking Board may from time to time establish.

(c) As used in this section, the term "fringe lot" shall mean a parking lot primarily open to public use for the long-term parking of motor vehicles, located at or beyond the fringe of the central business district of the District of Columbia served by buses, rail transit, or other mode of mass transportation.

NATIONAL CAPITAL PLANNING COMMISSION

Sec. 315. (a) The Parking Board shall submit to the National Capital Planning Commission for its review and recommendations thereon its plans for the acquisition of existing parking facilities, construction of new parking facilities, and lease of properties for use as parking facilities: *Provided*, That the recommendations of the Commission shall be advisory in nature, and shall not be binding upon the Parking Board.

(b) The National Capital Planning Commission is authorized, whenever such plans and programs are forwarded to it in accordance with the requirements of this Act, to study such plans and programs and make such report thereon to the Parking Board as the Commission, in its discretion, determines is necessary: *Provided*, That if no such report on such plans and programs is submitted by the Commission within sixty days from the date the Parking Board forwards them to the Commission, the Commission's approval of such plans and programs shall be assumed.

COMMISSION OF FINE ARTS TO REVIEW PLANS

Sec. 316. (a) The Parking Board shall, in accordance with the provisions of the Act of May 16, 1930 (46 Stat. 366, as amended; 40 U.S.C. 121 (1964)), submit to the Commission of Fine Arts the plans for each parking facility which the Parking Board proposes to construct or which is to be constructed on land leased by the Parking Board.

PRIVATE PARKING STRUCTURES

Sec. 317. (a) On and after the date of the enactment of this Act, the District of Columbia shall not issue a building permit to construct any parking garage or substantially to expand any existing garage in the District of Columbia without the approval of the Director of the District of Columbia Department of Highways and Traffic (herein called "the Director") and the National Capital Planning Commission. This section shall not apply to parking garages constructed pursuant to this Act.

(b) Upon receiving a request for the approvals required in subsection (a), together with any plans or data they may by regulation require, the Director and the National Capital Planning Commission shall render a decision within sixty days. The Director shall approve any request unless he finds that the size, design, or location of such parking structure would interfere with the efficient flow of traffic. The National Capital Planning Commission shall approve any such request unless it finds that the size, design, or location of such parking structure would be incompatible with the plans and recommendations of the Commission made pursuant to law. The Director and the National Capital Planning Commission may make their approvals subject to such conditions as they deem necessary to protect the public interest.

(c) If either the Director or the National

Capital Planning Commission deny such request, or approve such request subject to any conditions, the party aggrieved may obtain review of any such decision by filing in the United States Court of Appeals for the District of Columbia Circuit, and serving upon the Director and/or the National Capital Planning Commission, within sixty days after the entry of such decision, a written petition praying that the decision of the Director and/or the National Capital Planning Commission be modified or set aside in whole or in part. Upon receipt of any such petition, the Director and/or the National Capital Planning Commission shall file in such court a full, true, and correct copy of the transcript of the proceedings upon which the order complained of was entered. Upon the filing of such petition and receipt of such transcript, such court shall have jurisdiction to affirm, modify, or set aside, in whole or in part, any such decision. In any such review, the findings of fact of the Director and the National Capital Planning Commission shall not be set aside if supported by substantial evidence. The order of the court affirming, modifying, or setting aside, or enforcing, in whole or in part, any such decision shall be final, subject to review as provided in section 1254 of title 28 of the United States Code.

(d) Nothing in this section shall be construed as superseding any existing law or provision of law relating, directly or indirectly, to the construction, establishment, expansion, operation, or location of parking structures in the District of Columbia.

NOTICE TO PARKING BOARD OF SCHEDULE OF RATES TO BE CHARGED BY PRIVATE PARKING FACILITIES

Sec. 318. Every person owning or operating a parking facility in the District of Columbia shall, pursuant to such rules and regulations as shall be established by the Parking Board, file in writing a complete schedule of the rates charged by such person for the storing or parking of motor vehicles in such facility, and in no case shall such person, following the filing of such schedule of rates, make any charge for such storing or parking in excess of that set forth in such schedule so filed until forty-eight hours after he has notified the Parking Board in writing of the new schedule of rates which he intends to charge. Nothing herein shall be construed as authorizing the Parking Board to fix or regulate such rates. The provisions of this section shall not be applicable with respect to any parking facility the rates of which are subject to the control and regulation of the Parking Board under this Act. Any person who shall violate this section shall be subject to a fine of not less than \$100 and not to exceed \$500.

AUDITS AND REPORTS

Sec. 319. (a) All receipts and expenditures of funds by the Parking Board pursuant to the provisions of this Act shall be made and accounted for under the direction and control of the Commissioner in like manner as is provided by law in the case of expenditures made by the government of the District of Columbia: *Provided*, That nothing herein contained shall be construed as preventing the Parking Board from providing, by covenant or otherwise, for such other audits as it may consider necessary or desirable.

(b) A report of any audit required under subsection (a) shall be made by the Parking Board to the Congress not later than one hundred and twenty days after the close of the Parking Board's fiscal year. The report shall set forth the scope of the audit and shall include a verification by the person conducting the audit of statements of (1) assets and liabilities, (2) capital and surplus or deficit, (3) surplus or deficit analysis, (4) income and expenses, (5) sources and application of funds, and (6) a separate income and expense statement for each facility, in-

cluding as an expense item a payment in lieu of taxes.

(c) The Parking Board shall submit together with the audit report, a comprehensive report to the Congress summarizing the activities of the Parking Board for the preceding fiscal year.

POWERS OF PARKING BOARD

SEC. 320. (a) The Parking Board, in performing the duties imposed upon it by this Act, shall have all the powers necessary or convenient to carry out and effectuate the purposes and provisions of this Act, including the following powers in addition to others herein granted:

(1) To sue and be sued, to compromise and settle suits and claims of or against it, to complain and defend in its own name in any court of competent jurisdiction, State, Federal, or municipal;

(2) To adopt, alter, and use a corporate seal which shall be judicially noticed;

(3) To adopt, prescribe, amend, repeal, and enforce bylaws, rules, and regulations for the exercise of its powers under this Act or governing the manner in which its business may be conducted and the powers granted to it by this Act may be exercised and enjoyed;

(4) To make, deliver, and receive deeds, leases, and other instruments and to acquire easements, rights-of-way, licenses, and other interests in land, and to take title to real and other property in its own name;

(5) To construct and equip parking facilities in the District of Columbia and to exercise all powers necessary or convenient in connection therewith;

(6) To borrow money; to mortgage or hypothecate its property, or any interest therein; pledge its revenues; and to issue and sell its obligations;

(7) To appoint and employ, subject to the provisions of the Classification Act of 1949, as amended, and other applicable laws relating to employees of the District of Columbia, such officers, agents, engineers, accountants, appraisers, and other personnel for such periods as may be necessary in its judgment, and to determine the services to be performed by them on behalf of the Parking Board;

(8) To procure and enter into contracts for any types of insurance and indemnity against loss or damage to property from any cause, including loss of use or occupancy, against death or injury of any person, against employers' liability, against any act of any director, officer, or employee of the Parking Board in the performance of the duties of his office or employment, or any other insurable risk;

(9) To deposit its moneys and other revenues in any bank incorporated under the laws of the United States;

(10) To spend its revenues, or any funds appropriated to carry out the purposes of this Act;

(11) To employ, or to enter into contracts with, consulting engineers, architects, accountants, legal counsel, construction and financial consultants, managers, superintendents, and such other consultants and technical experts as in the opinion of the Parking Board may be necessary or desirable, without regard to section 3709 of the Revised Statutes, the civil service, classification and pay laws, and section 3109 of title 5, United States Code;

(12) To enter into all contracts and agreements, in addition to those otherwise mentioned herein, necessary or incidental to the performance of the functions of the Parking Board and the execution of its powers under this Act. Except as otherwise provided in this Act, all such contracts or agreements shall be subject to competitive bidding unless the value thereof does not exceed \$2,500;

(13) To sell, exchange, transfer, or assign any property, real or personal, or any interest therein, acquired under the authority of this Act, whether or not improved: *Provided*, That such action shall be in ac-

cordance with the general law covering the disposal of such property by the District: *Provided further*, That the Parking Board shall have first determined, after public hearing that any such real property is no longer necessary for the purposes of this Act;

(14) To obtain from the United States, or any agency thereof, loans, grants or other assistance on the same basis as would be available to the District of Columbia.

(b) Notwithstanding the provisions of paragraph 13 of subsection (a) of this section, the Parking Board shall not have the authority to exchange any real property acquired by condemnation within one year following such acquisition unless the owners of such property at the time of its acquisition by the Parking Board shall first have been afforded a reasonable opportunity to reacquire such property for an amount equal to that paid to them by the Parking Board plus the cost of improvements made by the Parking Board to such property, if any.

COMMISSIONER AUTHORIZED TO PROVIDE ASSISTANCE TO PARKING BOARD

SEC. 321. (a) The Commissioner is authorized to aid and cooperate in the planning, undertaking, construction, reconstruction, extension, improvement, maintenance, or operation of any parking facility established pursuant to this Act by providing, subject to reimbursement, such services, assistance, or facilities as the Parking Board may request.

(b) Subject to the reimbursement to the District of Columbia by the Parking Board for the salaries, retirement, health benefits, and similar costs for such employees, there shall be made available to the Parking Board such number of employees of the District of Columbia as the Parking Board certifies are necessary to the proper discharge of its duties in carrying out the purposes of this Act, which employees shall be subject to the Classification Act of 1949, as amended.

(c) The provisions of the second paragraph under the caption "For Metropolitan Police" in the first section of the Act entitled "An Act making appropriations to provide for the expenses of the Government of the District of Columbia for the fiscal year ending June thirtieth, nineteen hundred, and for other purposes", approved March 3, 1899 (30 Stat. 1045, 1057, ch. 422; sec. 4-115, D.C. Code, 1961 edition), authorizing appointment of special policemen for duty in connection with the property of corporations and individuals, shall be applicable with respect to the property of the Parking Board.

(d) The Corporation Counsel of the District of Columbia is authorized and directed in all matters to act as counsel for the Parking Board, except insofar as the Parking Board may find it necessary or convenient to retain outside legal counsel.

PARKING FACILITIES IN CONNECTION WITH NEW CONSTRUCTION

SEC. 322. The first section of the Act entitled "An Act providing for the zoning of the District of Columbia and the regulation of the location, height, bulk, and uses of buildings and other structures and of the uses of land in the District of Columbia, and for other purposes", approved June 20, 1938 (52 Stat. 797), as amended, is amended (1) by striking out "That to promote" and inserting in lieu thereof "that (a) to promote", and (2) by adding at the end thereof the following new subsection:

"(b) The Zoning Commission shall, after consultation with the District of Columbia Parking Board, issue regulations to require, with respect to buildings erected in the central business district of the District of Columbia after the expiration of the one hundred and twenty day period following the effective date of the District of Columbia Parking Facility Act, that reasonable facilities on the premises or off the premises be provided for the offstreet parking of motor vehicles of the owners, occupants, tenants,

patrons, and customers of such buildings, and of the businesses, trades, and professions conducted therein. The Commission may, however, provide by regulation for waiver of such requirement when, in its judgment, or, if the Commission so delegates, in the judgment of the Board of Zoning Adjustment, the building site is too small reasonably to accommodate parking facilities on the premises to be erected, or when, in the judgment of the Director of the District of Columbia Department of Highways and Traffic, provision of parking facilities on or off the premises would interfere with the efficient flow of pedestrian or vehicular traffic, or when, in the judgment of the National Capital Planning Commission, provision of parking facilities on or off the premises would be incompatible with the plans and recommendations of the Commission made pursuant to law. Where such waiver is granted, the owner of the building to be erected shall agree to pay to the District of Columbia Parking Board a sum of money which represents an equitable contribution toward the costs of providing parking facilities under the provisions of this Act. The District of Columbia Parking Board, with the advice and assistance of the Parking Advisory Council, shall establish general regulations to govern the computation of such contribution."

DEFINITIONS

SEC. 323. As used in this Act, the term—

(1) "District" means the District of Columbia;

(2) "Commissioner" means the Commissioner of the District of Columbia;

(3) "Person" means an individual, firm, copartnership, association, or corporation (including a nonprofit corporation);

(4) "Revenues" means all payments received by the Parking Board from the sale or lease of parking facilities, all moneys received from the operation of parking meters, authorized to be pledged, and all income and other moneys received by the Parking Board from any other source;

(5) "Parking facility" means a parking lot, parking garage, or other structure (either single- or multi-level and either at, above, or below the surface) primarily for the offstreet parking of motor vehicles, open to public use for a fee, and all property, rights, easements, and interests relating thereto which are deemed necessary for the efficient and economical construction or the operation thereof;

(6) "Parking garage" means any structure (either single- or multi-level and either at, above, or below the surface) which is open to public use for a fee and which is primarily used for the offstreet parking of motor vehicles; and

(7) "National Capital area" means the District of Columbia and all surrounding jurisdictions which are commonly recognized as part of the District of Columbia metropolitan area.

ABOLITION OF THE DISTRICT OF COLUMBIA MOTOR VEHICLE PARKING AGENCY AND TRANSFER OF FUNDS AND PROPERTY TO PARKING BOARD

SEC. 324. (a) The Motor Vehicle Parking Agency created by Reorganization Order Numbered 54 and reconstituted under Organization Order Numbered 106 (title 1, appendix, D.C. Code), predicated upon authority contained in Reorganization Plan Numbered 5 of 1952 (66 Stat. 824), is hereby abolished. The functions, positions, personnel, equipment, property, records, and unexpended balances of appropriations, allocations, and other funds, available or to be made available relating to the Motor Vehicle Parking Agency are hereby transferred to the Parking Board.

(b) All positions, personnel, equipment, property, records, and unexpended balances of appropriations, allocations, and other funds, available or to be made available relating to the function of installing, repairing, replacing, and removing parking meters on

the public streets of the District of Columbia are hereby transferred to the Parking Board from the Department of Highways and Traffic.

(c) Section 11 of the Act approved April 4, 1938 (52 Stat. 156, 192; sec. 40-616, D.C. Code 1961 edition), is hereby repealed.

COORDINATION OF FACT WITH PROVISIONS OF REORGANIZATION PLAN NUMBERED 3 OF 1967

SEC. 325. The performance of any function vested by this Act in the Commissioner or in any office or agency under the jurisdiction and control of said Commissioner or in the District of Columbia Council may be delegated by said Commissioner or Council in accordance with section 305 and section 205 of the Reorganization Plan Numbered 3 of 1967.

REPEAL

SEC. 326. The District of Columbia Parking Facilities Act of 1942 is hereby repealed.

EFFECTIVE DATE

SEC. 327. This Act shall take effect on the first day of the first month which begins more than ninety days after the date of its enactment.

AMENDMENT OFFERED BY MR. KLUCZYNSKI

Mr. KLUCZYNSKI. Mr. Speaker, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. KLUCZYNSKI: Strike out all after the enacting clause of S. 3418 and insert in lieu thereof the provisions of H.R. 17134, as passed, as follows:

SHORT TITLE

SECTION 1. This Act may be cited as the "Federal-Aid Highway Act of 1968".

REVISION OF AUTHORIZATION OF APPROPRIATIONS FOR INTERSTATE SYSTEM

SEC. 2. Subsection (b) of section 108 of the Federal-Aid Highway Act of 1956, as amended, is amended to read as follows:

"(b) AUTHORIZATION OF APPROPRIATIONS.—For the purpose of expediting the construction, reconstruction, or improvement, inclusive of necessary bridges and tunnels, of the Interstate System, including extensions thereof through urban areas, designated in accordance with the provisions of subsection (d) of section 103 of title 23, United States Code, there is hereby authorized to be appropriated the additional sum of \$1,000,000,000 for the fiscal year ending June 30, 1957, which sum shall be in addition to the authorization heretofore made for that year, the additional sum of \$1,700,000,000 for the fiscal year ending June 30, 1958, the additional sum of \$2,200,000,000 for the fiscal year ending June 30, 1959, the additional sum of \$2,500,000,000 for the fiscal year ending June 30, 1960, the additional sum of \$1,800,000,000 for the fiscal year ending June 30, 1961, the additional sum of \$2,200,000,000 for the fiscal year ending June 30, 1962, the additional sum of \$2,400,000,000 for the fiscal year ending June 30, 1963, the additional sum of \$2,600,000,000 for the fiscal year ending June 30, 1964, the additional sum of \$2,700,000,000 for the fiscal year ending June 30, 1965, the additional sum of \$2,800,000,000 for the fiscal year ending June 30, 1959, the additional sum of \$2,500,000,000 for the fiscal year ending June 30, 1967, the additional sum of \$3,400,000,000 for the fiscal year ending June 30, 1968, the additional sum of \$3,800,000,000 for the fiscal year ending June 30, 1969, the additional sum of \$4,000,000,000 for the fiscal year ending June 30, 1970, the additional sum of \$4,000,000,000 for the fiscal year ending June 30, 1971, the additional sum of \$4,000,000,000 for the fiscal year ending June 30, 1972, the additional sum of \$4,000,000,000 for the fiscal year ending June 30, 1973, and the additional sum of \$2,225,000,000 for the fiscal year ending June 30, 1974.

Nothing in this subsection shall be construed to authorize the appropriation of any sums to carry out sections 131, 136, or 319(b) of title 23, United States Code, or any provision of law relating to highway safety enacted after May 1, 1966."

AUTHORIZATION OF USE OF COST ESTIMATE FOR APPORTIONMENT OF INTERSTATE FUNDS

SEC. 3. The Secretary of Transportation is authorized to make the apportionment for the fiscal years ending June 30, 1970, and 1971, of the sums authorized to be appropriated for such years for expenditures on the National System of Interstate and Defense Highways, using the apportionment factors contained in table 5A, a revision of table 5 of House Document Numbered 199, Ninetieth Congress, submitted to Congress on June 14, 1968.

EXTENSION OF TIME FOR COMPLETION OF SYSTEM

SEC. 4. (a) The second paragraph of section 101(b) of title 23, United States Code, is amended by striking out "sixteen years" and inserting in lieu thereof "eighteen years" and by striking out "June 30, 1972", and inserting in lieu thereof "June 30, 1974".

(b) The introductory phrase and the second and third sentences of section 104(b)(5) of title 23, United States Code, are amended by striking out "1972" where it appears and inserting in lieu thereof "1974", and such section 104(b)(5) is further amended by striking the three sentences preceding the last sentence and inserting in lieu thereof the following: "Upon the approval by the Congress, the Secretary shall use the Federal share of such approved estimate in making apportionments for the fiscal years ending June 30, 1970, and June 30, 1971. The Secretary shall make a final revised estimate of the cost of completing the then designated Interstate System after taking into account all previous apportionments made under this section, in the same manner as stated above, and transmit the same to the Senate and the House of Representatives within ten days subsequent to January 2, 1970. Upon the approval by the Congress, the Secretary shall use the Federal share of such approved estimate in making apportionments for the fiscal years ending June 30, 1972, June 30, 1973, and June 30, 1974."

AUTHORIZATIONS

SEC. 5. For the purpose of carrying out the provisions of title 23, United States Code, the following sums are hereby authorized to be appropriated:

(1) For the Federal-aid primary system and the Federal-aid secondary system and for their extension within urban areas, out of the Highway Trust Fund, \$1,000,000,000 for the fiscal year ending June 30, 1970, and \$1,000,000,000 for the fiscal year ending June 30, 1971. Nothing in this paragraph shall be construed to authorize the appropriation of any sums to carry out section 131, 136, 319 (b) or chapter 4 of title 23, United States Code. The sums authorized in this paragraph for each fiscal year shall be available for expenditure as follows:

(A) 45 per centum for projects on the Federal-aid primary highway system;

(B) 30 per centum for projects on the Federal-aid secondary highway system; and

(C) 25 per centum for projects on extensions of the Federal-aid primary and Federal-aid secondary highway systems in urban areas.

(2) For traffic operation projects in urban areas as authorized in section 135 of title 23, United States Code, out of the Highway Trust Fund, \$125,000,000 for the fiscal year ending June 30, 1970, and \$125,000,000 for the fiscal year ending June 30, 1971.

(3) For forest highways, \$33,000,000 for the fiscal year ending June 30, 1970, and \$33,000,000 for the fiscal year ending June 30, 1971.

(4) For public lands highways, \$16,000,000 for the fiscal year ending June 30, 1970, and \$16,000,000 for the fiscal year ending June 30, 1971.

(5) For forest development roads and trails, \$170,000,000 for the fiscal year ending June 30, 1970, and \$170,000,000 for the fiscal year ending June 30, 1971.

(6) For public lands development roads and trails, \$3,500,000 for the fiscal year ending June 30, 1970, and \$5,000,000 for the fiscal year ending June 30, 1971.

(7) For park roads and trails, \$30,000,000 for the fiscal year ending June 30, 1971.

(8) For parkways, \$11,000,000 for the fiscal year ending June 30, 1971.

(9) For Indian reservation roads and bridges, \$30,000,000 for the fiscal year ending June 30, 1970, and \$30,000,000 for the fiscal year ending June 30, 1971.

(10) For carrying out section 402 of title 23, United States Code (relating to highway safety programs), \$75,000,000 for the fiscal year ending June 30, 1970, and \$100,000,000 for the fiscal year ending June 30, 1971. Sums for carrying out section 402 of title 23, United States Code, authorized by this paragraph shall not be apportioned until Congress, by law enacted after the date of enactment of this Act, shall provide for such apportionment.

(11) For carrying out sections 307(a) and 403 of title 23, United States Code (relating to highway safety research and development), the additional sum of \$30,000,000 for the fiscal year ending June 30, 1970, and the additional sum of \$35,000,000 for the fiscal year ending June 30, 1971.

(12) For the Federal-aid primary system and the Federal-aid secondary system, exclusive of their extensions in urban areas, out of the Highway Trust Fund, \$125,000,000 for the fiscal year ending June 30, 1970 and \$125,000,000 for the fiscal year ending June 30, 1971, such sums to be in addition to the sums authorized in paragraph (1) of this subsection. The sums authorized in this paragraph for each fiscal year shall be available for expenditure as follows:

(A) 60 per centum for projects on the Federal-aid primary highway system; and

(B) 40 per centum for projects on the Federal-aid secondary system.

HIGHWAY BEAUTIFICATION

SEC. 6. (a) Section 131(b) of title 23, United States Code, is amended to read as follows:

"(b) The Secretary shall encourage and assist the states to provide for effective control of the erection and maintenance of outdoor advertising signs, displays, and devices along the Interstate System and the Federal-aid primary system which are within six hundred and sixty feet of the nearest edge of the right-of-way and visible from the main traveled way of the systems."

(b) The first sentence of subsection (1) of section 131, title 23, United States Code, is amended by striking out "under subsection (b) of this section, or to do so" and the seventh sentence of such subsection is amended by striking out "under subsection (b) of this section or".

(c) Section 131(d) of title 23, United States Code, is amended by inserting the following sentence between the second and third sentences of the subsection: "Whenever the State authority of a bona fide local zoning authority has made a determination of customary use or what constitutes unzoned commercial or industrial areas, such determination will be accepted in lieu of controls by agreement in the zoned and unzoned commercial and industrial areas within the geographical jurisdiction of such authority."

(d) The first sentence of section 131(j) of title 23, United States Code, is amended by striking out ", but not such State" down through and including "stricter".

(e) Section 131 of title 23, United States

Code, is amended by adding at the end thereof the following new subsection:

"(n) No sign, display, or device shall be required to be removed under this section if the Federal share of the just compensation to be paid upon removal of such sign, display, or device is not available to make such payment."

(f) Section 136(b) of title 23, United States Code, is amended to read as follows:

"(b) No State which the Secretary determines has not made provision for effective control of the establishment and maintenance along the Interstate System and the primary system of outdoor junkyards, which are within one thousand feet of the nearest edge of the right-of-way and visible from the main traveled way of the system, shall receive any allocation made after the date of enactment of the Federal Aid Highway Act of 1968 under section 319(b) of this title, until such time as such State shall provide for such effective control. Whenever he determines it to be in the public interest, the Secretary may suspend, for such periods as he deems necessary, the application of this subsection to a State."

(g) There is authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, for necessary administrative expenses in carrying out sections 131, 136, and 319(b) of title 23, United States Code, not to exceed \$1,250,000 for the fiscal year ending June 30, 1969, \$1,250,000 for the fiscal year ending June 30, 1970, and \$1,250,000 for the fiscal year ending June 30, 1971.

(h) The Secretary of Transportation shall submit to Congress on or before January 1, 1969, a full and complete report of past administration of sections 131, 136, and 319 of title 23 of the United States Code, together with a report of expected future administration of such sections, and his recommendations with respect thereto.

ADVANCE ACQUISITION OF RIGHTS-OF-WAY

Sec. 7. (a) Subsection (b) of section 108 of title 23, United States Code, is amended by striking out "this section" and inserting in lieu thereof "subsection (a) of this section".

(b) Section 108 of title 23, United States Code, is amended by adding at the end thereof the following new subsection:

"(c) (1) There is hereby established in the Treasury of the United States a revolving fund to be known as the right-of-way revolving fund which shall be administered by the Secretary in carrying out the provisions of this subsection. Sums authorized to be appropriated to the right-of-way revolving fund shall be available for expenditure without regard to the fiscal year for which such sums are authorized.

"(2) For the purpose of acquiring rights-of-way for future construction of highways on any Federal-aid system and for making payments for the moving or relocation of persons, businesses, farms, and other existing uses of real property caused by the acquisition of such rights-of-way, in addition to the authority contained in subsection (a) of this section, the Secretary, upon request of a State highway department, is authorized to advance funds, without interest, to the State from amounts available in the right-of-way revolving fund, in accordance with rules and regulations prescribed by the Secretary. Funds so advanced may be used to pay the entire costs of projects for the acquisition of rights-of-way, including the net cost to the State of property management, if any, and related moving and relocation payments made pursuant to section 133 or chapter 5 of this title.

"(3) Actual construction of a highway on rights-of-way, with respect to which funds are advanced under this subsection, shall be commenced within a period of not less than two years nor more than seven years following the end of the fiscal year in which the

Secretary approves such advance of funds, unless the Secretary, in his discretion, shall provide for an earlier termination date. Immediately upon the termination of the period of time within which actual construction must be commenced, in the case of any project where such construction is not commenced before such termination, or upon approval by the Secretary of the plans, specifications, and estimates for such project for the actual construction of a highway on rights-of-way with respect to which funds are advanced under this subsection, whichever shall occur first, the right-of-way revolving fund shall be credited with an amount equal to the Federal share of the funds advanced, as provided in section 120 of this title, out of any Federal-aid highway funds apportioned to the State in which such project is located and available for obligation for projects on the Federal-aid system of which such project is to be a part, and the State shall reimburse the Secretary in an amount equal to the non-Federal share of the funds advanced for deposit in, and credit to, the right-of-way revolving fund."

(c) There is authorized to be appropriated, out of the highway trust fund, to the right-of-way revolving fund established by subsection (c) of section 108 of title 23, United States Code, \$100,000,000 for the fiscal year ending June 30, 1970, \$100,000,000 for the fiscal year ending June 30, 1971, and \$100,000,000 for the fiscal year ending June 30, 1972.

(d) On or before January 1 next preceeding the commencement of each fiscal year for which funds are authorized to be appropriated to the right-of-way revolving fund by subsection (c) of this section, the Secretary shall apportion the funds so authorized for such fiscal year to the States. Each State shall be apportioned for such fiscal year an amount which bears the same percentage relationship to the total amount being apportioned under this subsection as the total of all apportionments made to such State for such fiscal year under paragraphs (1), (2), (3), and (5), of subsection (b) of section 104 of title 23, United States Code, bears to the total of all amounts apportioned under such paragraphs to all States for such fiscal year. Amounts apportioned under this subsection shall not be construed to be authorizations of appropriations for the construction, reconstruction, or improvement of the Interstate System for the purposes of subsection (g) of section 209 of the Highway Revenue Act of 1956.

(e) Funds apportioned to a State under this subsection (d) of this section shall remain available for obligation for advances to such State until October 1 of the fiscal year for which such apportionment is made. All amounts not advanced or obligated for advancement before such date shall revert to the right-of-way revolving fund and together with all other amounts credited and reimbursed to such funds shall be available for advances to the States to carry out subsection (c) of section 108 of title 23, United States Code, in an equitable manner, taking into consideration each State's need for, and ability to use, such advances, in accordance with such rules and regulations as the Secretary of Transportation shall establish.

DEFINITIONS OF FOREST ROAD OR TRAIL AND FOREST DEVELOPMENT ROADS AND TRAILS

Sec. 8. The fourth and fifth paragraphs in section 101(a) of title 23, United States Code, are amended to read as follows:

"The term 'forest road or trail' means a road or trail wholly or partly within or adjacent to and serving the national forests and other areas administered by the Forest Service.

"The term 'forest development roads and trails' means those forest roads or trails of primary importance for the protection, administration, and utilization of the national forest and other areas administered by the Forest Service or, where necessary, for the

use and development of the resources upon which communities within or adjacent to the national forest and other areas administered by the Forest Service are dependent."

FOREST DEVELOPMENT ROADS AND TRAILS

Sec. 9. Subsection (c) of section 205 of title 23, United States Code, is amended to read as follows:

"(c) Construction estimated to cost \$15,000 or more per mile or \$15,000 or more per project for projects with a length of less than one mile, exclusive of bridges and engineering, shall be advertised and let to contract. If such estimated cost is less than \$15,000 per mile or \$15,000 per project for projects with a length of less than one mile or if, after proper advertising, no acceptable bid is received or the bids are deemed excessive, the work may be done by the Secretary of Agriculture on his own account."

URBAN AREA TRAFFIC OPERATIONS IMPROVEMENT PROGRAMS

Sec. 10. (a) Chapter 1 of title 23, United States Code, is amended by adding immediately after section 134 the following new section 135:

"§ 135. Urban area traffic operations improvement programs

"(a) The Congress hereby finds and declares it to be in the national interest that each State should have a continuing program within the designated boundaries of urban areas of the State designed to reduce traffic congestion and to facilitate the flow of traffic in the urban areas.

"(b) The Secretary may approve under this section any project on an extension of the Federal-aid primary or secondary system in urban areas for capital improvements which directly facilitate and control traffic flow, such as grade separation of intersections, widening of lanes, channelization of traffic, traffic control systems, and loading and unloading ramps, if such project is based on a continuing comprehensive transportation planning process carried on in accordance with section 134 of this title.

"(c) The sums authorized to carry out this section shall be apportioned in accordance with section 104(b) (3) of this title.

"(d) The Secretary shall report annually on projects approved under this section with any recommendations he may have for further improvement of traffic operations in accordance with this section."

(b) The analysis of chapter 1 of title 23, United States Code, is hereby amended by adding thereto, immediately after the catchline for section 134, the following:

"135. Urban area traffic operations improvement programs."

FRINGE PARKING FACILITIES

Sec. 11. (a) The Secretary may, until June 30, 1971, approve as a project under title 23, United States Code, for demonstration purposes, the acquisition of land adjacent to the right-of-way on any Federal-aid highway system outside a central business district, as defined by the Secretary, and the construction of publicly owned parking facilities thereon or within such right-of-way, including the use of the air space above and below the established grade line of the highway pavement, to serve an urban area of more than fifty thousand population. Such parking facility shall be located and designed to permit its use in conjunction with existing or planned public transportation facilities. In the event fees are charged for the use of any such facility, the rate thereof shall not be in excess of that required for maintenance and operation (including compensation to any person for operating such facility).

(b) The Federal share payable on account of any project authorized by this section shall be 75 per centum. Not to exceed 5 per centum of the sums apportioned in accordance with section 104(b) (1), (2), and (3)

of title 23, United States Code, shall be available to finance the Federal share payable under this section.

(c) The Secretary shall not approve any project under this section until—

(1) he has determined that the State, or the political subdivision thereof, where such project is to be located, or an agency or instrumentality of such State or political subdivision, has the authority and capability of constructing, maintaining, and operating the facility;

(2) he has entered into an agreement governing the financing, maintenance, and operation of the parking facility with such State, political subdivision, agency, or instrumentality, including necessary requirements to insure that adequate public transportation services will be available to persons using such facility and;

(3) he has approved design standards for constructing such facility developed in cooperation with the State highway department.

(d) The term "parking facilities", for purposes of this section, shall include access roads, buildings, structures, equipment, improvements, and interests in lands.

(e) Nothing in this section, or in any rule or regulation issued under this section, or in any agreement required by this section, shall prohibit (1) any State, political subdivision, or agency or instrumentality thereof, from contracting with any person to operate any parking facility constructed under this section, or (2) any such person from so operating such facility.

(f) The Secretary shall not approve any project under this section unless he determines that it is based on a continuing comprehensive transportation planning process carried on in accordance with section 134 of title 23, United States Code.

(g) The Secretary shall submit to Congress annually a report of the demonstration projects approved under this section together with his recommendations with respect to the future operation of these projects including, but not limited to, the possible sale of such projects to private enterprise and the possibility of future construction of projects of this type by private enterprise.

PREVAILING RATE OF WAGE

SEC. 12. Section 113 of title 23, United States Code, is amended by (1) striking subsection (a) and (b) thereof and inserting, in lieu thereof, the following:

"(a) The Secretary shall take such action as may be necessary to insure that all laborers and mechanics employed by contractors or subcontractors on the initial construction work performed on highway projects on the Federal-aid systems, the primary and secondary, as well as their extensions in urban areas, and the Interstate System, authorized under the highway laws providing for the expenditure of Federal funds upon the Federal-aid systems, shall be paid wages at rates not less than those prevailing on the same type of work on similar construction in the immediate locality as determined by the Secretary of Labor in accordance with the Act of August 30, 1935, known as the Davis-Bacon Act (40 U.S.C. 267a).

"(b) In carrying out the duties of subsection (a) of this section, the Secretary shall consult with the highway department of the State in which a project on any of the Federal-aid systems is to be performed. After giving due regard to the information thus obtained, he shall make a predetermination of the minimum wages to be paid laborers and mechanics in accordance with the provisions of subsection (a) of this section which shall be set out in each project advertisement for bids and in each bid proposal form and shall be made a part of the contract covering the project.

"(c) The provisions of the section shall not

be applicable to employment pursuant to apprenticeship and skill training programs which have been certified by the Secretary of Transportation as promoting equal employment opportunity in connection with federal-aid highway construction programs."

(d) The analysis of chapter 1 of title 23, United States Code, is hereby amended by striking out

"113. Prevailing rate of wage—Interstate System."

and inserting in lieu thereof:

"113. Prevailing rate of wage."

HIGHWAY SAFETY PROGRAM

SEC. 13. Section 402(c) of title 23, United States Code, is amended by striking out the last three sentences thereof.

INTERSTATE SYSTEM ADJUSTMENTS

SEC. 14. The first sentence of subsection (d) of section 103 of title 23, United States Code, is amended by striking out "forty-one thousand miles" and inserting in lieu thereof "forty-four thousand miles".

PROHIBITION OF IMPOUNDMENT OF APPORTIONMENTS AND DIVERSION OF FUNDS

SEC. 15. Section 104 of title 23, United States Code, is amended by adding at the end thereof the following new subsections:

"(f) No part of any sums authorized to be appropriated for expenditure upon any Federal-aid system which has been apportioned pursuant to the provisions of this section shall be impounded or withheld from obligation, for purposes and projects as provided in this title, by any officer or employee of any department, agency, or instrumentality of the executive branch of the Federal Government, except such specific sums as may be determined by the Secretary of the Treasury, after consultation with the Secretary of Transportation, are necessary to be withheld from obligation for specific periods of time to assure that sufficient amounts will be available in the highway trust fund to defray the expenditures which will be required to be made from such fund.

"(g) No funds authorized to be appropriated from the Highway Trust Fund shall be used to pay the administrative expenses of any Federal department, agency, or instrumentality other than the Bureau of Public Roads, or any other department, agency, or instrumentality established by law, Executive Order, or otherwise, either by transfer of funds, reassignment of personnel or activities, contract, or otherwise, unless funds for such expenditure are identified and included as a line item in an appropriation Act and are to meet obligations of the United States heretofore or hereafter incurred under title 23 of the United States Code which are attributable to the construction of Federal-aid highways or planning, research, or development in connection therewith."

ADDITIONS TO THE INTERSTATE SYSTEM

SEC. 16. (a) Chapter 1 of title 23, United States Code, is amended by adding at the end thereof the following new section:

"§ 140. Additions to Interstate System

"Whenever the Secretary determines that a highway on the Federal-aid primary system meets all of the standards of a highway on the Interstate System and that such highway is a logical addition or connection to the Interstate System, he may, upon the affirmative recommendation of the State or States involved, designate such highway as a part of the Interstate System. The mileage of any highway designated as part of the Interstate System under this section shall not be charged against the limitation established by the first sentence of section 103(d) of this title. The designation of a highway as part of the Interstate System under this section shall create no Federal financial responsibility with respect to such highway."

(b) The analysis of chapter 1 of title 23,

United States Code, is amended by adding at the end thereof the following:

"§ 140. Additions to Interstate System."

FUNCTIONAL HIGHWAY CLASSIFICATION STUDY

SEC. 17. The Secretary of Transportation shall, in the report to Congress required to be submitted by January 1970 by section 3 of the Act of August 28, 1965 (79 Stat. 578; Public Law 89-139), include the results of a systematic nationwide functional highway classification study to be made in cooperation with the State highway departments and local governments with particular attention to the establishment of highway system categories, rural and urban, according to the functional importance of routes, desirable as one of the bases for realigning Federal highway programs to better meet future needs and priorities.

PRESERVATION OF PARK LANDS

SEC. 18. Section 4(f) of the Department of Transportation Act (80 Stat. 931; Public Law 89-670) is amended by inserting "federally owned" immediately after "the use of any" in the last sentence of such subsection and by striking out "(1)" in such sentence and all that follows down through and including the period at the end thereof and inserting in lieu thereof the following: "such program or project includes all possible planning, including feasible and prudent alternatives to the use of such land, to minimize any harm to such park, recreation area, wildlife and waterfowl refuge, or historic site resulting from such use."

FORT WASHINGTON PARKWAY

SEC. 19. (a) The Secretary of the Interior is authorized to acquire by (1) donation, (2) purchase with donated funds, (3) purchase with funds appropriated to him under subsection (c) of this section, (4) transfer from any other Federal department, agency, or instrumentality (including the government of the District of Columbia), or (5) exchange, lands and interests in lands in Prince Georges County, Maryland, within the boundary depicted on drawing NCR 1174-186 which is on file and available for public inspection in the offices of the National Park Service, Department of the Interior. Notwithstanding any other provision of law, any property of the United States within the boundary depicted on such drawing may, with the concurrence of the head of the department, agency, or instrumentality having jurisdiction thereof, be transferred without reimbursement to the Secretary of the Interior to carry out this section.

(b) (1) With respect to those lands which are identified on the map by the legend "Fee simple acquisition to be acquired", striped green, the Secretary of the Interior is authorized to acquire the fee simple absolute title to such property.

(2) With respect to lands which are identified on the map by the legend "Private development areas" striped blue, the Secretary of the Interior is authorized to acquire only such easements and other interests in lands less than fee simple title as may be necessary to protect the natural scenery and shoreline of such property, and to prohibit the use of such property for industrial or commercial purposes or for residential purposes, other than low density single family detached dwellings, except that any such property which on the date of enactment of this section is lawfully used for any purposes thereafter prohibited by this paragraph may continue to be used for such purpose until such time as it ceases to be so used.

(c) No money shall be expended by the Secretary of the Interior under this section until he shall have received definite commitments from the State of Maryland or from political subdivisions thereof, for one-half the cost of acquiring land easements or interests in lands under subsection (b) of this section, other than lands belonging to

the United States on the date of enactment of this section or donated to the United States to carry out this section. In the discretion of the Secretary he may advance the State of Maryland, or any political subdivision thereof, the full amount of the funds necessary for the acquisition of lands under subsection (b) of this section on the condition that the State or political subdivision reimburse the United States one-half the cost of such acquisition, without interest, within a period of not to exceed eight years from the date such funds are so advanced.

(d) There is authorized to be appropriated to the Secretary of the Interior to carry out this section an amount equal to the unappropriated balance of the amount authorized to be appropriated in subsection (a) of the first section of the Act of May 29, 1930 (46 Stat. 482), as amended, for acquiring and developing the George Washington Memorial Parkway, and the authorization contained in such first section of such Act of May 29, 1930, is reduced by such amount.

(e) Upon the completion of the acquisition of all of the real property and interests in real property authorized by this section, the Secretary of the Interior shall report to Congress his recommendations (including any necessary legislation) on the construction of the Fort Washington Parkway through the portion of Prince Georges County, Maryland, authorized to be acquired under this section. Such report shall include cost estimates and other information as may be necessary for the authorization of construction of such parkway by Congress.

GARDEN STATE PARKWAY

SEC. 20. (a) The amount of all Federal-aid highway funds paid on account of those sections of the Garden State Parkway in the State of New Jersey referred to in subsection (c) of this section shall, prior to the collection of any tolls thereon, be repaid to the Treasurer of the United States. The amount so repaid shall be deposited to the credit of the appropriation for "Federal-Aid Highways (Trust Fund)". At the time of such repayment the Federal-aid projects with respect to which such funds have been repaid and any other Federal-aid project located on said sections of such parkway and programed for expenditure on any such project, shall be credited to the unprogramed balance of Federal-aid highways funds of the same class last apportioned to the State of New Jersey. The amount so credited shall be in addition to all other funds then apportioned to said State and shall be available for expenditure in accordance with the provisions of title 23, United States Code, as amended or supplemented.

(b) When the New Jersey Highway Authority shall have constructed toll-free highway facilities in the vicinity of said sections of the Garden State Parkway in accordance with a general plan approved by the Secretary of Transportation as adequate to service local traffic, and pursuant to an agreement between the Authority and the State of New Jersey, acting by and through its State House Commission concerning the financing and construction of such facilities, then upon the repayment of Federal-aid highway funds and the cancellation and withdrawal from the Federal-aid highway program of all projects on such sections of the Garden State Parkway, as provided in subsection (a) of this section, such sections shall become and be free of any and all restrictions contained in title 23, United States Code, as amended or supplemented, or in any regulation thereunder, with respect to the imposition and collection of tolls or other charges thereon or for the use thereof.

(c) The provisions of this section shall apply to the following sections of the Garden State Parkway.

(1) That section of the parkway near

Cape May Court House from interchange numbered 8 to interchange numbered 12 at route United States 9—a distance of approximately four and twenty one-hundredths center line miles.

(2) That section of the parkway from a point near its connection with route United States 9 north of Toms River to Dover Road in South Toms River—a distance of approximately two and fifty one-hundredths centerline miles.

(3) That section of the parkway from route United States 9 in Woodbridge to the Middlesex-Union County line—a distance of approximately six and thirty-seven one-hundredths centerline miles.

(4) That section of the parkway from a point near its connection with the Middlesex-Union County line to a point near its connection with route United States 22 in Union Township—a distance of approximately seven and ninety-two one-hundredths centerline miles.

SECTION 103, TITLE 23, UNITED STATES CODE

SEC. 21. Paragraph (2) of subsection (d) of section 103 of title 23, United States Code, is amended by striking out "1965 Interstate System cost estimate set forth in House Document Numbered 42, Eighty-ninth Congress" and inserting in lieu thereof "1968 Interstate System cost estimate set forth in House Document Numbered 199, Ninetieth Congress, as revised".

CONSTRUCTION CONTRACTS

SEC. 22. Subsection (b) of section 112 of title 23, United States Code, is amended by adding at the end thereof the following: "Contracts for the construction of each project shall be awarded only on the basis of the low responsive bid submitted by a bidder meeting established criteria of responsibility. No requirement or obligation shall be imposed as a condition precedent to the Secretary's concurrence in the award of a contract to such bidder, unless such requirement or obligation is specifically set forth in the advertised specifications."

DISTRICT OF COLUMBIA

SEC. 23. (a) Chapter 3 of title 23 of the United States Code is amended by inserting immediately following section 312 the following new section:

"§ 313. Interstate routes in the District of Columbia.

"Notwithstanding any other provision of law, or any court decision or administrative action to the contrary, the Secretary of Transportation and the government of the District of Columbia shall, as soon as possible after the enactment of this section, construct all routes on the Interstate System within the District of Columbia as set forth in the document entitled '1968 Estimate of the Cost of Completion of the National System of Interstate and Defense Highways in the District of Columbia' submitted to Congress by the Secretary of Transportation with, and as a part of, 'The 1968 Interstate System Cost Estimate' printed as House Document Numbered 199, Ninetieth Congress. Such construction shall be carried out in accordance with all other applicable provisions of this title."

(b) The analysis of chapter 3 of title 23, United States Code, is hereby amended by inserting immediately following:

"312. Detail of Army, Navy, and Air Force officers."

the following:

"313. Interstate routes in the District of Columbia."

RELOCATION ASSISTANCE

SEC. 24. Title 23, United States Code, is hereby amended by adding at the end thereof a new chapter:

"Chapter 5.—HIGHWAY RELOCATION ASSISTANCE

"Sec.

"501. Declaration of policy.

"502. Assurances of adequate relocation assistance program.

"503. Administration of relocation assistance program.

"504. Federal reimbursement.

"505. Relocation payments.

"506. Replacement housing.

"507. Expenses incidental to transfer of property.

"508. Relocation services.

"509. Relocation assistance programs on Federal highway projects.

"510. Authority of Secretary.

"511. Definitions.

§ 501. Declaration of policy

"Congress hereby declares that the prompt and equitable relocation and reestablishment of persons, businesses, and farmers displaced as a result of the Federal highway programs and the construction of Federal-aid highways is necessary to insure that a few individuals do not suffer disproportionate injuries as a result of programs designed for the benefit of the public as a whole. Therefore, Congress determines that relocation payments and advisory assistance should be provided to all persons so displaced in accordance with the provisions of this title.

"§ 502. Assurances of adequate relocation assistance program

"The Secretary shall not approve any project under section 106 or section 117 of this title which will cause the displacement of any person, business, or farm operation unless he receives satisfactory assurances from the State highway department that—

"(1) fair and reasonable relocation and other payments shall be afforded to displaced persons in accordance with sections 505, 506, and 507 of this title;

"(2) relocation assistance programs offering the services described in section 508 of this title shall be afforded to displaced persons; and

"(3) within a reasonable period of time prior to displacement there will be available, to the extent that can reasonably be accomplished, in areas not generally less desirable in regard to public utilities and public and commercial facilities and at rents or prices within the financial means of the families and individuals displaced, decent, safe, and sanitary dwellings, as defined by the Secretary, equal in number to the number of and available to such displaced families and individuals and reasonably accessible to their places of employment.

"§ 503. Administration of relocation assistance program

"In order to prevent unnecessary expenses and duplication of functions, a State highway department may make relocation payments or provide relocation assistance or otherwise carry out the functions required under this chapter by utilizing the facilities, personnel, and services of any other Federal, State, or local governmental agency having an established organization for conducting relocation assistance programs.

"§ 504. Federal reimbursement

"The Secretary shall approve, as a part of the cost of construction of a project under any Federal-aid highway program which he administers, the cost of providing the payments and services described in section 502.

"§ 505. Relocation payments

"(a) PAYMENTS FOR ACTUAL EXPENSES.—Upon application approved by the State agency, a person displaced by any highway project approved under section 106 or section 117 of this title may elect to receive actual reasonable expenses in moving himself, his family, his business, or his farm operation, including personal property.

"(b) OPTIONAL PAYMENTS—DWELLINGS.—

Any displaced person who moves from a dwelling who elects to accept the payments authorized by this subsection in lieu of the payments authorized by subsection (a) of this section may receive—

"(1) a moving expense allowance, determined according to a schedule established by the Secretary, not to exceed \$200; and

"(2) a dislocation allowance of \$100;

"(c) **OPTIONAL PAYMENTS—BUSINESSES AND FARM OPERATIONS.**—Any displaced person who moves or discontinues his business or farm operation who elects to accept the payment authorized by this section in lieu of the payment authorized by subsection (a) of this section, may receive a fixed relocation payment in an amount equal to the average annual net earnings of the business or farm operation, or \$5,000, whichever is the lesser. In the case of a business, no payment shall be made under this subsection unless the State agency is satisfied that the business (1) cannot be relocated without a substantial loss of its existing patronage, and (2) is not part of a commercial enterprise having at least one other establishment, not being acquired by the State or by the United States, which is engaged in the same or similar business. For purposes of this subsection, the term 'average annual net earnings' means one-half of any net earnings of the business or farm operation, before Federal, State, and local income taxes, during the two taxable years immediately preceding the taxable year in which such business or farm operation moves from the real property acquired for such project, and includes any compensation paid by the business or farm operation to the owner, his spouse, or his dependents during such two-year period.

"§ 506. Replacement housing

"(a) In addition to amounts otherwise authorized by this title, the State agency shall make a payment to the owner of real property acquired for a project which is improved by a single-, two-, or three-family dwelling actually owned and occupied by the owner for not less than one year prior to the initiation of negotiations for the acquisition of such property. Such payment, not to exceed \$5,000, shall be the amount, if any, which, when added to the acquisition payment, equals the average price required for a comparable dwelling determined, in accordance with standards established by the Secretary, to be a decent, safe, and sanitary dwelling adequate to accommodate the displaced owner, reasonably accessible to public services and places of employment and available on the private market. Such payment shall be made only to a displaced owner who purchases and occupies a dwelling within one year subsequent to the date on which he is required to move from the dwelling acquired for the project. No such payment shall be required or included as a project cost under section 504 of this title if the owner-occupant receives a payment required by the State law of eminent domain which is determined by the Secretary to have substantially the same purpose and effect as this section and to be part of the cost of the project for which Federal financial assistance is available.

"(b) In addition to amounts otherwise authorized by this title, the State agency shall make a payment to any individual or family displaced from any dwelling not eligible to receive a payment under subsection (a) of this section which dwelling was actually and lawfully occupied by such individual or family for not less than 90 days prior to the initiation of negotiations for acquisition of such property. Such payment, not to exceed \$1,500, shall be the amount which is necessary to enable such person to lease or rent for a period not to exceed 2 years, or to make the down payment on the purchase of, a decent, safe, and sanitary dwelling of standards adequate to accommodate such individual or family in areas not generally less desirable in regard to public utilities and public and commercial facilities.

"§ 507. Expenses incidental to transfer of property

"(a) In addition to amounts otherwise authorized by this title, the State shall reimburse the owner of real property acquired for a project for reasonable and necessary expenses incurred for (1) recording fees, transfer taxes, and similar expenses incidental to conveying such property; (2) penalty costs for prepayment of any mortgage entered into in good faith encumbering such real property if such mortgage is on record or has been filed for record under applicable State law on the date of final approval by the State of the location of such project; and (3) the pro rata portion of real property taxes paid which are allocable to a period subsequent to the date of vesting of title in the State, or the effective date of the possession of such real property by the State, whichever is earlier.

"(b) No payment received under this chapter shall be considered as income for the purposes of the Internal Revenue Code of 1954 or for the purpose of determining the eligibility or the extent of eligibility of any person for assistance under the Social Security Act or any other Federal law.

"§ 508. Relocation services

"(a) Each State shall provide a relocation advisory assistance program which shall include such measures, facilities, or services as may be necessary or appropriate in order—

"(1) to determine the needs, if any, of displaced families, individuals, business concerns, and farm operators for relocation assistance;

"(2) to assure that, within a reasonable period of time, prior to displacement there will be available, to the extent that can reasonably be accomplished, in areas not generally less desirable in regard to public utilities and public and commercial facilities and at rents or prices within the financial means of the families and individuals displaced, housing meeting the standards established by the Secretary for decent, safe, and sanitary dwellings, equal in number to the number of, and available to, such displaced families and individuals and reasonably accessible to their places of employment;

"(3) to assist owners of displaced businesses and displaced farm operators in obtaining and becoming established in suitable locations; and

"(4) to supply information concerning the Federal Housing Administration home acquisition program under section 221(d)(2) of the National Housing Act, the small business disaster loan program under section 7(b)(3) of the Small Business Act, and other State or Federal programs offering assistance to displaced persons.

"(b) Nothing in this chapter shall be construed to prohibit any person from exercising any right or remedy available to him under State law with respect to any action of a State agency in carrying out this chapter.

"§ 509. Relocation assistance programs on Federal highway projects

"Notwithstanding any other provision of law, on and after the effective date of this Act any Federal agency which acquires real property for use in connection with a highway project authorized by section 107 and chapter 2 of this title or any other Federal law shall, in accordance with regulations issued by the Secretary, provide the payments and services described in sections 502, 505, 506, 507, and 508 of this Act. When real property is acquired by a State or local governmental agency for such a Federal project for purposes of this chapter, the acquisition shall be deemed an acquisition by the Federal agency having authority over such project.

"§ 510. Authority of the Secretary

"(a) To carry into effect the provisions of this chapter, the Secretary is authorized to

make such rules and regulations as he may determine to be necessary to assure—

"(1) that the payments authorized by this chapter shall be fair and reasonable and as uniform as practicable;

"(2) that a displaced person who makes proper application for a payment authorized for such person by this chapter shall be paid promptly after a move or, in hardship cases, be paid in advance; and

"(3) that any person aggrieved by a determination as to eligibility for a payment authorized by this chapter, or the amount of a payment, may have his application reviewed by the head of the State agency making such determination.

"(b) The Secretary may make such other rules and regulations consistent with the provisions of this chapter as he deems necessary or appropriate to carry out this chapter.

"§ 511. Definitions

"As used in this chapter—

"(1) The term 'person' means—

"(A) any individual, partnership, corporation, or association which is the owner of a business;

"(B) any owner, part owner, tenant, or sharecropper who operates a farm;

"(C) an individual who is the head of a family; or

"(D) an individual not a member of a family.

"(2) The term 'family' means two or more individuals living together in the same dwelling unit who are related to each other by blood, marriage, adoption or legal guardianship.

"(3) The term 'displaced person' means any person who moves from real property on or after the effective date of this chapter as a result of the acquisition or reasonable expectation of acquisition of such real property, which is subsequently acquired, in whole or in part, for a Federal-aid highway, or as the result of the acquisition for a Federal-aid highway of other real property on which such person conducts a business or farm operation.

"(4) The term 'business' means any lawful activity conducted primarily—

"(A) for the purchase and resale, manufacture, processing, or marketing of products, commodities, or any other personal property;

"(B) for the sale of services to the public; or

"(C) by a nonprofit organization.

"(5) The terms 'farm operation' means any activity conducted solely or primarily for the production of one or more agricultural products or commodities for sale and home use, and customarily producing such products or commodities in sufficient quantity to be capable of contributing materially to the operator's support.

"(6) The term 'Federal agency' means any department, agency, or instrumentality in the executive branch of the Government and any corporation wholly owned by the Government.

"(7) The term 'State agency' means a State highway department or any agency designated by a State highway department to administer the relocation assistance program authorized by this chapter."

SMALL BUSINESS ACT

Sec. 25. Paragraph (3) of section 7(b) of the Small Business Act (15 U.S.C. 636(b)(3)) is amended to read as follows:

"(3) to make such loans (either directly or in cooperation with banks or other lending institutions through agreements to participate on an immediate or deferred basis) as the Administration may determine to be necessary or appropriate to assist any small business concern in continuing in business at its existing location, in reestablishing its business, in purchasing a business, or in establishing a new business, if the Administration determines that such concern has suffered substantial economic injury as the

result of its displacement by, or location in, adjacent to, or near, a federally aided urban renewal program or a highway project or any other construction constructed by or with funds provided in whole or in part by the Federal Government; and the purpose of a loan made pursuant to such project or program may, in the discretion of the Administration, include the purchase or construction of other premises whether or not the borrower owned the premises occupied by the business; and".

EMINENT DOMAIN

Sec. 26. Nothing contained in chapter 5 of title 23, United States Code, shall be construed as creating in any condemnation proceedings brought under the power of eminent domain, any element of damages not in existence on the date of enactment of such chapter 5.

ANNUAL REPORT

Sec. 27. The Secretary of Transportation shall report annually to Congress, but no later than January 15 of each year, concerning his administration of chapter 5 of title 23, United States Code, together with his recommendations, including any necessary legislation with respect to such chapter.

FEDERAL SHARE

Sec. 28. Section 120(a) of title 23, United States Code, is hereby amended to read as follows:

"(a) Subject to the provisions of subsection (d) of this section, the Federal share payable on account of any project financed with primary, secondary, or urban funds, on the Federal-aid primary system and the Federal-aid secondary system, shall not exceed 50 per centum of the cost of construction, except that in the case of any State containing non-taxable Indian lands, individual and tribal, public domain lands (both reserved and unreserved), and national forests and national parks and monuments, the Federal share shall be increased by a percentage of the remaining cost equal to the percentage that the area of all such lands in such State is of its total area, except that the Federal share payable on any project in any State shall not exceed 95 per centum of the total cost of any such project."

EFFECTIVE DATE

SEC. 29. This Act and the amendments made by this Act shall take effect on the date of its enactment, except that for the first three years after such date of enactment sections 502, 505, 506, 507, and 508 of title 23, United States Code, as added by this Act, shall be applicable to a State only to the extent that such State is able under its laws to comply with such sections. After such three-year period such sections shall be completely applicable to all States. Section 133 of title 23, United States Code, shall not apply to any State if sections 502, 505, 506, 507, and 508 of title 23, United States Code, are applicable in that State.

The amendment 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. 17134) was laid on the table.

GENERAL LEAVE

Mr. CRAMER. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days in which to extend their remarks on the bill just passed, H.R. 17134.

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

There was no objection.

DEPARTMENT OF TRANSPORTATION APPROPRIATION BILL—1969

Mr. BOLAND. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 18188) making appropriations for the Department of Transportation for the fiscal year ending June 30, 1969, and for other purposes; and pending that motion, Mr. Speaker, I ask unanimous consent that general debate be limited to 90 minutes, the time to be equally divided and controlled by the gentleman from Ohio [Mr. MINSHALL] and myself.

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

There was no objection.

The SPEAKER. The question is on the motion by the gentleman from Massachusetts.

The motion was agreed to.

IN THE COMMITTEE OF THE WHOLE

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill H.R. 18188, with Mr. JONES of Alabama in the chair.

The Clerk read the title of the bill.

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

The CHAIRMAN. Pursuant to the unanimous-consent request, the gentleman from Massachusetts [Mr. BOLAND] will be recognized for 45 minutes, and the gentleman from Ohio [Mr. MINSHALL] will be recognized for 45 minutes.

The Chair recognizes the gentleman from Massachusetts [Mr. BOLAND].

Mr. BOLAND. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I trust that we can expedite the business of the moment. The gentleman from Ohio [Mr. MINSHALL] and myself purposely asked for only 90 minutes of general debate on this bill so that Members can prepare to get away early this afternoon. I am sure that if we can have the attention of the Members in the Chamber we can complete the consideration of this bill in a relatively short period of time.

Mr. Chairman, this is the second Department of Transportation appropriation bill to be brought before this committee. The Department has now been in operation for a full year. Generally, the subcommittee feels that the new Department is doing a good job. They are feeling their way slowly and carefully, and this is the way we think they should proceed. We told them last year, both in the hearings and in the report, that this is the procedure which seemed best to follow; that early small mistakes would grow in time to become matters of considerable difficulty, and that caution and care in the formative years was most important. I believe this admonition is being followed, and that the Department of Transportation will make great contributions to the improvement of transportation in our country.

We have been appropriately tightfisted in recommending appropriations for fiscal year 1969. Last year the subcommittee recommended to the full com-

mittee and the full committee adopted the recommendation of a reduction of 11 percent in the requested new obligational authority. Our recommendation this year is for a reduction in new obligational authority of 16.5 percent. Much of this reduction is in the supersonic transport or SST program.

A total of \$1,353,391,000 in new obligational authority is recommended. This is a reduction of \$267,441,000 in the estimates and is \$179,813,772 below appropriations for 1968 and \$367,926,500 below comparable appropriations for 1967. In addition, reductions of \$32.4 million are recommended in funds to liquidate contract authority. Limitations on contract authority will reduce obligations by another \$99.3 million and a \$30 million rescission is recommended.

The new organizations within the Department, such as the Office of the Secretary of Transportation and the Federal Railroad Administration requested large percentage increases for fiscal year 1969. Since they just started their programs during fiscal year 1968, the normal annualization costs of the personnel and programs which were building up throughout fiscal year 1968 require substantial increases to carry them through a whole year. In addition, there are the mandatory pay increase requirements which all departments share.

OFFICE OF THE SECRETARY

The request for the Office of the Secretary for salaries and expenses was \$11.3 million and we recommend \$9.8 million, a reduction of \$1.5 million. The Office of the Secretary has 470 positions authorized in 1968; they requested an additional 60, proposing a new total of 530. We have allowed 15 of the 60 new positions and denied the remaining 45, a 75-percent reduction.

Also under the Office of the Secretary, in "Transportation research," the subcommittee recommends the appropriation of \$6 million rather than the \$7 million requested. Included in this \$6 million is \$1.6 million to begin the automobile insurance study which was recently authorized by law. Many Members have been interested in this study and even though a specific request for funding for this program has not come to Congress, we believe that it is of sufficient importance, and that there is sufficient interest and urgency in this effort, that we should fund it in this bill within available resources. We reduced transportation research in effect by \$2.6 million and then added \$1.6 million back for the automobile insurance study, which seems to be far more urgent a matter than some of the studies proposed by the Department. We recommend language in the bill which will make this sum of \$1.6 million available only for the automobile insurance study. As you will recall, the study is to be completed in 2 years and we thought that it would be good to give the Department as early an opportunity to get started as possible.

COAST GUARD

We made a few reductions in the Coast Guard. The Coast Guard is a very fine organization. It has a lean, tight budget. Even so, we think we can make about a one and a half percent reduction in the

operating expenses of the Coast Guard and provide \$362 million instead of \$366,536,000.

The subcommittee held very detailed hearings on the acquisition, construction, and improvements program of the Coast Guard and we found that there are some items in the program which might be considered desirable in a less stringent fiscal atmosphere but which can be deferred until a later date without seriously hampering the programs of the Coast Guard. We recommend the appropriation of \$90 million for acquisition, construction, and improvements, instead of the \$107 million requested in the budget. The reduction will require deferral of some improvements at shore installations and deferral modifications of certain ships.

We have not cut out any major new ships requested by the Coast Guard. We are recommending provision of the new oceanographic cutter that was deleted from the bill last year. We cut the oceanographic cutter last year when they had requested \$12 million, and its price has now gone up to \$14.5 million. We are afraid that if we do not provide it this year, the price may be \$16 million or more next year.

Seriously, we have made those reductions that we think are possible in the Coast Guard without hampering its effectiveness, but we have provided all of the new ships requested in the budget.

Once again, it is recommended that Reserve training be funded separately. We recommend \$25 million for Reserve training, a reduction of \$24,000.

Retired pay for the Coast Guard is increasing, just as retired pay is increasing everywhere due to increased benefits and increased numbers of people on the roll, and \$51 million is provided for retired pay, substantially all that was requested.

This year, for the first time, the Coast Guard has a research, development, test, and evaluation appropriation. Heretofore, sums for this purpose have been included in operating expenses. The request was for \$9 million and we recommend an appropriation of \$4 million. The entire \$5 million reduction is based on deferral of the initiation of a new national data buoy system, a part of the oceanography program, which it is believed can be postponed until a later date. A substantial increase in oceanography is provided in the provision of the oceanographic cutter.

FEDERAL AVIATION ADMINISTRATION

The subcommittee recommends the appropriation of the full amount requested in the budget for the operations appropriation of the FAA, \$663,079,000. This increase will provide 1,631 new positions, of which 1,213 are directly involved in the operation of the air traffic control facilities. The aviation industry is growing rapidly in this country, both commercial aviation and general aviation. There are more planes every month and more congestion at airports and more workload on the air traffic control system.

A study was made at the request of the President as to what might be done in the way of providing adequate facilities to meet the anticipated growth in avia-

tion. It was recommended that FAA costs related to most of this future growth be paid for out of user charges levied on the aviation industry, rather than out of the general funds of the Treasury. The budget reflects this decision. The budgeted amount and the amount recommended is not all that the aviation industry would like to see FAA have, but the subcommittee is of the opinion that it is all that should be provided until a reasonable package of user charges is enacted.

This is the way in which the growth of aviation should be accommodated. The aviation industry is not a sick industry. It is a very healthy industry. It makes good profits, it pays good wages, and it is fully able to be weaned from the Public Treasury to this extent.

For new facilities and equipment for the FAA we recommend \$65,000,000, \$5,000,000 less than the request of \$70,000,000. The FAA follows the full funding principal in its procurement and has substantial unobligated balances in this account. They also, as do other procurement programs, have slippages and changes throughout the year and we feel that the \$5,000,000 reduction will not hurt the program.

For research and development, we recommend the same amount, \$27,000,000, as was provided for 1968. This is a reduction of \$1,000,000 in the budget estimate.

For operation and maintenance of the National Capital Airports, that is Washington National and Dulles Airports, we recommend \$8,900,000, a reduction of \$119,000 in the amount requested. The reductions are specific and are listed in the report. The largest reduction is the denial of the requested \$60,000 for the repainting and reupholstering of six mobile lounges at Dulles Airport at a cost of \$10,000 apiece. We think we can do without this work at the present time.

Under "Construction, National Capital Airports," there is a request of \$1,000,000, all of which is for Dulles Airport. We recommend the appropriation of \$700,000 of this amount. The entire \$700,000 is involved with providing additional facilities for customs and other inspections of incoming international passengers. The international passenger business is growing at Dulles, and airline schedules indicate that in the not too distant future many more international flights will be using Dulles. With the advent of the new large jet aircraft, the present international passenger facilities will be overwhelmed. We believe that the expenditure of these funds will help Dulles reach the financial break-even point and are a good investment.

The budget requested \$65,000,000 for fiscal 1970 for grants-in-aid to airports. We have deferred the entire amount since legislation is pending on a new aid-to-airport plan which basically involves Government loans rather than the matching grants we have now. We think there is enough time between now and the beginning of fiscal 1970 that we can wait and see what the results are of the proposed legislative changes in the program. We did not wish to appropriate for a program which might not be carried out. There is large dissatisfaction

with the present program and we hope that a better program will come out of the new proposals.

Earlier, I mentioned that the SST program provided a good part of the total reduction in the bill. The budget asked \$223,000,000 for further development of the SST in fiscal year 1969. Since the budget was submitted, the program has been slowed down. There has been a year's delay in the program while a new design effort takes place. None of the requested \$223,000,000 will be required in 1969.

We did not stop there. We looked at the unobligated balances available for the SST program and found that \$216,000,000 in funds appropriated in previous years remained unobligated. FAA estimates that they will need \$186,000,000 to carry over the program this year and we recommend the rescission of the \$30,000,000 which will not be required.

On next January the 15th, the Boeing Co. will submit its new design for the SST. At that time a decision will have to be made as to whether or not to continue with the program. If that design is not satisfactory, it may be that the program will be terminated. FAA personnel closest to the program believe that the redesigned effort will be successful and that we will have an American SST which will be a worthwhile aircraft and will provide jobs in many areas of the country and will help keep the aircraft manufacturing business in the United States one of our healthiest industries.

So far, Congress has appropriated \$653,000,000 for the SST program. This is about one-half of the total estimated cost of the development. We propose to keep a close watch over the program to see that costs are kept at a minimum and I think the recommended actions bear this out.

GENERAL M'KEE'S ANNOUNCED RESIGNATION

President Johnson's announcement this week of the retirement of Gen. William F. McKee, Administrator for the Federal Aviation Administration, signals a severe loss of active productive leadership to all segments of our Nation's aviation industry.

During the 3 years of his administration, General McKee has brought to the FAA the exceptional management skills and the problem-solving expertise which characterized his 35-year career as an outstanding Air Force officer. Under his direction, the FAA has taken bold and progressive steps to expand and modernize the Nation's airports and airways, the supersonic transport program has been advanced, and the interests of air safety and service to the flying public have been visibly enhanced.

Unquestionably his unique qualifications as Administrator and leader of FAA have made a mark on American aviation which will not be easily surpassed.

General McKee has always demonstrated a talent for putting on the other man's hat and seeing a problem from that viewpoint. This capacity for broad and fair perspective, coupled with his conviction that at the highest levels of authority, an administrator should operate without fear or favoritism, has earned Bozo McKee the respect of the

Congress, the acclaim of his fellows, the admiration of the aviation community, and the lasting friendship of all who have the privilege of knowing him.

As chairman of the Subcommittee on Transportation, it has been a pleasure to work with General McKee. We regret his retirement, but we are grateful for the service he has given the Nation. We wish him well in the future.

I will include in the RECORD at this point General McKee's letter of resignation which went to the President and the President's reply:

THE WHITE HOUSE,
Washington, June 25, 1968.

Gen. WILLIAM F. MCKEE,
Administrator, Federal Aviation Administration,
Washington, D.C.

DEAR BOZO: It is with genuine regret that I accept your resignation as Administrator of the Federal Aviation Agency.

During your three years with the Agency, you have provided outstanding leadership to a large and complex organization. You have applied great wisdom to the problems of today, and great foresight to the problems of tomorrow.

Under your leadership, the FAA helped the Nation recognize the need for expanded and modernized airport and airways systems. You applied new regulations to improve greatly our air safety record. And you brought wise and prudent management to our supersonic transport program.

Your friends in government will miss you. We all owe you a great debt of thanks.

Sincerely,

LYNDON B. JOHNSON.

JUNE 22, 1968.

The PRESIDENT,
The White House.

DEAR MR. PRESIDENT: On Saturday morning, April 24, 1965, you called me to the White House and asked me to accept the position as Administrator of the Federal Aviation Agency.

You stated that you would like me to take the job for a period of two or three years.

On July 1, 1968, I will have completed three years as Administrator—the most demanding three years of my long career.

Also on July 1st, I will have completed more than 39 years of Government service, 35 of them in the military. I think the time has come for me to give more consideration to my family.

I respectfully request that you accept my resignation to be effective on July 31, 1968.

Working for you, Mr. President, has been a challenge, a privilege and an honor. I have never had a finer Boss.

The people in the Federal Aviation Administration are the hardest working and most dedicated group I have ever known and, as President, I know you are proud of the contribution they have made to the country.

Respectfully,

WILLIAM F. MCKEE,
Administrator.

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

Mr. BOLAND. I yield to the distinguished gentleman from North Carolina.

Mr. JONAS. I would like to take this opportunity to associate myself with the remarks of the gentleman from Massachusetts concerning the retiring head of the Federal Aviation Administration, General "Bozo" McKee.

We have had a cordial working relationship with him in the committee. We have come to respect his ability and his judgment. While I hate to see him retire, I hope he will have a very happy life in retirement.

Mr. BOLAND. I appreciate the remarks of the gentleman from North Carolina and I know that these feelings are shared by all the members of the subcommittee and all the Members of the Congress who have come to know General McKee in the years. He has been such a very dedicated and brilliant public official.

FEDERAL HIGHWAY ADMINISTRATION

The Federal Highway Administration and the Bureau of Public Roads are, for the most part, funded through a limitation on general expenses on administrative funds taken from the highway trust fund. The budget proposed that \$68,186,000 be provided for such activities in fiscal 1969. We recommend \$65,556,000, a reduction of \$2,630,000.

Other than the reduction reflected in the amount for administrative expenses I just referred to, no further reductions are recommended in the liquidating cash requested for the Federal-aid highways program. A total of \$4,155,370,000 is provided in the bill for this purpose.

The budget requested \$1,508,000 for the continued administration of funds previously appropriated for highway beautification. No new program funds for highway beautification are proposed or recommended since authorization on that program has expired. There is authorization for the continuation of the administration of funds previously appropriated. Instead of the \$1.5 million requested, we recommend \$1 million for this purpose.

Under "Traffic and highway safety," which provides the appropriation for the National Highway Safety Bureau, we recommend a reduction of \$3,805,000. The appropriation of \$26,500,000 is recommended instead of \$30,305,000 as proposed in the budget. Most of the reduction is in the research program of the National Traffic Safety Institute.

Dr. Haddon and his associates at the National Highway Safety Bureau have done a good job in many ways in establishing standards for passenger motor vehicles that have made new cars safer than ever before. The Bureau has a wide-ranging program, and we have provided a substantial increase, approximately \$5½ million, above the amount for fiscal 1968. This still is a relatively new program and great improvement in its administration can be made, but we feel that they are doing much good work and the increase is justified.

The second part of the highway safety program, State and community highway safety, is more troublesome. This is a grants-to-the-States program. Under it, the Federal Government matches State funds on a 50-50 basis for a wide variety of highway safety programs. This is the program all of you have received letters from your State highway people on, and letters from the National Safety Council and auto insurance companies and others. This is the big money program. We do not feel that it is as well thought out as it could be, and we are not as sure that it will contribute greatly to highway safety as we are of the other part of the program I just discussed.

The State community highway safety program has contract authority—back-door financing. Last year, we closed the

back door by placing a limitation on obligations in the program. We propose to do the same thing again this year. Last year, the budget asked for \$100 million based on their contract authority and we limited obligations at \$25 million. This year, the budget estimates that \$140 million will be obligated, and we limit the obligations to \$60 million and provide \$50 million of liquidating cash.

This is about twice as much as they got last year and half as much as the budget proposes in the way of obligations.

In the report, we set out ways in which we think the program might be improved. There are too many areas of activity under this program and we feel that the funds may be dissipated without any real improvement in highway safety resulting therefrom. We call on the Bureau to streamline the program and to try to concentrate on a few selected areas and show some real results. Of course, as is true of most grants to States, as this program gets started, the States will count on this money as part of their State budgets, and if we ever try to cut the program back, we will receive plenty of mail. We have tried to start them off slowly. We have tried to stimulate their thinking. We have tried to do what we could to see that this is a useful program and a wise expenditure of funds. Only time will tell.

Under "Motor carrier safety," we provide the entire \$2,012,000 requested for the Bureau of Motor Carrier Safety. This Bureau has a very large job involving the regulation of commercial trucks and buses and very little in the way of legislative authority or funds with which to accomplish it. This is an area in which probably there will be increases in future years.

The subcommittee recommends that the forest highways program be slowed down. The budget proposed \$33 million for the liquidation of contract authorization for forest highways. We recommend \$26 million, and also place a limitation of \$26 million on obligations for this program in fiscal 1969. We are trying to close another back-door financing procedure. The legislative committee will probably not be happy with this action. It seems that at a time when \$6 billion in expenditures must be saved, items such as highways in the areas of national forests can be curtailed.

The same thing is true in the public lands highways program. We recommend provision of \$6.2 million rather than the \$9.0 million requested for liquidation of contract authorization in this program. We also recommend a limitation of \$9 million in obligational authority for this program instead of the \$16 million estimated. We are proposing to reduce obligations in fiscal 1969 by about one-third in each of these programs, and we are trying to bring these programs under the control of the Appropriations Committee.

The \$2 million requested for the Inter-American Highway is provided. This \$2 million will complete funding of the Inter-American Highway. No further requests for funding of this highway are anticipated.

None of the \$4 million requested for the Chamizal Memorial Highway are

provided. This program has been slowed down and we do not believe that the \$4 million requested will be required during fiscal 1969.

FEDERAL RAILROAD ADMINISTRATION

For the Federal Railroad Administration, under "Salaries and expenses," we recommend the provision of \$900,000 instead of the \$1,032,000 requested. The committee is considerably concerned that the Federal Railroad Administration has no real power with which to cope with the many problems facing American railroads today. Most of their authority lies in the field of safety, and the testimony was that 97 percent of the wrecks on railroads are attributable to causes not under the jurisdiction of the Federal Railroad Administration. Unless legislation is enacted to give some real authority to this organization, it is not likely that much will be done to improve the railroad situation through the Department of Transportation.

For the Bureau of Railroad Safety, \$3.7 million is recommended instead of the \$3,820,000 requested.

The high-speed ground transportation program is not included in the bill since pending required authorization has not yet been enacted. We will have to include this program in a supplemental later, if authorization is forthcoming in time for Senate action.

The sum of \$300,000 is provided for railroad research, a reduction of \$100,000 in the estimate and an increase of \$100,000 in the amount provided last year. Most of the money will go to a study of rail-highway grade-crossing accidents.

The St. Lawrence Seaway has a limitation on administrative expenses for which \$550,000 is recommended instead of the \$560,000 requested. One new position which was requested is denied.

For the National Transportation Safety Board, which is an independent Board which makes studies of catastrophic or major accidents in all fields of transportation, an appropriation of \$4.5 million is provided. This is \$206,000 less than the budget request and \$4 million more than the amount provided for fiscal 1968. Sixteen new positions were requested and five are provided. Most of the increase is due to annualization cost and pay increases.

I believe the bill is a good one. I believe the recommended reductions, while they cut deeply in some instances, are not severe enough to prevent the essential functions of the Department being carried out. We marked up this bill and we held our hearings with an eye on the Government's overall fiscal picture. The tax increase and the \$6 billion reduction were in our minds, and we made reductions where we thought we reasonably could. We made reductions which might not have been made if the financial picture were better. I think this is a bill that all Members can support and hope we will get that support on the floor.

HIGHWAY SAFETY

Since there is much interest on the part of the Members concerning highway safety, I would like to amplify my remarks on this subject.

The intent of the highway safety legislation enacted 2 years ago is being car-

ried out. Progress is being made. Recruitment of personnel knowledgeable in the field is proceeding. Much of the ground-work which must be laid before any new program can be effective, has been laid.

Under the Highway Safety Act of 1966, each State is required to implement an approved, comprehensive highway safety program by December 31 of this year. Work toward this objective is going forward in the States.

The bill provides \$26,500,000 for the National Highway Safety Bureau. This is the Bureau which has established safety standards for new automobiles and tires. Additional standards are being developed. This is an increase of \$5.5 million more than the fiscal 1968 appropriation. It is not all that was requested. The budget estimate is \$30,305,000, so a reduction of \$3.8 million is recommended. Much of the increase is in research; \$21.2 million is provided for the National Traffic Safety Institute as compared with \$18.3 in 1968. We need sound scientific research upon which to base highway safety programs.

As Dr. William Haddon, the Director of the National Highway Safety Bureau, told the committee, over the past six decades, highway safety efforts have been less than effective due to the absence of objective facts of known reliability. Without sound facts upon which to base our highway safety programs, we cannot expect a reasonable return on our money and our efforts. So research funds have been increased.

The highway safety program about which most of us receive letters is the State and community highway safety program, under which matching grants are made to the States. The bill provides for obligations of \$60 million in fiscal year 1969 as compared with the \$25 million provided in 1968. This is more than a 100-percent increase. Once again, the sum provided is not all that was asked. The budget estimates that \$140 million would be obligated in fiscal year 1969.

The committee feels that this program could be improved. There are 16 separate activities, in addition to administrative expenses, for which matching funds are available. If the Bureau would reduce the number of different activities and concentrate effort on a few program areas for a time period, we feel that more positive results would ensue.

The Members of the House are extremely interested in all areas of safety, including highway safety. The members of the Transportation Appropriations Subcommittee are well aware of the needs in this area and strongly support highway safety. I think the large increases granted in the face of our present financial problems is ample evidence of this interest.

There are many fine individuals and great organizations dedicated to highway safety. Some of them appeared before the subcommittee. They thought the entire sum budgeted should be appropriated. This has not been done. There is not enough money to provide for all of the Nation's wants. Priorities must be set. Choices must be made. We in Congress have the responsibility for making many of these choices. But while we did

not provide everything requested, we did provide large increases for the highway safety programs. I think that those who have knowledge of our fiscal situation will believe that all that can reasonably be done for highway safety by way of appropriations is being done. As the chairman of the Appropriations Committee, the gentleman from Texas [Mr. MAHON], said last week with reference to other programs, I hope Congress gets some credit for the large sums provided for highway safety and is not just criticized for not providing everything asked.

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

Mr. BOLAND. I am delighted to yield to my friend from Illinois, a member of the subcommittee.

Mr. YATES. On the point of the SST, as the gentleman knows, I propose to offer an amendment to recapture another \$100 million in the program, because I think that amount will not be necessary until next year in the event a design approved by the administration is achieved.

Mr. BOLAND. I appreciate the position of the gentleman from Illinois. As he knows, I will oppose the amendment.

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

Mr. BOLAND. I yield to the gentleman from West Virginia.

Mr. SLACK. Mr. Chairman, I commend the distinguished chairman of the subcommittee for his detailed and comprehensive explanation of this appropriation bill.

It is my understanding that Federal aid for airport construction is funded a year in advance. Is that correct?

Mr. BOLAND. Yes.

Mr. SLACK. Mr. Chairman, I note there are no appropriations in this fiscal 1969 bill for fiscal 1970 funding for airport construction. I am wondering whether or not the distinguished chairman of the subcommittee would explain the outlook briefly as to major airport construction, from the conclusions that have been reached in that committee.

Mr. BOLAND. I appreciate the gentleman's question and the concern he has long shown for this particular program, the Federal aid-to-airports program. What the gentleman says is correct. This program is funded a year in advance to allow those communities that make application for funding under the program time to plan in advance. It gives the FAA an opportunity to determine precisely what its plans are and how much money will be needed.

There is a budget request of \$65 million for fiscal 1970, and, as the gentleman indicated, it was deferred. It was not considered because there is \$70 million available for fiscal year 1969. This was funded in the 1968 bill and those communities that have applied to FAA know precisely the amount of money that will be available to them.

The chief reason for the committee's action in this area is that proposals have been made by the administration to the Congress for a major change in this program.

As the gentleman knows, this is a 50-50 matching program. A new program has been reported out by one of the Senate

committee, indicating they are recommending a change in the program.

If that bill does not become law, I can say to the gentleman we will be back here in the early part of next year for a supplemental appropriation to provide forward funding for fiscal 1970. It is our hope a new program will be established because it is our judgment that there ought to be a different manner of funding this program. In part, the new program will include loans rather than grants. This is the recommendation, I believe, that will be before the Senate in the not-too-distant future, and it is tied to user charges. A bill has been ordered reported by the committee headed by the distinguished Senator from Oklahoma [Mr. MONRONEY].

Mr. SLACK. Mr. Chairman, I thank the gentleman for his explanation.

We all know that the country needs a complete new system of expanded and enlarged airports, and this will cost a great deal of money. The situation is comparable to what we faced in 1956 in the highway field, and it simply cannot be approached successfully with the present system of small, piecemeal grants of direct Treasury funds. A much more comprehensive program, projected over a longer span of years is in order, involving forward-looking planning and realistic estimates of airways traffic to be anticipated.

I believe we all realize that no program of such size can be financed without user taxes in various forms to create a specific fund of sufficient size to get the required airports built or expanded to the desired size and in the right locations. And I know many of you have heard, as I have from my constituents, that the local property owners will not bond themselves for years in advance to establish matching funds adequate to meet the guidelines of the present program.

I believe therefore that the subcommittee has performed a service to aviation generally by recognizing the condition that exists, and acting to eliminate any doubt about the immediate need for a new aviation facility construction program, funded on a new basis. The elimination of these funds should stimulate both House and Senate to take very early action on a new program financed by specific user taxes as soon as possible.

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

Mr. BOLAND. Mr. Chairman, I yield to the gentleman from Connecticut.

Mr. MONAGAN. Mr. Chairman, I compliment the gentleman from Massachusetts for the manner in which he has set forth the main details of this bill and, more importantly, what the results of this bill are.

Last year I rose and complimented the gentleman from Massachusetts and the committee because of the fact that the appropriation was less than the appropriated funds for the preceding fiscal year. Once again, if I read the figures correctly, the bill is \$209 million below the new budget authority for fiscal year 1968, and \$329 million below the budget estimates for fiscal year 1969. This is a remarkable and noteworthy achievement, and at the same time the committee has

stimulated these programs that are of such vital importance to the future of the Nation. I believe the gentleman should take pride in a job well done.

Mr. BOLAND. Mr. Chairman, I appreciate the remarks of the gentleman from Connecticut. What the gentleman says is correct.

I would call to the attention of Members of the House that, as they know, this is a new department, and under the able leadership of the Secretary of Transportation, Alan Boyd, it is moving cautiously. We applaud the Secretary for it. I do think that as the years go on the expenditures for this Department will grow. I do not think there is any question about that. But, be that as it may, if it does grow, we will see that it grows cautiously and carefully.

Second, Members are pleased with the manner in which the Department is being directed, and we are pleased with the staff the Secretary has pulled together for activities within his Department.

Mr. Chairman, I thank the gentleman for his contribution.

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

Mr. BOLAND. Mr. Chairman, I yield to the gentleman from California.

Mr. DON H. CLAUSEN. Mr. Chairman, I thank the gentleman for yielding.

Mr. Chairman, in line with the questioning by the gentleman from West Virginia, I would like to ask some questions on my own thinking regarding the financing of airports. As I understand it, the financing in advance will permit those projects that have been receiving the regular allocations to receive those funds out of the pipeline now in effect.

They will receive their funds out of those funds in the pipeline now, is that correct?

Mr. BOLAND. That is my understanding.

Mr. DON H. CLAUSEN. Under no circumstances is this cutting back of the recommended \$65 million intended by the Subcommittee on Appropriations on the Transportation Department as putting the subcommittee on record as being opposed to that kind of improvement in our airport system. If I correctly understand, the subcommittee actually is awaiting a final resolution from the authorizing committee on the new proposal from the administration before entering into a method of financing. Is this essentially the position?

Mr. BOLAND. The gentleman from California is correct.

Let me read from page 15 of the report, with respect to "Grants-in-aid for airports," the two sentences which concern this program:

When the new program is enacted, and funds are requested, consideration will be given to the program at that time. If no new authorization is enacted within a reasonable period of time, further consideration will be given to the pending request prior to fiscal 1970.

So if the new program which might be considered by both branches, does not become law, I believe I can assure the gentleman from California that there will be a provision made for a continua-

tion of the grants-in-aid program as we now know it.

Mr. DON H. CLAUSEN. In effect, this could be considered in a supplemental appropriation bill, if that is required?

Mr. BOLAND. The gentleman is correct. We have done this before with grants-in-aid, as the gentleman from California well knows.

Mr. DON H. CLAUSEN. I do want to extend my appreciation to the gentleman for his comments, and particularly I wish to compliment the committee for giving recognition to the tremendous needs for navigation and traffic control requirements of this country. You have done a very commendable job in the light of the fiscal situation we have, and I want to compliment you for it.

Mr. BOLAND. The gentleman from Massachusetts, and I am sure the Subcommittee on Appropriations, appreciates the accolade.

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

Mr. BOLAND. I yield to a member of the committee, the gentleman from California [Mr. McFALL].

Mr. McFALL. Mr. Chairman, I want to compliment my colleague, the chairman of the subcommittee, for the presentation he has made here today on the Department of Transportation appropriation bill.

I want to tell the Members of the House what a privilege it is to work with the gentleman. He leads the committee so that our deliberations are always concise, intelligent, and with humor.

I believe that we have presented a bill to the House which will be meaningful in coping with the problems of transportation for the people of this country. I believe the gentleman in the well is the one who is mainly responsible for the way this bill is being presented and for the good it will do for the country.

The gentleman has had long experience, and is well fitted for the job he does. On the subcommittee which deals with the independent offices he has had long experience with some of the problems we have in transportation. Through his long experience on the Committee on Public Works, he also presents to the country the basis for building America, just as he does here in this report on transportation. I commend the gentleman.

Mr. BOLAND. I appreciate the remarks made by the gentleman from California. Let me say that I am sure all other Members of Congress appreciate what has been done by the other subcommittee members: the gentleman from California [Mr. McFALL], the gentleman from Illinois [Mr. YATES], the gentleman from Ohio, the ranking minority member [Mr. MINSHALL], and the distinguished gentleman from North Carolina [Mr. JONAS]. I believe that all of us have worked together to put this bill together, and the credit does not really belong to me, but belongs to all five of us.

I express my appreciation, and I am sure for all the committee.

It is especially gratifying to work with as able a man as the gentleman from Ohio [Mr. MINSHALL]. As ranking minority member of the subcommittee, he makes a great contribution to good gov-

ernment. We leave political considerations out of our committee work and try to do the best job we can for the country on a nonpartisan basis. His hard work and sound judgment contribute mightily to our efforts.

In saying this I do not mean to slight any of the other members of the committee, for we truly work together as a team and each one has done a magnificent job.

Mr. BURKE of Massachusetts. Mr. Chairman, will the gentleman yield?

Mr. BOLAND. I yield to the gentleman from Massachusetts, my colleague Mr. BURKE.

Mr. BURKE of Massachusetts. Mr. Chairman, I wish to commend my colleague from Massachusetts for his presentation of the facts with reference to the Department of Transportation appropriation bill for 1969.

After studying the report, I note many reductions below the estimates for 1969 have been made. I understand there is a savings of \$329,871,000 below the budget estimates for 1969.

I further understand that the appropriations are \$209 million below last year. We in Massachusetts are very proud of our colleague from Massachusetts, Mr. BOLAND, not only for his great dedication and devotion to his work but because of the great accomplishments he has made down through the years. So I wish to join those others who have risen here to say a word of commendation to him, not only to commend the great chairman of the subcommittee but also all of his colleagues on both sides of the aisle for the fine work they have done.

Mr. BOLAND. I appreciate those kind remarks by the gentleman from Massachusetts.

Now, Mr. Chairman, I yield to the gentleman from Washington [Mr. PELLY].

Mr. PELLY. Mr. Chairman, I appreciate the gentleman from Massachusetts yielding to me.

As the gentleman from Massachusetts knows, I have long been an enthusiastic supporter of research in the field of supersonic transport planes in order to maintain our superiority in the field of air transport. However, I want to say as one who has supported this program that I fully concur in the action of the committee in declining, and in fact, rescinding the funds this year. I do hope that we will not have any ill-advised amendments adopted, however, which might in turn result in the tragic killing of this program of research in this field. I fully intend to support the committee.

Mr. BOLAND. I appreciate the gentleman's remarks.

I know in the years that I have been here when we have had this matter before us the gentleman from Washington has always been one of those who has been a great advocate of the program, recognizing what it does for the economy of our Nation, the aircraft industry of our Nation, as well as maintaining the leadership of the United States in the field of aviation around the world.

Now, Mr. Chairman, I yield to the gentleman from West Virginia [Mr. HECHLER].

Mr. HECHLER of West Virginia. Mr. Chairman, I thank the distinguished

chairman of the subcommittee for yielding to me. He has done his usual outstanding job in presenting this complex bill to the Committee of the Whole.

I am glad that the gentleman from Massachusetts so fully set forth the dimensions of the crisis which confronts the airports of the Nation today. I appreciate the assurance of the gentleman that we will have a supplemental early next year in case there is a gap between the passage of the administration proposal or a modification thereof, including user charges, and the running out of the Federal aid-to-airports program. The gentleman from Massachusetts will recall last year when we discussed the grant-in-aid-to-airports program he made what I thought was an extremely wise observation, namely, that we ought to turn more to larger regional airports instead of yielding to the political, parochial and provincial pressures of many local communities desiring airports in every one of the communities. I wonder if the gentleman from Massachusetts shares this same opinion, particularly in view of the tight budget crisis which we are facing in this country today?

Mr. BOLAND. I do indeed. I remember the gentleman from West Virginia raising this point last year. At that time we had a discussion on the advisability of having more regional airports rather than having one in every community. Obviously, each community would like to have one. They would all like to have the facilities and the towers and everything that goes along with them in providing air traffic safety. This just cannot be done, though, for every hamlet in the United States. So there has been a directive by the Federal Aviation Administration to regionalize the airports, and they have been doing it.

Mr. HECHLER of West Virginia. I appreciate what the gentleman said about General McKee and his administration of the FAA without fear or favoritism. I think he has moved boldly in the direction of more regional airports, as the gentleman from Massachusetts outlined and deserves the commendation of the Nation for his courage in administering his office.

Mr. BOLAND. He does indeed. Before the new Department of Transportation was created, I was on the subcommittee that funded the Federal Aviation Agency, and I must say that he has been as good an administrator as that agency has ever had. He is one of the finest men who ever testified before any of the committees I have been on. Interestingly enough, he has been one of the best liked administrators of the Government by the personnel who back him up, which is a pretty good indication that he is a good administrator and does the job and does it well.

Mr. HECHLER of West Virginia. Mr. Chairman, there may be some misgivings by those who are deeply concerned about the congestion of the Nation's airports and why, in the face of this crisis, the pending bill contains no appropriations for the grants-in-aid to airports. But I am pleased with the explanation which has been given this afternoon by the gentleman from Massachusetts. I per-

sonally do not feel it is possible to get either the administration proposal or a variation thereof through the Congress during the current session. The pressure for some action will certainly be increased by reason of the zero funds in the pending appropriation bill. But it is simply good commonsense and fair-play for those who use our airports and fly planes to help pay for the building of airports.

Perhaps it is just as well to put an end to grants-in-aid for airports out of general Treasury revenues. Those who never ride planes should not be taxed to support those who do. I would be strongly in favor of higher taxes of aviation fuel and other facilities, higher taxes on airplane tickets, and similar means to raise the public funds necessary to build airports. That is why I favor the efforts of Senators JENNINGS RANDOLPH and MIKE MONROE to set up a trust fund out of user taxes to finance the building of airports.

In the midst of this airport congestion crisis, we need these funds from those who will benefit the most from the new and expanded airports—those who ride the planes. And the funds for airports should be doubled—far beyond the \$65 to \$75 million rate at which we have been appropriating annually in the past. Last year, I offered an amendment to raise the appropriation from the \$65 million voted by the committee up to the budgeted amount of \$75 million, but the move was unsuccessful.

Mr. Chairman, I would again like to comment on the courage and decisiveness of General McKee as the FAA Administrator. On May 15, 1967, he made a landmark decision on the location of a regional airport to be built midway between West Virginia's two largest cities. This decision was a breath of fresh air, and has provided inspiration and hope for all the people of West Virginia eagerly searching for means to work together for the benefit of all sections of the State. This is such an important decision that I will secure permission when we return to the House to have it included at this point in the RECORD:

OFFICIAL TEXT OF THE MAY 15 DECISION OF THE FEDERAL AVIATION ADMINISTRATION ON FUTURE AIRPORT REQUIREMENTS OF SOUTHERN WEST VIRGINIA

The Federal Aviation Administration has completed an extensive study of the airport needs of Charleston-Huntington. To serve that area, our recommendation is to proceed with development of a new regional airport at the "Midway" site, slightly northeast of the town of Hurricane.

Careful consideration has been given to the three most feasible alternatives for solving the area's future airport needs. Namely, the expansion of both existing airports, Kanawha and Tri-State; the construction of a new airport at the Guthrie site, and expansion of Tri-State; and, the construction of a new airport at the Midway site with retention of both existing airports for general aviation usage.

In the first alternative, our findings support prior determinations that it is impractical to develop the mountain-top Kanawha facility to meet the long-range needs of the Charleston metropolitan area.

With respect to the Guthrie alternative, we find that two, and possibly three, factors interact to result in construction costs which

are considerably in excess of the costs of the Midway alternative. First, the Guthrie Airport costs will exceed those of a comparable airport constructed at the Midway site by about \$3.3 million; second, the Guthrie alternative requires simultaneous development of Huntington's Tri-State Airport at a further cost of about \$4.9 million; and third, if closure of the Kanawha Airport is contemplated, the cost burden may be further aggravated by a possible need to construct an additional runway at the Guthrie site to safely accommodate Charleston's general aviation requirements.

Accordingly, the Federal Aviation Administration believes that the long-range airport requirements of the people of Southern West Virginia are best met, and the public interest best served, by the least-cost development of a midway regional airport. Moreover, development of a single regional facility affords the opportunity for spreading the development cost over the widest possible user base and holds the greater promise of better scheduled transportation service to the benefit of the entire area of Southern West Virginia.

The Federal Aviation Administration believes this recommendation warrants consideration for grant-in-aid assistance, within the limits of available Federal resources. The FAA, therefore, urges immediate consideration and unified support by all state and involved local officials to build a regional airport at the Midway site.

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

Mr. BOLAND. I am glad to yield to the gentleman from Virginia.

Mr. SCOTT. I thank the gentleman for yielding.

Mr. Chairman, I would like to ask something further with regard to page 15 of the report. As I understand it, no funds are available for the expansion of the Washington National Airport in this bill. Is that correct?

Mr. BOLAND. For expansion of it?

Mr. SCOTT. Yes.

Mr. BOLAND. There was no request for any funds for expansion. There is a study underway, however, to determine what should be done at the Washington National Airport, and many things should be done. However, there was no request for expanding the facilities of the National Airport at this time, and I think wisely so.

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

Mr. BOLAND. I yield to the gentleman from North Carolina.

Mr. JONAS. Mr. Chairman, if the gentleman from Massachusetts will refresh my recollection, did we not approve a reprogramming during the year at the Washington National Airport concerning a parking lot?

Mr. BOLAND. It is my recollection that that is the only reprogramming that was done.

Mr. JONAS. That was a reprogramming, was it not?

Mr. BOLAND. Yes. We did reprogram some funds for the purpose of providing more space for the public in parking areas by moving employees out of spaces that are more desirable to the public.

Mr. SCOTT. Mr. Chairman, will the gentleman yield further?

Mr. BOLAND. I yield further to the gentleman from Virginia.

Mr. SCOTT. Can the chairman of the subcommittee tell me when a report of

this nature might be expected or whether the gentleman is knowledgeable with respect to that particular item?

Mr. BOLAND. I am sorry, but I cannot give the gentleman a specific date. However, I do know that we have instructed them to come in with a report as soon as possible. We are concerned about it, however, there are some problems involved here. Perhaps the distinguished gentleman from California [Mr. McFALL] could elaborate upon that problem.

Mr. McFALL. Mr. Chairman, the chairman of the subcommittee is exactly correct. This was gone into by the subcommittee during the course of our hearings. In our statement which appears on page 15, to which the gentleman referred, we have asked them to hurry and complete the study.

Mr. BOLAND. Mr. Chairman, as the gentleman from Virginia knows, it is not an easy matter to make dramatic changes at the Washington National Airport. There are a number of agencies involved. For instance, there is the National Capital Planning Commission, there is the FAA, as well as others. If the National Capital Planning Commission turns down a proposal and if the FAA says we have some real problems, then some trouble may develop.

Mr. SCOTT. Mr. Chairman, if the gentleman will yield further, let me assure the gentleman and the other Members of the House that my primary interest in this field lies with Dulles Airport, although I am interested in the National Airport.

Mr. BOLAND. I thank the gentleman.

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

Mr. BOLAND. I yield to the gentleman from Florida.

Mr. ROGERS of Florida. Mr. Chairman, I am very much concerned by the report that has been issued by the Department of Transportation just recently, within the past few days, with reference to the type of safety to be employed for used cars.

It was my understanding of the provisions contained in the authorizing legislation to provide that a study would be made of all types of safety standards which should be used or encouraged to be used on used automobiles.

I am amazed to find in this report that has been made as a result of this authorization the funding that was given to it by this distinguished committee. They have gone off on a tangent in the final report by talking about plans which they are going to make as a result of the study of safety for used cars, for free transportation, and for subsidizing spare parts and repair work.

I just want to make it clear and in discussing the matter with the chairman of the Committee on Appropriations, I wanted to make clear that first of all this was not the intent. There was to be a lot of research on the matter, but no one ever talked about free transportation and subsidizing automobiles for repair work. This was never the intent of the amendment. They should not undertake this type of research under this provision of the law. It should be confined to what we

intended, and I am sure all of us in Congress never intended that we should determine and require certain types of brakes, seat belts, and so forth on used cars but intended it to be used for realistic purposes.

And I just want to make that point very clear in the colloquy we are engaging in.

Mr. BOLAND. I am glad the gentleman has taken the time to make it crystal clear as to the intent of the authorization.

The CHAIRMAN. The gentleman from Massachusetts has consumed 35 minutes.

Mr. BOLAND. I would appreciate it if the Members would permit me to yield to other members of the committee, and then they can continue to ask questions of those members.

Mr. MINSHALL. Mr. Chairman, I yield the gentleman from Massachusetts 5 additional minutes.

Mr. BOLAND. I thank the gentleman.

Mr. JONAS. Mr. Chairman, while we are on this discussion raised by the gentleman from Florida [Mr. ROGERS], I believe some legislative history should be made on it.

I do not understand that there is any money in this bill that could be used for the purpose of providing free transportation for anybody, and I would like to inquire if the distinguished chairman of the subcommittee agrees with me.

Mr. BOLAND. I do agree with the gentleman from North Carolina. I do not recall any testimony with respect to the items about which the gentleman from Florida [Mr. ROGERS] has raised a question. We had very full and complete hearings with Dr. Hadden, and I do not recall any requests submitted to the committee indicating that this was a part of any program.

Mr. McFALL. Mr. Chairman, if the gentleman would yield, just so we could have all of the details in the report before us, and see this in its proper perspective, what the gentleman from Florida [Mr. ROGERS] is properly discussing is from the conclusions in the report. I would like to read the conclusions so that we will know exactly what they are:

The Department of Transportation will accelerate detailed investigations of means of providing adequate—perhaps free—public transportation programs that will afford people with low income a meaningful choice between private vehicles and public transportation.

Then in another paragraph:

The Department of Transportation will undertake preliminary feasibility investigations on national programs of subsidized automotive repair and equipment replacement assistance for population groups who, in the absence of adequate public transportation, have no meaningful alternative to reliance on old vehicles requiring costly safety-related repairs.

They have statistics on page 77 of the report showing the age of the car, the problems that will result, and the economic aspects of the repairs of used cars.

And the purpose, according to the report, and I have not read the report completely but have merely checked through it recently as the chairman knows, was to place in the report these economic impact aspects involving the

poor people who do not have the wherewithal to make proper auto repairs. They plan, as I understand the study, to study free public transportation or some kind of subsidization of repairs.

There is no money in the bill for any kind of repairs. This Bureau was funded, previously, as the gentleman knows, for this particular study, and this is the result that they came up with.

Mr. BOLAND. I wonder if the gentleman from California would give an indication as to the date of the report?

Mr. McFALL. The date is June 1968. June 24. And the letter from Alan Boyd transmitting it to the Speaker of the House and also to the Honorable HUBERT H. HUMPHREY, President of the Senate.

Mr. ROGERS of Florida. Mr. Chairman, if the gentleman will yield further, the point I want to make is that under the authorization we have language for which this report was given in response that these items of planning are entirely off base, and were never contemplated, and this type of planning under this authorization should not be conducted. That is what I want to make clear. I appreciate what the gentleman has said of this committee, that there is no funding for a program of free transportation, or subsidizing of repair work nationwide. I realize that.

But I want to make it clear, Mr. Chairman, that there is no money, I hope, for planning that type of program, because it is not authorized in the authorizing legislation in the program to which this report was addressed.

Mr. BOLAND. Again, I say there is no money in the bill for such planning. I am sure the gentleman from Florida will commend the Department of Transportation for issuing the report on used cars and making it available.

Mr. ROGERS of Florida. Yes, I am glad to have this report, and certain portions of it, which is 8 months late. But, nevertheless, this portion may be why it is late. I hope they will get off on this right now completely and I thank the gentleman for yielding, he has been most kind.

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

Mr. BOLAND. I yield to the gentleman.

Mr. KYL. At the appropriate time I intend to offer an amendment which would prohibit the use of funds appropriated in this act for free auto repair work, or for transportation and I would hope the committee would go along with the amendment.

Mr. BOLAND. The committee will look at it, and I am sure the committee will be glad to cooperate in any way that we can.

The CHAIRMAN. The time of the gentleman has expired.

Mr. BOLAND. Mr. Chairman, I yield 1 minute to the gentlewoman from Washington [Mrs. HANSEN].

Mrs. HANSEN of Washington. Mr. Chairman, I rise in support of the bill, H.R. 18188, and commend the very distinguished gentleman from Massachusetts on his extremely able leadership in the field of transportation.

However, I am greatly concerned about the proposed reduction in obligating authority for forest highways as provided

in section 204 of the bill before the House. The committee report intimates that these highways are relatively unimportant. The report also indicates that many of these highways are on the Federal-aid system and can be financed from that source. This does not always represent the true situation in many areas.

Forest highways are the main trunk routes through national forests. As such, they are extremely important in bringing timber to the mills as well as making other resources available to the public.

It is true that many of these forest highways are on the Federal-aid system. However, the natural tendency in programming Federal-aid funds is to eliminate pressures generated by public travel from place to place, rather than opening up national forests. Traffic volume usually is a Federal-aid criteria; therefore, forest highways do not always rate the place their economies contributed should command.

For the past 8 fiscal years there has been no increase in authorizations for forest highways. Instead, the authorization has remained constant at \$33 million, which actually constitutes a decrease in program of about 20 percent due to the decreased purchasing power of the dollar. At this rate of financing, it would take over 150 years to complete the system. I do not believe we can wait that long. The rural economy will be weakened unless substantial increases are made in this program. Both, those dependent upon the health of the timber industry and small businesses dependent on recreation travel, will be retarded.

Forest highways through the rugged national forests of the West are expensive. One project in my district in the State of Washington now under construction is Forest Highway 13 between Randle and Yakima, an important timber and recreation highway. At present 1.3 miles are under construction at a cost of \$750,000. The route is highly important in getting the timber of the Randle Ranger District to market. This route also, when finished, will be an important scenic highway.

Wood and wood products are an integral part of American economic life.

Reduction of forest highway funds can mean in many areas a reduction in timber sales. Relative to the impact of this upon our economy, let me read the following from page 920 part 3 of our Interior Subcommittee appropriations hearings when I asked the U.S. Forest Service what would happen if the cut of timber was reduced:

Mr. NELSON. As you know, in connection with our road business the roads have to be built in advance and that is the only reason this is not going to have any material effect on our cut of timber in 1969.

Mrs. HANSEN. But there will be a material effect in 1970 and 1971?

Mr. NELSON. That is right.

Mrs. HANSEN. It really is piling up the days of depression.

Mr. NELSON. That is very true. We cannot continue to have this type of cut without beginning, one day, to have a serious effect upon our ability to harvest timber.

Earlier this morning I told you, Mrs. Hansen, we had made a study with our road people and our timber people in one region.

That region, in 1969, with a sustained program of roads, would have had about \$16 million available for roads. They will have about \$11 million. They took a cut of \$750,000 in 1968, and their proportionate share of the cut in the 1969 budget.

Mrs. HANSEN. What will that do to that region?

Mr. NELSON. That causes them to build five less major bridges and 90 miles less road, and that causes them to realine their timber sale program.

It is indicated from this realignment that they will have to cut down their timber sale program by 15 million board feet in 1969. That is the new sales, not the harvest cut.

Mr. HANSEN. Which is going to reduce our receipts in the next year?

Mr. NELSON. Yes. In 1970 they will have to reduce their sales by 25 million. In 1971 by 22 million. In 1972 by 47 million. So over the 4 years the effect of this particular cutback for these 2 fiscal years will have an effect of their not being able to put up for sale 109 million feet that they would have otherwise. It will mean on some forests in that region that the sales program will almost have to come to a standstill.

Mrs. HANSEN. Some of these communities are almost totally dependent on forest timber. You have now said to these communities, "You cannot survive upon your present economy."

Mr. NELSON. That is right, Mrs. Hansen, and some of them are. In that region, because of the nature of the region, we don't have as much volume of timber per acre as we do out in your district in Washington and it becomes even more critical whether or not the roads are built. It just means we won't be able to get into some drainages. If this continue, there will be some forests where the timber sale program will eventually come to a standstill.

Mrs. HANSEN. It will result in an increase in the size of the poverty program. We take a proud industry and people who would rather work than be on relief and, by our operations this year, we make the judgment that their survival will depend not on their healthy economy, but on handouts. That is a very expensive philosophy.

Although we were speaking of forest access roads, the forest roads are also deeply meshed into this total picture of the forest economy's health.

I do urge that budget holdbacks and cuts be restrained in this area and I close with another group of figures and the mileage on the national forest system.

A \$1 million reduction in the timber sale activity would reduce revenues to the Government by \$4 million. This would also mean the loss of 5,500 man-years of job opportunity in the lumber industry, and \$12 million value of goods and services associated with such timber harvest would not materialize.

Mr. MINSHALL. Mr. Chairman, I yield myself 15 minutes.

Mr. Chairman, the new Department of Transportation has just completed its first full year in operation. Our Subcommittee on Department of Transportation Appropriations has had an opportunity to evaluate the work this new Department is doing. In general, we agree that its performance is good. With great pleasure I want to extend my compliments to the distinguished chairman of our subcommittee and to the membership. We worked as a team and I am proud of our accomplishments in helping launch the new Department on a sound basis.

MILEAGE OF THE NATIONAL FOREST HIGHWAY SYSTEM, BY FOREST ROAD CLASS AND BY STATES, AS OF DECEMBER 31, 1967

State	Miles				State	Miles			
	Total	Class 1 ¹	Class 2 ²	Class 3 ³		Total	Class 1 ¹	Class 2 ²	Class 3 ³
West:					East—Continued				
Alaska	564.2	137.9	252.4	173.9	Louisiana	421.7	87.3	186.1	148.3
Arizona	1,036.3	441.6	532.8	61.9	Maine	36.2	8.6	5.4	22.2
California	2,640.2	1,159.6	846.9	633.7	Michigan	1,253.0	565.5	669.7	17.8
Colorado	1,476.7	567.8	591.5	317.4	Minnesota	778.5	259.5	453.3	65.7
Idaho	1,225.4	660.3	450.3	114.8	Mississippi	599.8	325.2	274.6	.....
Montana	1,257.4	677.0	322.6	257.8	Missouri	913.2	310.1	590.9	12.2
Nevada	334.6	134.8	199.2	0.6	Nebraska	39.0	.....	23.5	15.5
New Mexico	666.7	131.2	465.8	69.7	New Hampshire	155.4	60.4	52.0	43.0
Oregon	1,495.6	705.0	754.9	35.7	North Carolina	801.0	238.9	523.6	38.5
South Dakota	292.6	181.9	100.8	9.9	Ohio	131.2	67.4	52.5	11.3
Utah	762.9	224.2	271.3	267.4	Oklahoma	115.3	45.1	70.2	.....
Washington	765.3	479.1	238.3	47.9	Pennsylvania	350.3	118.4	85.9	146.0
Wyoming	564.6	376.4	152.7	35.5	South Carolina	827.6	226.5	506.6	94.5
Total, West	13,082.5	5,876.8	5,179.5	2,026.2	Tennessee	568.6	202.7	308.1	57.8
East:					Texas	414.7	128.3	234.3	52.1
Alabama	374.4	82.3	276.8	15.3	Vermont	111.0	30.4	57.4	23.2
Arkansas	668.1	104.0	550.4	13.7	Virginia	1,418.0	378.4	930.2	109.4
Florida	338.6	32.7	272.6	33.3	West Virginia	494.5	78.3	375.2	41.0
Georgia	399.0	176.2	198.1	24.7	Wisconsin	460.1	75.1	385.0	.....
Illinois	446.8	240.8	98.4	107.6	Puerto Rico	31.5	.....	31.5	.....
Indiana	101.2	53.6	47.6	.....	Total, East	12,603.6	4,024.2	7,477.2	1,102.2
Kentucky	354.9	128.5	217.3	9.1	Grand total	25,686.1	9,901.0	12,656.7	3,128.4

¹ Forest roads which are on the Federal-aid primary system.
² Forest roads which are on the Federal-aid secondary system.

³ Other forest highways.

As the gentleman from Massachusetts [Mr. BOLAND] has so capably detailed for the House, we have been tight-fisted in recommending appropriations for fiscal 1969. The urgency of reducing Federal expenditures has been so much discussed this year that further argument in behalf of economizing almost belabors the point. The announced \$25 billion deficit at the end of fiscal 1968 certainly speaks for itself.

Our bill today represents a great deal of thoughtful pruning and we have succeeded in reducing the new budget authority request by 19 percent. This is a reduction of \$267,441,000 less than the \$1,620,832,000 presented to us by the administration. The \$1,353,391,000 we recommend in the bill is \$179,813,722 less than the \$1,533,204,772 appropriated in fiscal year 1968. After 1 year in operation, the subcommittee is able to see and eliminate unnecessary and costly frills.

The cuts we have made have been presented with great clarity by our chairman, but I very much wish to underscore my conviction that they involve no sacrifice of safety or essential services.

Last year when we brought the first Transportation appropriations bill to the floor, I remarked:

I am encouraged to believe that with careful congressional control the Department can launch a new era in expansion of our national transportation network and in improving safety standards which will save millions of lives and dollars. Consolidation of our varied transportation agencies under one roof makes good sense in the interest of efficiency. Efficiency usually goes hand-in-hand with economy. It is up to us in Congress to keep a tight grip on the financial reins of the agency.

In my opinion, those words of a year ago are proving out. The committee has not attacked the budget with a broad-ax, but has carefully eliminated those sections of fat from the budget request which impose unnecessary demands on the Treasury. Programs which can wisely be deferred have been put off until the fiscal house is in better shape, job requests have been denied when it is apparent that there was no compelling need for new positions.

On a section-by-section basis, let me quickly telescope the committee's action.

The Office of Secretary salary and expenses request was reduced by \$1,535,000, from \$11,335,000 to \$9,800,000. The bulk of this reduction—\$1,048,500—stems from our subcommittee's denial of 60 new positions for the Office, which we limited to 15. Large increases for travel, transportation, and other supporting services also were reduced by a substantial \$486,500.

Funds for transportation research were cut from \$7 to \$6 million, but it is important to point out that this will not defer the study of the automobile insurance industry authorized by Public Law 90-313. The committee earmarked \$1.6 million in the bill as available only for this study.

Typically, the Coast Guard runs a good tight budgetary ship. But even so the committee found that it could reduce operating expenses from a requested \$366,536,000 to \$362 million without jeopardizing any needed services. After extensive study the committee cut \$17 million from acquisition, construction, and improvements. This will postpone some shore installation improvements and modifications of certain ships, but will not eliminate any major new ships requested by the Coast Guard. It is our view that the cuts will not affect the efficiency which marks the Coast Guard's splendid service at home and throughout the world. The very small reduction in the Reserve training program, \$24,000, will permit it to be carried out as budgeted by the Coast Guard; retired pay was reduced by only \$56,000. We did cut \$5 million from research and development, postponing thereby initiation of a national data buoy system.

Traffic and highway safety are of key concern to us all and the committee this year recommends \$5,466,000 more than the fiscal 1968 appropriation. When we hear the National Safety Council predict a highway death toll approaching 700 this coming holiday weekend and realize that more than 50,000 Americans are killed in automobile accidents annually, the committee's recommendation of \$26,500,000 for the National Highway

Safety Bureau certainly is within reason. As our report states:

The committee feels that in spite of the critical budgetary situation the government faces, the importance of the highway safety program is such that the sizeable increase recommended should be enacted. There are very few programs which the committee feels have high enough priority to warrant a 25 percent funding increase in this fiscal year. The committee feels that the National Highway Safety Bureau should be given sufficient support to enable the Bureau to show whether or not sizeable reductions in accidents, fatalities and injuries on the highways can be made through its efforts.

Overall, the Federal Highway Administration and Bureau of Public Roads budget of \$65,556,000 reflects a committee limitation on expenditures cutting \$2,630,000 from the original request of \$68,186,000 for fiscal 1969. No new program funds were proposed for the highway beautification program and the request for \$1,508,000 for continued administration of funds previously appropriated for beautification was cut to \$1 million. The committee, again with fiscal retrenchment in mind, chose to slow down on both the forest highways and public lands highways programs. The \$2 million request for the Inter-American Highway was approved and completes funding for this project. None of the \$4 million requested for the Chamizal Memorial Highway was granted.

Funds for the Federal Railroad Administration were reduced from \$1,032,000 to \$900,000. As stated in our report, we are greatly concerned that the FRA has so little real power to deal with the numerous complex problems facing America's railroads. Most of the Administration's authority is involved in railroad safety, and testimony discloses that only about 3 percent of all railroad wrecks are attributable to causes which fall under FRA's jurisdiction.

High-speed ground transportation is not included in the bill before us today, since the required authorization has not been passed and funds for this program would have to be included in a later supplemental.

The appropriation for the National

Transportation Safety Board was cut by \$206,000 from the estimate of \$4,706,000. More than half this reduction of \$110,000 represents 11 new positions denied by the committee. The balance of the cut, \$96,000, is associated with annualization and other cost adjustments. The amount approved by the committee, \$4.5 million, represents an increase of \$443,000 more than was appropriated in fiscal 1968.

At the outset of my remarks I emphasized that safety was not sacrificed in the name of economy and the appropriation for the Federal Aviation Administration illustrates our concern. We approved the full amount of \$663,079,000 requested for FAA operations. This will provide for a net increase of 1,631 positions, including 1,213 for the operation of air traffic control facilities, air route traffic control centers, and air traffic control towers; 188 for maintenance and logistic support of the air traffic control and navigation facilities, and 230 for the flight standards program.

FAA flight services have doubled in the past 5 years although, as Deputy Administrator David D. Thomas testified before the subcommittee, FAA has been essentially static in its flight service personnel and number of stations. The problem is becoming progressively more severe and the hazards immeasurably increasing as the airways become more crowded. FAA's air safety record is remarkable and particularly so in view of the tremendous workload versus the manpower involved. At the rapid rate the skies are filling up with commercial and private planes we are heading toward conditions which could rival the carnage on our highways. The committee carefully reviewed FAA's request with this in mind and I think no one will quarrel with full funding in this area. We did determine that a \$5 million reduction in the new facilities and equipment program could be borne by the Administration and accordingly cut that request to \$65 million. We recommend \$27 million for research and development, the same amount provided in 1968, and \$1 million less than the budget request.

Funding for the supersonic transport program was suspended during fiscal year 1969, pending a year's delay in development of the SST while a new design effort takes place. The requested \$223 million for fiscal 1969 was eliminated. The committee took further action and recommends rescission of \$30 million prior-year unobligated funds of \$216 million. FAA agreed that it could carry over the program on the balance of those unobligated funds, totaling \$186 million.

Funds for grants-in-aid to airports were deleted by the committee. The \$65 million requested by FAA were to be obligated for fiscal 1970. In view of hearings already underway on legislation to change the present matching system to a Government loan program, it was the committee's opinion that these funds could be safely deferred until a decision is reached on the new proposal. At that time appropriations could be considered. If no new authorizing legislation is enacted within a reasonable length of time, further consideration would be given to FAA's matching grants request.

Regardless of which program is decided upon, this Nation has got to get going on the airport construction program. Here is one of the most alarming and hazardous bottlenecks in air safety. Airport congestion is on a sharp upswing and we have to start planning for the future, for 10 years from now when our skies will be dense with air traffic. Every one of you in this Chamber has experienced the delays and inconveniences of our crowded airports, the incredible conditions which now exist during peak traffic hours. I cannot overemphasize the urgent priority we must give to long-range planning for airports in the interest of public service and safety.

This, in capsule form, is the Department of Transportation appropriations bill for fiscal 1969.

I am pleased with the reductions we have achieved. I am equally proud of the manner in which the committee has accomplished these savings. We have done our best to give the taxpayers the most mileage possible for their tax dollar without canceling out what amounts to their life insurance policies in air and highway safety.

The CHAIRMAN. The gentleman from Ohio yields back 2 minutes.

Mr. MINSHALL. Mr. Chairman, I yield 5 minutes to the gentleman from New Jersey [Mr. CAHILL].

Mr. CAHILL. Mr. Chairman, I have asked for this time to discuss with the chairman of the subcommittee and the members of the subcommittee a matter which I think has considerable importance to the Committee, and that is the appropriation of \$1,600,000 to conduct the study of the existing motor vehicle accident compensation system authorized by Public Law 90-313.

There are a limited number of Members on the floor, but I believe those who are here will recall that I opposed the reference of this matter to the Transportation Department in the first instance, believing that the appropriate body to make the investigation was a committee of the House and/or a committee of the Senate.

As we are discussing this appropriation, a subcommittee of the Judiciary Committee of the other body, headed by Senator HART of Michigan, is conducting an investigation of the automobile liability insurance industry.

It was urged by all of the representatives of the insurance industry and a great many members of the Committee on Interstate and Foreign Commerce that we of the Judiciary Committee really did not have the expertise—did not have the staff and did not have the time to conduct what had to be a study in depth. It was argued with great vigor that the Transportation Department had the great expertise to do this job, and that they had estimated to the dollar what it would cost. It would cost \$2 million, and it could be completed in 2 years.

I realize that rumor is not fact, but I have heard rumors to the effect that the Department of Transportation is not going to conduct this study, but that it is going to contract with private companies to do the entire job. Some of the names have already been mentioned. One is the Arthur D. Little Co. The rumor is that

the Transportation Department is going to assign this investigation to that private organization, to collect all the statistics and to do all the work that could be done right now on the other side of the Capitol by an appropriate Senate committee and which could be done by the Judiciary Committee of this House at an estimated cost of \$300,000.

So I have a question I should like to direct to any Member who would like to answer, and specifically to the Chairman. What did the Secretary tell the committee he was going to do with the \$1.6 million? How was he going to spend it? How, specifically, was he going to use it in 1 year?

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

Mr. CAHILL. I am happy to yield to the gentleman from California.

Mr. McFALL. We do have some information, some written information sent to us by the Department of Transportation.

I believe the key to this entire problem is the scope of the study. The gentleman is correct. They would hire someone. We have not been advised—we could be, if the gentleman would like us to get the information—concerning the firm that would do the job. They would hire some firm on a contract basis to do this study. They do not have the people or the time there in the Department of Transportation to do this kind of work. The scope of the study is a rather large one.

I can read a paragraph or two on this.

Mr. CAHILL. I am fully aware of the scope of it. I realize that the scope of it is rather vast.

Am I correct that this study will be contracted out and that it will not be done per se by the employees of the Department of Transportation?

Mr. McFALL. Yes; the gentleman is absolutely correct.

Mr. CAHILL. I would say to the gentleman, then, there was a complete misrepresentation made to this House at the time the authorization was approved. There was never any inference directly or indirectly that such would be the case.

Mr. McFALL. Will the gentleman yield further for a question? How could this be done by employees of the Department of Transportation in an efficient way? We have cut them down.

The CHAIRMAN. The time of the gentleman from New Jersey has expired.

Mr. JONAS. Mr. Chairman, I yield the gentleman 2 additional minutes.

Mr. McFALL. We have cut them down, so that the people working there are doing the jobs assigned to them.

Mr. CAHILL. What is the question the gentleman would like to ask? I do not have much time.

Mr. McFALL. They do not have personnel to do this. How would the gentleman suggest that we do this study?

Mr. CAHILL. I will be happy to answer that question. I would suggest that the Department of Transportation develop a liaison with the staff of the Senate investigating committee and that they utilize that staff to develop a great number of the statistics that can be obtained merely through the medium of questionnaires directed to the insurance indus-

try of the country, the various State commissioners and various ratemaking bureaus of the country.

I would also say to you that contracting it out is merely awarding a statistical investigative assignment to someone in private industry which would be done, in my judgment, equally well and at less cost by the staff of any one of the committees of this House.

Mr. McFALL. Does the gentleman see any dangers involved here?

Mr. CAHILL. I see danger. That is why I think now I will propose an amendment. I see a great danger. I see danger of the Transportation Department coming back here next year and saying that this study was so vast that this authorization was inadequate and instead of \$2 million they need \$5 million. Now, we already have given them \$1.6 million of the \$2 million. I do not see how it is possible, if it is going to take \$2 million for 2 years, they can justifiably say that they will need \$1.6 million the first year.

It seems to me \$1.6 million would be more necessary the second year, because it will take time to acquire the staff, to set up the ground rules, and do the preliminary investigation. I think if we give them half of it in the first year as a maximum and then evaluate what they have done in order to see where they are going and put on the brakes if we do not like what they are doing—and I do predict that we will not like it—then I say, if we like what they are doing, we can give them the \$1 million next year.

However, I am afraid \$1.6 million is going to be an initial payment on a bill that will get bigger and bigger. I am afraid the study will never be completed. I am afraid that we will go on and on and on, we will have study programs on study programs, and we will have no appropriate legislation, which is so vital if we are going to do anything about the abuses of the automobile liability insurance industry in this country.

Mr. BOLAND. Mr. Chairman, I yield myself 1 minute to respond to the gentleman from New Jersey.

Mr. Chairman, I do recall the fine job he did on the floor on May 7 when this bill was being considered, but, as I have reread the RECORD for that date, it does say that, in order to carry out the functions of the Secretary under the resolution, the Secretary is given authority, first, to appoint and fix the compensation of employees; second, to hire the services of experts and consultants; and, third, to enter into contracts; and, fourth, to appoint an advisory committee. So I think that debate clearly indicates that he is given authority to do it.

Mr. CAHILL. Will the gentleman yield?

Mr. BOLAND. I am glad to yield to the gentleman.

Mr. CAHILL. It is my understanding now, I say to the distinguished chairman of the subcommittee, that the entire investigation is to be contracted out. I can understand where it might be very helpful and necessary for the Secretary to hire some experts in the field of highway safety or some financial experts for the purpose of evaluating rates. However, my objection is that if it is sent out on a

contractual basis entirely, it is being done entirely in the field.

Mr. JONAS. Mr. Chairman, I yield 5 minutes to the gentleman from Iowa [Mr. GROSS].

Mr. GROSS. Mr. Chairman, I take this time to ask the chairman of the subcommittee how much has been saved by the creation of this Department of Transportation. We were told when the bill creating the Department was before the House that it would result in efficiency and economy. How much has been saved? Is there any way we can get at the savings as a result of this new Department?

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

Mr. GROSS. I shall be glad to yield to the gentleman from Massachusetts.

Mr. BOLAND. I am sorry that I cannot give the gentleman from Iowa any specific figures on how much has been saved. I think a lot more has been spent since the creation of the Department than has been saved. There was a lot of money spent by the FAA as well as other agencies which are encompassed within the Department, such as the National Transportation Safety Standards in an effort to bring about new safety measures.

So I would say nothing has been saved but that a lot more has been spent.

Mr. GROSS. So, it did not result in any economy and whether it resulted in any efficiency we do not know, although it was undertaken. But the study did not result in any economy?

Mr. BOLAND. I would have to agree with the gentleman from Iowa on that point.

I note that the cost of administration is \$2.5 million more than was spent last year?

And that is principally because of the annualization cost. And, as the gentleman from Iowa will recall that was only there for a specific number of maintenance employees. Now we are funding them for the entire year. That is the reason for the increase.

Mr. GROSS. I would say to my friend the gentleman from Massachusetts [Mr. BOLAND] that the Assistant Secretary in the Transportation Department by the name of Dean has a job, among other things, of issuing an order telling his underlings who can hang what size picture of the President in his office. It seems that there are two sizes of pictures of the President and of Mr. Boyd. The big shots get a picture 17 by 22 inches and the underlings get an 11 by 14. Also they are told whether they are to be put in the inner office or the outer office.

Why should the taxpayers pay the salary of an Assistant Secretary to put out directives of this kind and then someone to follow up—either the Assistant Secretary or someone else—to follow up and find out whether everybody is observing the rules, whether the big shots have their 17-by-22-inch pictures properly displayed, and whether the little shots have their 11-by-14-inch pictures properly displayed?

Would the gentleman from Massachusetts think it is necessary for the department to carry on a program of this kind?

Mr. BOLAND. I would think that the Assistant Secretary does more than that, as I believe the gentleman from Iowa knows.

Mr. GROSS. He does a lot more than that?

Mr. BOLAND. Yes, he does a lot more than just put out photographs.

Mr. GROSS. I hope he does. With respect to the FAA, how much money does it have in the pipeline now and unexpended?

Mr. BOLAND. In the facilities and equipment area there would probably be around \$70 million.

Mr. GROSS. That would be the total in the FAA pipeline?

Mr. BOLAND. Yes, and all the other involves operations and would, of course, have been obligated.

Mr. GROSS. This is unobligated?

Mr. BOLAND. This is just for the purchase of equipment and facilities that are coming on the line. The money is in the pipeline and it is obligated. As the gentleman knows, the purchase of this equipment is done on a quantity basis and not on an incremental basis as some other departments of the Government operate.

Mr. GROSS. I notice that the gentleman from California [Mr. McFALL] had some trouble obtaining information during the course of the hearings and accused the Department of being inaccurate as to the unobligated balance in the pipeline.

So there is about \$74 million, is that correct?

The CHAIRMAN. The time of the gentleman from Iowa has expired.

THE APPROPRIATIONS BUSINESS OF THE SESSION
GENERAL RÉSUMÉ FOR FISCAL 1969

Mr. MINSHALL. Mr. Chairman, I yield 5 minutes to the chairman of the Committee on Appropriations, the distinguished gentleman from Texas [Mr. MAHON].

Mr. MAHON. Mr. Chairman, this being the final appropriation bill to be considered by the House prior to the July 4 week-end, I thought it appropriate to make some general comments about what we have accomplished thus far and what work remains to be done on appropriation bills before we hopefully can adjourn about the second day of August.

With this transportation bill, we have considered nine appropriation bills for fiscal 1969. We have reduced appropriation or budget authority requests in these bills by \$6.4 billion. This amounts to about a \$2 billion cut in actual expenditures, according to our best approximations. That is about one-third of the way we must travel if we are to achieve a \$6 billion cut in expenditures, and about two-thirds of the distance toward the goal prescribed in the Revenue-Expenditure Control Act of a \$10 billion cut in appropriations, or, more precisely, new budget authority.

It seems evident that we will probably accomplish the \$10 billion cut. Of course, I would point out if we do not make the \$10 billion cut in new budget authority, and the \$6 billion cut in expenditures, that the law requires the President to make those reductions. I would hope that we in the House and in the other body

would exercise our own responsibilities in accordance with the law which we passed, and make the reductions ourselves.

Now, roughly 60 percent of the budget requests for 1969 that require action by Congress at this session has not been considered. The figure seems large, but it is large because we have not yet passed the defense appropriation bill. The authorization bill is scheduled for consideration next week, I believe, and then we can come forward with the appropriation bill.

Of course, Congress acts upon only about \$141.5 billion of the President's budget requests of about \$201 billion in new budget authority for 1969. As I shall elaborate for the record, the \$201 billion is on a net basis. On a gross basis, it is about \$214 billion. Of the \$214 billion, some \$73 billion is for permanent appropriations, appropriations such as funds for the payment of the interest on the national debt and social security, and so on. Some \$88 billion yet remains to be considered by the House, of which about \$84 billion is involved in five appropriation bills as follows:

For Defense, the budget request is \$77.1 billion.

Military construction, \$2 billion.

Foreign aid, \$3.4 billion.

District of Columbia, the Federal contribution, about \$177 million.

We will have a cleanup supplemental in which we will consider appropriation requests of about \$1.5 billion that were deferred from earlier bills for lack of legislative authorization.

So I would say to the House that if we put our shoulders to the wheel after the July 4 holiday, and push forward, that certainly the House will be able to enact these bills, especially if we get the authorization for foreign aid next week as is planned, and the authorization for the defense program next week as planned.

Mr. Chairman, when we go back into the House permission will be sought to place in the RECORD certain tables and explanatory notes which will make available to all of us a recitation of the principal things we have done in this session from the standpoint of appropriations and expenditures.

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

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

Mr. GROSS. Speaking of expediting the legislative program, I was shocked to learn earlier today that the other body failed to get together a quorum this morning and, therefore, has caused the supplemental appropriation bill to be put over for signing until next Monday, thereby slowing down, if not depriving, some employees of the Federal Government of their paychecks.

This is to me is unconscionable. The House expedited passage of the bill yesterday, but the other body failed today to obtain a quorum and therefore the bill could not be signed by the Vice President and sent to the President.

I simply want the RECORD to show the House is not responsible for this kind of business.

The CHAIRMAN. The time of the gentleman from Texas has expired.

Mr. MINSHALL. Mr. Chairman, I yield 2 minutes to the gentleman from Texas [Mr. MAHON].

Mr. MAHON. Mr. Chairman, I share the gentleman's disappointment that the supplemental bill has not been cleared to the President.

Of the 13 appropriation bills for 1969 which must be cleared, that is, the regular bills, the other body has cleared three of them, and has another on its calendar. I believe, unless there is an entanglement involving a filibuster or a delay, that they will be able to clear those bills.

Of course, I am not authorized to speak for or against the other body.

Mr. GROSS. Let me point out to the distinguished chairman of the House Committee on Appropriations that the Senate majority leader had no compunction about going to the press last night to tell the House what it should do by way of enacting a District of Columbia revenue bill.

I have no compunction whatever in referring to the shocking action of the other body in falling today to put through the supplemental appropriation bill and thereby jeopardizing the receipt by Federal employees of their paychecks.

Mr. MAHON. I do not want to speak personally, but I believe the rules of the House really prohibit critical references to the other body.

Mr. THOMPSON of Georgia. Mr. Chairman, will the gentleman yield?

Mr. MAHON. I yield to the gentleman from Georgia.

Mr. THOMPSON of Georgia. I do not desire to make any criticism of the other body. However, I too have had some calls for people in my district, the Government workers union officials who are very concerned that their paychecks are not forthcoming because the other body did adjourn for the weekend prior to completing this particular appropriation bill. I certainly feel there is a great concern among people who need these checks in order to make payments on their bills and meet other expenses.

The CHAIRMAN. The time of the gentleman has expired.

Mr. MAHON. Under leave granted, I am appending a more detailed statement on the appropriations business of the session. I have touched a few of the highlights in these brief remarks.

THE APPROPRIATION BILLS OF THE SESSION

Mr. Chairman, with the clearance on yesterday of the last of the fiscal 1968 bills, and the approval by the House today of the Transportation appropriation bill for fiscal 1969, the remaining appropriation business of the session, insofar as the House is concerned, centers principally on five bills yet to be reported from the Committee on Appropriations. These are:

First. The Defense appropriation bill, involving \$77.1 billion of budget requests.

Second. The foreign assistance appropriation bill, involving some \$3.4 billion.

Third. The military construction appropriation bill, involving some \$2 billion.

Fourth. The District of Columbia ap-

propriation bill, involving \$177 million of Federal funds; and,

Fifth. The closing supplemental, involving, at the moment, some \$1.5 billion of specific requests for a number of items that had to be deferred from the regular bills for lack of legislative authorization.

All of these bills are either wholly or in significant part dependent on annual authorization bills. Appropriation hearings are completed on the four regular bills.

ACTIONS ON FISCAL 1968 APPROPRIATION BILLS

Mr. Chairman, as to fiscal 1968 appropriation bills of this session, Congress considered five measures.

The five measures for fiscal 1968 involved requests of \$6,818 million of new budget—obligational—authority and requests for release of \$2,976 million of reserves under Public Law 90-218 of last December. As finally enacted, the amounts approved are \$6,375 million in new budget—obligational—authority, a net total reduction of \$443 million from the budget requests. In addition, approved releases of \$2,675 million of reserves established under Public Law 90-218 compare with requests for releases of \$2,976 million, a reduction of \$301 million.

ACTION ON FISCAL 1969 APPROPRIATION BILLS

Mr. Chairman, the House has acted upon nine of the 13 regular appropriation bills for the fiscal year 1969. In the nine bills, the House has made reductions of \$6,445 million in new budget—obligational—authority. In addition, \$242 million was cut from the \$1,200 million advance fiscal 1970 request for elementary and secondary education. The totals involved on this basis are: Requests, \$54,060 million; approved, \$47,373 million; reduction, \$6,687 million: \$242 million against the 1970 item, and \$6,445 million against the 1969 requests, the latter amount including \$2,685 million relating to participation sales authorization and \$126 million—committee bill, \$256 million—stricken on a floor point of order.

EXPENDITURE CONTROL PROVISIONS

It is easy to make a precise comparison of House actions on new budget—obligational—authority in the nine appropriation bills for 1969 in relation to the "not less than" \$10 billion reduction figure in title II of the Revenue and Expenditure Control Act of 1968, since the budget requests and the bills are stated on the basis of "new budget authority." But for several reasons it is virtually impossible to make a precise translation of the effects of those actions on the budget estimates—not "requests"—of 1969 outlays—expenditures and net lending. There are several imponderables not within the scope of the bills that can and do affect expenditure—disbursement—rates and timing. Carry-over balances are involved. Uncertainties of deliveries; unforeseeable administrative changes; construction schedule changes; lag of expenditures behind obligations for various research and other grants; and so on. All that can be done is to undertake reasonable ap-

proximations of the expenditure reductions.

But specifically, Mr. Chairman, as to House actions in the nine appropriation bills for 1969:

First, \$6,445 million of the \$10 billion new budget authority reduction figure has been achieved.

Second, based on tentative approximations, some \$2,036 million of the \$6 billion outlay—expenditure—reduction figure has been achieved. In addition, reductions in expenditures that would have been made in 1969 from obligating authority requested in, but cut by the House from the second supplemental bill, 1968, may roughly approximate perhaps another \$210 million or so.

The last two amounts reflect actions in the appropriation bills. There are a few actions outside the appropriations bills that will have a relatively slight impact on the budget. For example, House action earlier this week on the school lunch bill will not affect new budget—obligational—authority but could result in increased expenditures.

It may be of interest to call attention to the periodic budget "scorekeeping" reports now being issued by the staff of the Joint Committee on Reduction of Federal Expenditures. These reports are designed to keep tabs, currently, on what is happening in the legislative process to the budget recommendations of the President, both appropriation-wise and expenditure-wise, and on the revenue, recommendations, and not only from actions in the revenue and appropriation

bills but also in legislative bills that affect budget authority and expenditures—backdoor bills, bills that mandate expenditures, and so on.

1969 NEW BUDGET—OBLIGATIONAL—AUTHORITY TOTALS TO BE CONSIDERED

Under the new unified budget basis, the tentatively estimated total new budget—obligational—authority proposed in the 1969 budget, and relating to fiscal 1969, is \$214,581,000,000, gross, and \$201,723,000,000 net of certain transactions treated as offsets for budget summary presentation purposes only—the

latter figure is the one used in title II of the Revenue and Expenditure Control Act of 1968. Most of this would be in the technical form of what has always been known as appropriations.

The 1969 budget also proposes \$2,895,-000,000 in advance new budget—obligational—authority for fiscal 1970 for title I elementary and secondary education grants, for urban renewal grants, for mass transit grants, and for airport aid grants.

The \$214.6 billion gross budget request for 1969 breaks out as follows:

Category	Budget amounts
1. Grand total, gross amount	\$214,581,000,000
2. Deduct amounts that arise from previous permanent-type legislation that does not require action in bills this session (interest, social security and other trust funds, etc.)	-73,085,000,000
3. Portion requiring action in bills this year	141,496,000,000
4. Amount acted upon by House in the 9 appropriation bills	-52,860,000,000
5. Remainder to be considered	88,636,000,000
6. Amounts presently involved in specific budget requests, not yet considered	-84,311,000,000
7. Remainder	4,325,000,000
Consisting of:	
(a) Amounts relating to backdoor-type legislative bills (mostly contract authorities in highways)	1,248,000,000
(b) Amounts shown in the budget as being for "later transmittal" (the \$1,600,000,000 July 1968 pay cost item; contingencies allowance; etc.)	3,077,000,000

SENATE ACTION ON 1969 APPROPRIATION BILLS

The Senate has passed three of the appropriation bills for 1969. In the three bills, amounts of new budget (obligational) authority approved were below the budget requests for 1969 by \$1,710 million. They were \$23 million above the House totals.

FINAL ACTIONS ON 1969 APPROPRIATION BILLS

One appropriation bill—Treasury-Post Office—has been sent to the President, totaling \$1,780 million in new budget—obligational—authority, a cut of \$179 million from the budget requests.

A summary of the totals of new budget—obligational—authority on the bills to date follows:

ACTIONS ON BUDGET ESTIMATES OF NEW BUDGET (OBLIGATIONAL) AUTHORITY IN APPROPRIATION BILLS, 90TH CONG., 2D SESS., AS OF JULY 3, 1968

[Does not, of course, include any "back-door" type budget authority; or any permanent (Federal or trust) authority under earlier, or "permanent" law without further, or annual action by the Congress]

Bill and fiscal year	House actions		Senate actions		Enacted	(+ or -), latest action compared to budget requests
	Budget requests considered	Approved	Budget requests considered	Approved		
Bills for fiscal 1969:						
1. Treasury-Post Office (net of estimated postal revenues appropriated). (Memoranda: Total, including authorizations out of postal funds) *	\$1,959,535,000	\$1,777,800,000	\$1,959,885,000	\$1,781,053,000	\$1,780,653,000	-\$179,232,000
2. Agriculture	(8,337,359,000)	(8,155,624,000)	(8,337,709,000)	(8,158,877,000)	(8,158,477,000)	(-179,232,000)
3. Independent offices-HUD	6,923,979,800	5,523,635,500	6,923,979,800	5,540,550,300		-1,383,429,500
4. Interior	16,570,580,300	13,670,636,000				-2,899,944,300
5. State, Justice, Commerce, and Judiciary	1,410,342,300	1,280,880,300	1,432,342,300	1,284,372,800		-147,969,500
6. Public works (and AEC)	2,203,820,900	1,794,981,500				-408,839,400
7. Labor-HEW (including fiscal year 1970 advance) (Fiscal year 1969 amounts only)	4,908,657,000	4,499,223,000				-409,434,000
8. Legislative	18,205,261,000	17,224,771,000				-980,490,000
9. Transportation	(17,005,261,000)	(16,267,057,000)				(-738,204,000)
	257,162,531	247,497,349				-9,665,182
	1,620,832,000	1,353,391,000				-267,441,000
Total, these bills—						
As to fiscal 1969	52,860,170,831	46,415,101,649	10,316,207,100	8,605,976,100	1,780,653,000	\$-6,444,158,882
As to fiscal 1970	1,200,000,000	957,714,000				-242,286,000
Total, 1969 bills	54,060,170,831	47,372,815,649	10,316,207,100	8,605,976,100	1,780,653,000	\$-6,686,444,882
Bills for fiscal 1968:						
1. Urgent supplemental	*(1,216,020,863)	*(1,214,780,863)	*(1,216,020,863)	*(1,405,445,863)	(^o)	(^o)
2. Unemployment compensation (H.J. Res. 1229)	28,800,000	28,800,000	28,800,000	28,000,000	28,000,000	-800,000
3. Claims and judgments (H.J. Res. 1268, which also carried \$400,000,000 highway "liquidation cash")	50,980,863	50,980,863	50,980,863	50,980,863	50,980,863	
4. Secret Service (H.J. Res. 1292)		400,000		400,000	400,000	+400,000
5. 2d supplemental	6,716,514,679	6,346,283,924	6,738,311,393	6,373,735,498	6,295,831,498	-442,479,895
Release of reserves (under Public Law 90-218)	(2,976,051,100)	(2,674,902,800)	(2,976,051,100)	(2,687,902,800)	(2,674,902,800)	(-301,148,300)
Total, 1968 bills	6,796,295,542	6,426,464,787	6,818,092,256	6,453,116,361	6,375,212,361	-442,879,895
Cumulative totals for the session:						
House	60,856,466,373	53,799,280,436				\$-7,057,185,937
Senate			17,134,299,356	15,059,092,461		\$-2,075,206,895
Enacted			8,777,977,256		8,155,865,361	-622,111,895

* In round amounts, the January budget—for fiscal 1969—tentatively estimated total new budget (obligational) authority for 1969 at \$214,581,000,000 (\$201,723,000,000 net of certain offsets made for budget summary purposes only), of which \$73,085,000,000 would become available without further action by Congress and \$141,496,000,000 would require "current" action by Congress.

² These figures assume the January budget estimate of 1969 postal revenues will hold.

³ Includes \$2,685,000,000 related to participation sales authorizations (Agriculture, \$425,000,000;

VA and HUD, \$2,110,000,000; State-Justice bill, \$150,000,000); also includes \$126,500,000 (committee bill, \$256,000,000) deleted on floor point of order on State-Justice bill.

⁴ Not added in totals because every budget request and every item otherwise involved have been dealt with in other supplementals for 1968 listed herein.

⁵ Includes \$425,000,000 related to participation sales authorizations (Agriculture).

Mr. BOLAND. Mr. Chairman, I yield 5 minutes to the gentleman from Illinois [Mr. YATES], a member of the committee.

Mr. YATES. Mr. Chairman, I want to pay my tribute to the other members of the committee with whom I went over this bill in the course of the hearings.

I want particularly to pay my respects to the distinguished chairman of our subcommittee, the gentleman from Massachusetts.

I have worked with Congressman BOLAND for almost 20 years now in close association and I consider him to be one of the most able Members of the House. He is one of the most conscientious people I know. He studies his work. He is well prepared. He knows his subject and he covers the ground thoroughly. He presents his arguments forcefully and articulately. He attacks every problem that the committee faces with understanding and with good commonsense.

As chairman of our subcommittee, he has been completely fair to the members and to the witnesses who have appeared before us although I must say he expects and he demands from the witnesses that they know what they are talking about. He is satisfied with nothing less than the full facts.

Mr. Chairman, with all of these traits and personal qualifications, our good friend is genial, he is well humored, and he is considerate. He is a real gentleman and it has been a pleasure to work with him and to be with him during all these years.

It is rare that he and I disagree, but we do find ourselves in disagreement on one matter in this appropriation bill and that relates to the SST.

I do not think that our disagreement is great. It is a question of degree. The committee was unanimous in recapturing \$30 million of the \$216 million that the SST program has not yet obligated. I propose to go further than the subcommittee in an amendment which would freeze another \$100 million of the SST program. And I say to the able gentleman from Washington [Mr. PELLY] that this amendment will not kill the program.

I say to the gentleman, as I say to my good friends from Washington—and they are my good friends—that my amendment will not kill the program, nor will my amendment take any jobs away from any of the companies engaged in working on the SST program. We are not near the production phase. A design has not yet been approved; the original one has been rejected.

Now he has entered into a contract with the contractor under which a new deadline has been established under the terms of which the contractor must meet the requirements of the original goals by January 15.

I say this is a fortunate circumstance because this will enable the new President, whoever he may be, and the new Congress to take a look at the program. Shall we go forward with the SST in view of all the stringent budgetary requirements that we have?

As the House knows, I voted against the SST program last year. I am still opposed to it, although I repeat what I

said, that I do not propose to kill it by this amendment. My own view is that there are other programs in this list of priorities to which we must look which have a much higher demand upon our funds than does the SST.

The other day I introduced an amendment in the HEW appropriation bill to try to obtain \$135 million for the education of children in underprivileged areas.

The House chose not to vote those funds. The \$100 million recaptured from the SST program could very well be used for that purpose. Personally, I have other priorities than the SST. I prefer to see appropriations for housing. I prefer appropriations for job opportunity programs for the underprivileged.

But the funds that remain will let the program continue. The deadline is in January. This will permit sufficient time for the new President and the new Congress to consider the decision as to whether the program will continue.

Mr. MINSHALL. Mr. Chairman, I yield 3 minutes to the gentleman from Maryland [Mr. GUDE].

Mr. GUDE. Mr. Chairman, I share the concern of my colleague from Virginia about plans for National Airport. The facilities at National are overcrowded, while Dulles Airport, built with the taxpayers' money, is operated at much less than half capacity.

There is little doubt in my mind that commercial carriers could shift substantial portions of the traffic to Dulles without hardship to anyone. In fact, many who live in the metropolitan area of Washington could more quickly and conveniently utilize the Dulles Airport. They will find no long waits or overcrowded facilities.

I hope that the FAA will take a long, hard look at any proposals concerning National Airport and will keep in mind the facilities at Dulles as well as Friendship.

I am also happy to hear that there will be steps to further reduce authorization for the SST, as mentioned by the gentleman from Illinois; I think we have much higher priorities in our national life, aside from the intrusion of more jet noise into our cities and countryside. I think his mention of the Elementary and Secondary Education Act as a place to invest this money was a very prudent one.

Mr. MINSHALL. Mr. Chairman, I yield 4 minutes to the gentleman from Georgia [Mr. THOMPSON].

Mr. THOMPSON of Georgia. Mr. Chairman, I asked for this time because I want to bring to the attention of this body a matter which I consider to be a devious method by which the FAA is acquiring new aircraft, a matter which I fear is bypassing the normal authority for acquiring new purchases.

Some time ago I had a friend of mine in the aviation industry tell me that North American Rockwell Corp. were going to sell about five new jets to the FAA and they had made a very good deal out of it. So I asked the General Accounting Office to check into this matter for me.

The General Accounting Office reveals that North American is entering not into a straight purchase agreement, because a straight purchase agreement would

have to be approved by this body and this Congress, but the FAA has entered into what I consider to be a very devious lease-purchase agreement.

The FAA is leasing actually four additional aircraft. The aircraft will cost about \$1,300,000 apiece and of the lease payments that are made, in the first year 50 percent will be credited toward purchase, in the second year 52.5 percent will be credited toward purchase, and in the third year 55 percent will be credited toward purchase.

So we see that North American Rockwell in selling these aircraft to the FAA by means of a lease-purchase arrangement—whereby Federal Aviation can use operating funds to acquire physical assets—is not only going to be making its full list price on these aircraft, but it is going to have a bonus. The bonus payment will be the approximately 50 percent of the lease payments the company is keeping each and every year.

Mr. Chairman, I would like to offer an amendment, and I will offer an amendment at the proper time, to prohibit the acquisition of these aircraft. The proposed delivery dates are one in January 1969, the second in February 1969, the third in March 1969, and the fourth in April 1969.

Mr. CAHILL. Mr. Chairman, will the gentleman yield for a question?

Mr. THOMPSON of Georgia. I yield to the gentleman from New Jersey.

Mr. CAHILL. Mr. Chairman, can the gentleman tell us what use FAA is going to make of these jet aircraft?

Mr. THOMPSON of Georgia. Mr. Chairman, according to the General Accounting Office, the FAA plans to use these aircraft primarily in their overseas operations, basing one in Japan, one in Hawaii, and I believe one in Alaska. They will be used for checking navigational facilities.

Let me say, it may very well be that the FAA can justify the need of these aircraft. The aircraft will replace some propeller-driven aircraft now being used for this purpose, such as Lockheed Constellations and other aircraft which are being used for this purpose. But my concern is simply this: That at a time when we are trying our very best to keep expenditures down and to keep from spending money, perhaps the FAA can make do with what they have for another year, until our budgetary problems are not quite as severe as they are today.

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

Mr. THOMPSON of Georgia. I yield to the gentleman from North Carolina.

Mr. JONAS. Mr. Chairman, I think it might be placing them under considerable strain. They have only about 100 aircraft.

Mr. THOMPSON of Georgia. This is true. They have a fleet of aircraft which is approximately the size of the fifth or sixth largest airline in the United States. Of course, not all these aircraft are the large four-engine jets, but they do have a number of these aircraft.

The point I am trying to make is simply this: It is possible the FAA can justify the need for these aircraft, but if they are going to purchase the aircraft, if they are going to buy aircraft, they

should go through the regular process in buying the aircraft. The FAA should go before the Appropriations Committee and justify the individual purchase of the aircraft. The FAA should not enter into a lease purchase arrangement.

Mr. BOLAND. Mr. Chairman, I yield such time as he may consume to the gentleman from Ohio [Mr. VANIK].

Mr. VANIK. Mr. Chairman, I should like to ask the distinguished chairman of the subcommittee a question.

I understand that the West Virginia turnpike is either applying for or receiving Federal funds to pay current interest charges on the West Virginia turnpike. Can the gentleman tell me whether or not there is any money to be appropriated under this bill to pay current funding charges on the West Virginia turnpike?

Mr. BOLAND. Mr. Chairman, if the gentleman will yield, my understanding is there is not any money in this particular bill to pay what the gentleman has described. This was explored, as shown on page 373 of the hearings. The Federal Highway Administrator, Mr. Bridwell, in response to a question by me, said:

There is no proposal for the Federal Government to either purchase or participate in the purchase of the toll road itself. The plan is for the State of West Virginia to assume the sole jurisdiction for settling the debt with the security holders, the bondholders, that the Federal Government will participate in the acquisition of the right-of-way and the improvements thereon and participate in the cost of upgrading it to Interstate System standards.

This is improving from a two-lane highway to a four-lane highway. That is the only area the Federal Government is going to become involved in, acquiring the land for that purpose.

Mr. VANIK. I thank the gentleman.

Mr. PEPPER. Mr. Chairman, certainly one of the most difficult tasks facing this Congress is the need for continuing the essential operations of Government at the same time that a substantial reduction is made in the requested level of funding. On the one hand, we know that the reduction must be made as part of the overall effort to check inflation, improve our balance of payments, and protect the integrity of the dollar. Nonetheless, it is particularly disheartening to see valuable programs drastically reduced, deferred, or cut out altogether. It may require the wisdom of Job to decide which expenditures are most essential in this time of necessary fiscal austerity.

Today as we take up the Department of Transportation appropriation bill for fiscal year 1969, I must oppose certain reductions made in the budget requests, although I fully support the goal of holding down expenses as much as possible in these crucial times. While the measure does provide more than \$1.3 billion in new budget authority, it is one of the few appropriation measures which we will consider which actually reduces a department's budget below the current level. The recommended amount is some \$267 million less than the \$1.620 billion requested in the budget, \$179 million less than the \$1.533 billion appropriated for

fiscal year 1968, and even \$367 million less than the comparable appropriations of \$1.721 billion for fiscal 1967.

Included among the reductions is a deferment of the \$16.2 million requested for high speed ground transportation research and development. The committee noted that the required extension of legislative authority for this program has not yet been enacted. I believe that research work in this area is one of the most fruitful tasks of our entire government, since the millions of urban commuters in our Nation and the additional millions who travel and visit in distant cities can all benefit by the new technology and resources discovered under the program. In my own area, for example, some \$266,180 in Federal funds is pending for 1968-69 on urban mass transportation, technical studies. These studies should provide most useful information for an area with so much visitor travel. It seems to me that more consideration should have been given to funding of the high speed ground transportation studies program, and I strongly oppose any reduction in the program in Dade County, Fla.

Mr. Chairman, I am delighted to find that full funding is included in the Federal Aviation Administration portion of this appropriation bill for aviation safety at our Nation's airports. The committee recommended the full amount of the budget estimate for the FAA, including \$12.9 million in increased funds for new personnel positions needed to handle the increasing workload in the air traffic control system. The committee report said in no uncertain terms:

The Committee insists that the FAA use all of its authority to see that safety is maintained even at the expense of the growth of aviation or anything else.

While I hardly expect to see the growth of aviation do anything but continue, this certainly states the congressional mandate that safety at the Miami airport and other airports across the Nation be kept at the highest possible level. I believe this offers assurance to all travelers that they may fly to their destination in complete security and comfort.

There are other sections of this bill where strong arguments could be made for more funding than is granted. But overall, with the instances I have noted, I support the goal of holding expenditures as low as we can in this time of fiscal difficulty.

Mr. HATHAWAY. Mr. Chairman, today we have witnessed our distinguished colleague [Mr. BOLAND], of Massachusetts, exhibit the grand manner of legislative management which enables this body to function effectively under conditions which are not optimum. He has demonstrated the energy, organization, fortitude, and articulation which represent the highest form of leadership and he has done so at the time and in the place where thoughtful and courageous and skillful leadership—is mandatory.

Those of us who know Ed BOLAND—also respect him—and we are not surprised by the characteristics so admirably contributed by him to the legislative process.

Ralph Waldo Emerson put it this way:

The true test of civilization is not the census, nor the size of cities, not the crops—no, but the kind of man the country turns out.

The country, New England, and particularly the Second Congressional District of Massachusetts, can take a bow in the name of this man, Ed BOLAND.

Mr. DADDARIO. Mr. Chairman, the gentleman from Massachusetts [Mr. BOLAND], the chairman of this subcommittee, has done a superb job today, as he always does, in the management of this bill covering appropriations for the Department of Transportation. The future of our transportation industry depends in great part on the various programs included in this bill. One of the great problems our country faces is in our ability to transport people and goods—economically, efficiently, and expeditiously. We are finally facing these issues with force and effectiveness.

Mr. BOLAND has shown himself to be an outstanding leader as the chairman of this important subcommittee. He is to be commended, and we in the House are fortunate to have him in charge of these activities during this important period of transportation development.

Mr. O'NEILL of Massachusetts. Mr. Chairman, I would like to commend my colleague and good friend, the gentleman from Massachusetts, on the excellent job he and his subcommittee have done.

The Department of Transportation Subcommittee of the Committee on Appropriations, under the able and conscientious leadership of EDDY BOLAND, has written a comprehensive and clear report on H.R. 18188.

Chairman BOLAND and his committee were faced with the difficult task of attempting to fill the requirements for funds of the Department of Transportation while recognizing the need to reduce Federal expenditures.

They have achieved this careful balance by economizing in the least essential areas while providing funds for necessary programs that will encourage the growth of a more efficient and modern transportation system in the United States.

EDDY BOLAND has also contributed to the efficiency of this new Department by making comprehensive suggestions for changes in administrative techniques and organizational structure.

I wish to compliment my very good friend for recognizing the possibilities for greatly improving our transportation system and for his determined efforts to decrease Federal spending. His work will benefit the people of the United States, by providing them with programs necessary for improved transportation and by limiting expenditures for all but the most essential programs.

Mr. DONOHUE. Mr. Chairman, I hope that this House will speedily and overwhelmingly accept and approve this bill before us, H.R. 18188, the Department of Transportation appropriations bill for fiscal year 1969.

Although various Members may have some differences about some aspects of the committee recommendations it is difficult to see how there could be any very serious question or disagreement with the substance and purpose of the

bill's provisions, particularly in the light of the extraordinary clear, complete and persuasive presentation and explanation of the bill by the most eloquent and distinguished Appropriations Subcommittee chairman, the gentleman from Massachusetts.

It is apparent that the very important problems and services with which this bill is concerned were diligently and exhaustively studied and analyzed by the chairman and he has certainly made one of the most outstanding presentations this House has received in many a long year. I know that every one of my colleagues join in their congratulatory appreciation of a legislative endeavor that discloses the highest degree of public responsibility. We are grateful indeed to the eloquent chairman and, of course, to his dedicated committee associates.

After the brilliant explanation that we have heard there is no point in unnecessarily reviewing the various provisions of the bill.

In totality it is apparent that the committee attempted to achieve and did achieve the best possible balance between the financial requirements of the Department and the imperative necessity to prudently reduce Federal Government spending in responsible concern about the inflationary pressures which large deficits have helped to produce. The committee standard of action was to reduce departmental estimates wherever a compelling need could not be demonstrated and the rule of careful evaluation of priorities was rigidly and wisely applied.

I am particularly pleased that the committee recorded its intention that a very minimal part of the reduction recommended for transportation research funding be applied to the Northeast Corridor project which is designed to develop plans for alternative transportation systems to serve the densely populated corridor from Boston to Washington. I am further impressed that the committee recognized and responded to requests that I and other Members have made to instruct the Department to exercise a concerted effort to conclude their study as early as possible in 1969. The problems affecting this project are ever-increasing in intensity and a plan of action is needed for initiation at the earliest moment.

The attention given in the appropriations recommended is concern for traffic and highway safety, the operation of the Bureau of Railroad Safety and the extension of the authority of the Federal Railroad Administration to try to cope with the challenge of protecting the lives of the American people and the employees of railroads reflects the importance which the committee rightfully attributed to improving the capabilities of these units to adequately meet the intensifying pressures in these areas of Federal public interest.

Mr. Chairman, by any standards of legislative measurement that is a meritorious bill that should, and I hope will, be resoundingly adopted without prolonged delay.

Mr. PHILBIN. Mr. Chairman, I want to commend and compliment the distinguished gentleman from Massachusetts, my valued friend [Mr. BOLAND], and his

colleagues on the Transportation Appropriations Subcommittee, for their outstanding work in bringing this most important bill to the floor today.

Mr. BOLAND and the subcommittee has worked hard and long, especially during this period of great fiscal pressure, to present to the House a bill designed to give the country a well balanced and sound transportation program.

In such areas as the supersonic transport, the subcommittee, under the able chairmanship of Mr. BOLAND, has acted prudently and wisely in finding areas in the budget request where judicious reductions could be made without seriously jeopardizing this vital national program, and I commend them highly for their outstanding work and speedy results.

Recently, I had occasion to bring to the attention of Maj. Gen. J. C. Maxwell, USAF, Director of Supersonic Transport Development, Federal Aviation Administration, an article from the noted Manchester Guardian of Manchester, England, which cited certain problems, particularly weight, surrounding the supersonic program.

This article and General Maxwell's comments may be of interest to my colleagues and I include this material at this point in the RECORD:

[From the Manchester Guardian,
Apr. 18, 1968]

**BOEING-2707 FACES CRISIS OVER
WEIGHT PROBLEM**

The men building the Anglo-French supersonic air liner have enough problems of their own without gloating over other people's; but they would probably admit to a feeling of relief if nothing more, that their American rivals are now sweating over the same daunting arithmetic that faced them a few years ago.

The Boeing-2707 is going through a technical crisis of which the official token is the announcement of a year's delay in the programme. And the trouble can be summed up in one word—weight.

Rumour has it that the Boeing team has even been tempted to abandon its variable-sweep wing configuration and adopt the slender delta used for Concorde. But not only is this denied by the company; it would raise formidable political complications because Lockheed (the American manufacturer building a Rolls-Royce powered airbus) proposed a delta-winged supersonic air liner which was rejected in favour of Boeing's design during the United States Government competition.

All aircraft designs tend to put on weight, just as all jet engines tend to acquire more thrust; but where subsonic air liner designs simply worry about it, those of supersonic ones are obsessed. Take, for example, the fuel multiplier. Fuel represents a higher proportion of total weight in a supersonic air liner than in today's subsonic jets.

In Concorde the payload amounts to no more than 13 per cent of its fuel capacity, so if the designers make a 10 per cent error in the fuel requirement they have lost two thirds of their passenger total. Supposing the weight goes up for some structural reason; more fuel is burned to lift the heavier aircraft off the ground and push it at a given speed; the range falls back, but since this is critical it has to be regained by carrying more fuel still.

This is as much an American problem now as it has been—and will continue to be—an Anglo-French one. But Boeing is trying to juggle with a lot more factors than our people. It has to work in metals like titanium because aluminium alloys could not stand

the heat generated at 27 times the speed of sound. And it faces in exaggerated form the stiffness problem that any long slender aircraft encounters.

If you ever watched a swan thundering across a pond struggling to heave its long, sagging neck clear of the water, you will appreciate something of the 2707's difficulty. It does not have Concorde's full delta wing to stiffen the fuselage tube, although the variable-sweep wing roots stretch for a surprising distance. So when the pilot sitting, as it were, on the swan's head, deflects his controls to lift it into the air, the first effect is simply to bend the whole structure like a bow. Increased stiffness means weight.

Not that Concorde has necessarily finished with its own weight problem. A current dilemma is the tendency to run out of undercarriage, in terms of the pressure the wheels exert on the runway. As the aircraft stands now this poses a problem at airports like Tehran and Delhi, where the runway strengths are below American and European standards. But several possible cures are being studied, including tyres which can be inflated to a lower pressure to spread the load.

One of the things which worried the American air-worthiness authorities some time ago when I was in Washington was Concorde's dependence on fuel transfer to retain its correct centre of gravity at supersonic speed.

But since then the British Aircraft Corporation, which is responsible for the air liner's fuel system development at Bristol, has halved the amount of fuel that has to be transferred—for example by feeding the engines from the forward tanks during the early part of the flight—and satisfied the American authorities that they could transfer fuel back again quickly enough in the extreme event of total engine failure at cruising altitude.

DEPARTMENT OF TRANSPORTATION,
FEDERAL AVIATION ADMINISTRATION,
Washington, D.C., June 27, 1968.

HON. PHILIP J. PHILBIN,
House of Representatives,
Washington, D.C.

DEAR MR. PHILBIN: Your note to General McKee, enclosing a copy of a news article from the Manchester Guardian of April 18, 1968, has been referred to me for reply. Mr. Fairhall's analysis of the present SST situation regarding both the Concorde and the U.S. supersonic transport is essentially correct. I would like to go a little further though and give you some specific information concerning the status of both our SST program and the Anglo-French Concorde.

When we reviewed the performance of the SST prototype airplane design submitted by Boeing in January 1968, there was, in our judgment as well as that of Boeing and the airlines, too large a gap between its performance and the objectives we have set for an SST commercial airliner. Although the prototype airplane need not fully meet the commercial airliner objectives, it must demonstrate that the production design can meet them. The basic problem centered around an overweight of about 50,000 pounds in the airplane's structure.

In February 1968, the Government directed Boeing to conduct further design and development work before beginning construction of the airplane. This decision, which will delay the SST approximately one year, allows Boeing time to make revisions to evolve a viable airplane design. First flight of the prototype is now expected to occur during the first quarter of 1972.

We expect to receive complete substantiation for the revised Boeing design by mid-January, 1969, and if the design is satisfactory, we plan to proceed with construction by the end of February, 1969.

The SST program is based on the premise that because of the sonic boom the

SST's supersonic operation will be limited to the overocean routes. Our economic studies show an adequate market even under those conditions. According to the reports we have heard, the Concorde continues to make progress. The first prototype is being readied for flight at Toulouse, France, and should fly this year. The second Concorde prototype is being built in England and is nearly complete. The British and French Governments have committed over \$2 billion to the Concorde program in the form of subsidies, loans and guarantees of commercial loans. It is possible that the Concorde will enter into commercial service in the early 1970's—3 to 4 years ahead of our U.S. SST.

I hope this information will be of value to you. If you have any further questions, please don't hesitate to call on me.

Sincerely,

J. C. MAXWELL,
Major General, USAF Director, Super-
sonic Transport Development.

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

Mr. BOLAND. Mr. Chairman, I have no further requests for time, and I ask that the Clerk read.

The CHAIRMAN. All time has expired. The Clerk will read.

The Clerk proceeded to read the bill.

Mr. BOLAND (during the reading). Mr. Chairman, I ask unanimous consent that the remainder of the bill be considered as read and open to amendment at any point.

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

There was no objection.

The CHAIRMAN. Are there any points of order to be made against the provisions in the bill? If not, the Chair will receive amendments to the bill.

AMENDMENT OFFERED BY MR. YATES

Mr. YATES. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. YATES: On page 16, after line 6, insert the following:

"SEC. 203. None of the funds provided under this Act shall be available for any expense in connection with the execution of programs, the obligations for which are in excess of \$86,000,000 in fiscal year 1969 for 'Civil Supersonic Aircraft Development.'"

Mr. YATES. Mr. Chairman, the purpose of this amendment is to limit expenditures during the current fiscal year for the program to develop the SST.

The SST program now has approximately \$216 million of unobligated funds. By this bill we would take away \$30 million of the unobligated funds, leaving \$186 million. My amendment proposes to take away another \$100 million, leaving the program with \$86 million, which will be enough to permit the contractor to meet its commitments on a good design.

Why should we do this? We should do this because the design of the SST has been found to be inadequate by the Secretary of Transportation. A new contract has been entered into under the terms of which the contractor is required to submit a new design next January, a design which will incorporate the goals for which the program was inaugurated.

Next January, Mr. Chairman, will bring to this country a new President and a new Congress. Should we not give the opportunity to the new President and to the new Congress to decide, in view

of our tight budget, whether there should be appropriated an additional \$600 million to complete the prototype airplane. The further decision must be considered for what to do about the additional \$3.5 billion which will be needed to develop the first production plane.

We are fortunate that we can take a second look at this program next year. As a matter of fact, Mr. Chairman, it will give the Congress a chance to take its first look at the program, because no committee of this Congress has ever approved the SST program. Its authorization came as a result of a little-known section of the FAA law. The Committee on Appropriations of the House did consider the question of making funds available, but that was the only hearing had on the SST. I think we ought to stop and take a second look.

Mr. Chairman, I urge the adoption of my amendment.

Mr. BOLAND. Mr. Chairman, I rise in opposition to the amendment.

We have already rescinded \$30 million from this program. There was a request in the President's budget in January for \$223 million. This was sent up to the Congress. The reaction of the committee a few months later was that it was not necessary because of a change in design. In January 1969, we will arrive at the time where the new design will be submitted. There was also an indication that there was \$216 million unobligated, but that the program would require only \$186 million in fiscal year 1969. So we rescinded the \$30 million that was not necessary for obligation in fiscal year 1969.

Mr. Chairman, the amendment offered by the gentleman from Illinois would fund it only some \$26 million beyond that point in January when the new design concept would be filed and there would be a determination as to whether or not we would continue with the SST.

There is no question in my mind, just as there is no question in the minds of the people in the FAA—and General Maxwell is one of the most brilliant Administrators of any Government program that I know of—that the Boeing Co. will come up with a design concept which will be feasible and will be approved in January. If that is so—and I believe it will be so—it will be necessary at that moment to fund the SST program in that month of January 1969 by \$55 million or \$56 million. Then in February by \$250,000 and in March \$250,000 and in April next year by \$75 million. Then, in May by \$250,000 and in June by \$250,000. That is the way the program has been outlined to the subcommittee. The total amount necessary for funding the SST in 1969 is \$186 million.

The gentleman from Illinois is my good friend. I have served with him for a long period of time. I think he is one of the hardest-working Members and one of the most knowledgeable Members in Congress. However, we do share a difference on this program. He is opposed to the SST program itself. I happen to be for it. I am for it because I believe it is necessary if the United States is to maintain its leadership in the aviation industry. This program alone provides or will provide 50,000 jobs. The SST pro-

gram will provide jobs for that many people just in the aviation industry alone. The multiplier effect of this program is probably four or five times that.

This is a program which the Federal Government is involved in through the prototype stage. We are committed to the expenditure of about \$1.2 billion. We have already obligated over \$400 million and have appropriated over \$600 million on the SST program.

We have been up the hill and down the hill in this program. You are either for the SST program or you are against it. If you are for the SST program, you should vote against the amendment which has been offered by the gentleman from Illinois [Mr. YATES], who opposes the program.

Mr. Chairman, as the members of this Committee are aware, the countries of Great Britain and France are making headway on the Concorde SST. They have encountered some problems, but probably it will be flying in November of this year. Soviet Russia is involved in an SST program also.

Mr. Chairman, if the amendment which has been offered by the gentleman from Illinois [Mr. YATES] is adopted it will slow down this program. If the design concept is approved in January, it will mean that we will have to come back here during the early part of next year and get the money with which to fund the program in 1969.

Mr. Chairman, I feel that such a delay would be unconscionable.

It is my opinion that we should all applaud the FAA, the Boeing Co., the Department of Transportation, and others who have been connected with this program. Such delay could be devastating.

Mr. Chairman, it is my opinion that the Boeing Co., engineers and all others who are working with this program are cooperating with the FAA today in an effort to get a plane in the air that will be the kind of plane which all of the people of the United States of America can be proud.

The CHAIRMAN. The time of the gentleman from Massachusetts has expired.

Mr. PELLY. Mr. Chairman, I move to strike the necessary number of words.

Mr. Chairman, I rise to oppose the Yates amendment.

This past February the decision was made to delay the SST program for 1 year for technical reasons. This decision reflects a tough and prudent management, and resulted in substantially reduced expenditure levels until the technical problems are solved.

Right now all the work at Boeing is being paid for by Boeing money and airlines' money. Airlines' money has been used at Boeing in lieu of Government money since the middle of January. The airlines have put up \$58½ million of risk money and this will carry the Boeing program into the fall of this year. This is another example of how the SST program management has been effective in minimizing Government costs during this redesign period.

Let us not forget our European competition. The British-French Concorde is a supersonic transport scheduled to fly this year and for which there are 72 orders placed by the world's airlines. With-

in the past year the British Government has committed funds to begin production of Concorde for the commercial airlines. A total of over \$2 billion has been committed by the two countries in the form of direct subsidies, loans, and loan guarantees. Certainly this country should meet the competitive challenge particularly when our manufacturers and our airlines are willing to share the costs and the risks.

This amendment would place uncertainty in the manufacturers' planning, scheduling, and facilities expansion program currently underway. Thus, its impact on the SST program office and on the manufacturers could have such a harmful effect that it is virtually a vote to cancel the program. This amendment could put the SST in a position of being without funds at the very time when the manufacturers would need funds to proceed into the construction phase. A lack of funds at such a crucial time could easily result in the program being terminated with an accompanying great loss to the taxpayer.

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

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

Mr. YATES. The gentleman from Washington assumes that the design upon which the Boeing Co. is now working will be approved in January. The fact is that there is no assurance that that design will be approved in January. It may be extended beyond that.

Second, may I point out to the gentleman the fact that the Concorde, which is the plane under construction by France and England, was rolled out of the hangar in February, presumably for its maiden flight, and rolled back into the hangar after that flight.

Mr. PELLY. May I say to the gentleman from Illinois, I assume that the design will be satisfactory and will meet the approval of the FAA. Then it will be necessary to have these funds. However, on the other hand, if the design is not approved, then, at that time, will be the time to recover any unneeded funds.

Mr. YATES. Mr. Chairman, I made the point in the course of my initial presentation that we are at a watershed of decision, and that the next President should decide whether we should expend another \$600 million for a prototype, and \$3.5 billion to put the first plane in production. And that is a pretty good figure.

Mr. PELLY. I would say to the gentleman from Illinois that the gentleman is a very brilliant lawyer, and I certainly admire him, but I do not believe he has fully understood the problem of management in being concerned with the programming ahead and with future planning.

The Boeing Co. must know in what direction it is going, and plan for it in the event that this design is approved, which I believe it will be.

Mr. BOLAND. Mr. Chairman, if the gentleman will yield, we are not committing this Government to any expenditure of \$3 billion in this area. The only commitment that the U.S. Government has is through the prototype stage, and some flight hours after the two proto-

types have been developed. That is all. That amounts to \$1.2 billion.

Now, in France and England it is a total Government subsidy, as it is in Russia. When we get to the end of the prototype stage then we can take a look at whether or not the Government ought to further subsidize the program, and whether or not it ought to be financed through private interests. That is exactly what is going to happen.

So there is no question about the fact that we are not spending \$3 billion, it is \$1.2 billion.

Let me say this further—and I appreciate the gentleman yielding—much has been said by people and by Members who oppose spending, that we ought to establish priorities, that we ought to take care of the people who live in the ghettos, that we ought to provide for all the poverty programs—

The CHAIRMAN. The time of the gentleman from Washington has expired.

(By unanimous consent, Mr. PELLY was allowed to proceed for 1 additional minute.)

Mr. BOLAND. If the gentleman will yield further, they say we ought to provide for all these programs that have been set up by the administration.

A lot of the Members on both sides of the aisle are interested in these programs, and I am interested in them also. There ought to be priorities for the elementary and secondary educational programs, and for the higher educational programs, and I have voted for all the programs, but how in the world are we going to get the money for these programs if we do not build the national economy of this country? That is exactly what the automobile industry has done, and that is exactly what the steel industry has done, and that is exactly what the aviation industry has done.

This program in years to come means billions and billions to our national economy, and then we can afford the priorities and we can afford all of the great programs that all of us want, but we will never be able to pay for them if you knock this kind of program out.

Mr. PELLY. I thank the gentleman from Massachusetts for his comments.

Mr. DON H. CLAUSEN. Mr. Chairman, I move to strike the requisite number of words, and I rise in opposition to the amendment.

Mr. Chairman, I do not believe I will take all of the 5 minutes allotted to me, but I do want to take just a few minutes to associate myself with the remarks of the gentleman that just preceded me, the gentleman from Washington [Mr. PELLY], and also the chairman of this subcommittee, the gentleman from Massachusetts [Mr. BOLAND].

Mr. Chairman, I believe that Congress is going to have to take a broader look at what we are dealing with here. I believe that what is at stake is the question of whether or not we can stay abreast in the technological field of supersonic development, and actually consider what is going to be the yield over the long haul in years to come in the way of international balance-of-payments benefits.

Mr. Chairman, I believe all of the comments that have been made by the chair-

man of the Transportation Subcommittee of the Committee on Appropriations have been very cogent, and I want to associate myself with those remarks.

We cannot afford to be shortsighted on the important program. While we have spent billions of dollars for the development of aircraft for defense purposes, I look upon this program as an expenditure of dollars for an offense program. I am talking in terms of an economic offensive that is definitely needed if we are going to solve some of the problems related to the cold war.

In this nuclear age, a defense posture, by itself, will not provide or guarantee our security in the future as it has in the past. We will need to move free people into those developing countries who desire to build free public and private sector institutions to build a better world.

To me, that country which maintains the leadership in the supersonic field will direct the ultimate destiny of man and the political systems that prevail. We cannot afford to be second best. That is why I support the supersonic program.

This is one of the ways to avoid future Vietnams. This is an action program—not a reaction program.

I believe this is the issue and the reason I have taken the floor to oppose this amendment.

Ten years from now, the American people will be thanking us for this effort and the vision displayed by this Appropriations Committee.

Mr. GROSS. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in support of the amendment offered by the gentleman from Illinois [Mr. YATES].

Why not let the British and the French build an experimental plane and take the chance of failure that goes with it? Why do we not let someone else experiment with some of these things?

The colloquy here this afternoon with respect to the SST reminds me of the famous fiasco known as the F-111. This Government has spent hundreds of millions on the F-111, which was supposed to be a dual-purpose plane, but the Navy has rejected it and the Air Force has lost three or four of these planes in Thailand. There is no proof that the Air Force version will fly in combat, and there is no new plane for the Navy.

So, Mr. Chairman, I would like to see some of these foreign countries build a plane, a supersonic plane, and take the losses that go with the experimentation. Let them demonstrate whether they can build a plane or not, and if successful let us copy it.

As far as the international balance of payments is concerned, if we do develop a successful plane, a successful SST, I do not know whom we are going to sell it to abroad, and get paid for it.

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

Mr. GROSS. I yield to the gentleman.

Mr. YATES. I am sure the gentleman and I share the ambition of the distinguished gentleman from Massachusetts in wanting the United States to be pre-dominant in this field, in the air.

The fact remains that we do not know yet whether we have a design for the SST. It has been sent back to the draw-

ing boards and they are supposed to come up with a design by January. With respect to the production of the aircraft, the chairman of the committee, the gentleman from Massachusetts [Mr. BOLAND], asked General Maxwell this question:

General Maxwell, is it your opinion that the Government will end its investment in the SST program at the end of the prototype development effort?

General MAXWELL. Mr. Chairman, let me be perfectly candid on what we now foresee the situation to be. We have conducted some preliminary studies of the possible means of financing future phases as a basis for planning. Based on our current projections of the ability and projected financial position of the manufacturers and the airlines in, say, 1971, in that time period what we think they could be expected to invest in this program. Using the 747 program as a sort of base line, it would appear that between what the Boeing Co. and General Electric can raise and what the airlines would be able to advance there is a gap of about a billion dollars. Whether they can solve that problem on their own, I do not know. Certainly there may be ways to solve this problem without the use of appropriated funds. That is our objective.

That is why I say we ought to stop and take a look next year and see whether we can do it through the use of private funds.

Mr. GROSS. I agree with the gentleman. We have had a costly flop of hundreds of millions of dollars in the F-111. Let us not duplicate that if we can avoid it in this SST business.

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

Mr. GROSS. I yield to the gentleman. Mr. BOLAND. We can stop to take a look at this after the prototype is developed as we expect to do.

Mr. GROSS. How much money are you going to spend before you take another look?

Mr. BOLAND. We have almost \$700 million now and there is no question about the fact that it will be a successful plane. At least all of the people involved in this will say so. This is not the F-111.

Mr. GROSS. Let us not pile one aviation fiasco on top of another.

Mr. BOLAND. There is no indication that this is going to be a fiasco. All indications point to the fact that it is going to be a very successful plane.

Mr. GROSS. It may look that way to the gentleman, but I have not been able to reach that conclusion.

Mr. YATES. I wonder at the gentleman's optimism because if everything did go as smoothly as he says it did, why then did we have this design change? The fact is that we have the design change because the contractor was not able to come up with a plan to meet the goals. That is the reason we had this amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Illinois [Mr. YATES].

The question was taken; and on a division (demanded by Mr. YATES), there were—ayes 22, noes 47.

So the amendment was rejected.

AMENDMENT OFFERED BY MR. JONAS

Mr. JONAS. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. JONAS: On page 17 after line 5, insert a new section as follows:

"Sec. 208. Excluding expenditures from highway trust funds and from corporate funds of the St. Lawrence Seaway Development Corporation, money appropriated in this Act shall be available for expenditure in the fiscal year ending June 30, 1969, only to the extent that expenditure thereof shall not result in the net aggregate expenditure of Federal funds by all agencies provided for herein beyond \$1,863,000,000."

The CHAIRMAN. The gentleman from North Carolina is recognized.

Mr. JONAS. Mr. Chairman, I shall take only a minute, for time is running out on us. This is the usual type of Bow amendment that has been accepted on most of the bills this year. I hope the distinguished chairman of the committee will see fit to accept and, we can proceed.

Mr. BOLAND. Mr. Chairman, I move to strike the last three words.

The CHAIRMAN. The gentleman from Massachusetts is recognized.

Mr. BOLAND. Mr. Chairman, I wish the gentleman would withdraw his amendment. It seems to me to be meaningless. The tax bill package which has been enacted into law provides for an overall expenditure limitation and an expenditure reduction of \$6 billion. It will probably be more restrictive on the Department than the gentleman's amendment would be. The personnel limitations in the tax bill package will be more restrictive than the gentleman's amendment will be. The Members of the House have voted for real economy and fiscal stability.

I shall not oppose the gentleman's amendment, if he insists on it. The amounts in his amendment are based on the actions on the bill recommended by the committee. I will remind the gentleman that expenditure estimates are difficult to make, are never precise, and change with circumstances. I would prefer not to complicate the fiscal problems of the Department with an amendment which seems to be harmless now but which might prove to be too restrictive.

New legislation being considered may lead to supplemental appropriations and increased expenditures. The pipeline safety bill passed yesterday is an example. Requirements for aviation safety might possibly be such that increased, presently unforeseen expenditures will be needed.

I am glad to note that expenditures from the highway trust fund would not be affected by the amendment.

The amendment will do no good, as I see it, since we have made sufficient reductions to require the expenditure reduction which the gentleman desires. But, if my friend insists on his amendment, I will accept it.

The CHAIRMAN. The question is on the amendment offered by the gentleman from North Carolina.

The amendment was agreed to.

AMENDMENT OFFERED BY MR. KYL

Mr. KYL. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. KYL: On page 17, following line 5, insert a new section as follows:

"Sec. 209. None of the funds in this Act shall be available either for planning for, or provision of, subsidized automobile repair or free transportation services."

The CHAIRMAN. The gentleman from Iowa is recognized for 5 minutes in support of his amendment.

Mr. KYL. Mr. Chairman, I yield to the gentleman from Massachusetts.

Mr. BOLAND. Mr. Chairman, I appreciate the gentleman yielding. I assume the amendment was offered as a result of a study which was reported to the Congress and the Secretary in June of 1968. There was considerable discussion on the floor with respect to one phase of this study. There is no money in this bill to provide for planning or provision for subsidization of automobile repair or free transportation services. But I see no harm in the amendment, as far as I am concerned, and the members on this side are willing to accept it.

I wonder if the gentleman from Ohio is willing to accept the amendment?

Mr. MINSHALL. Mr. Chairman, I have no objection to the amendment.

Mr. KYL. Mr. Chairman, I yield back the remainder of my time.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Iowa.

The amendment was agreed to.

AMENDMENT OFFERED BY MR. POLLOCK

Mr. POLLOCK. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. POLLOCK: On page 12 between lines 19 and 20 insert the following:

"ALASKAN ASSISTANCE
"For necessary expenses for construction and maintenance of highways in the State of Alaska, as authorized by the Federal-Aid Highway Act of 1966 (80 Stat. 768), \$5,000,000, to remain available until expended."

The CHAIRMAN. The gentleman from Alaska is recognized for 5 minutes in support of his amendment.

Mr. POLLOCK. Mr. Chairman, my amendment would provide for the appropriation of \$5 million for construction of access and development roads and for maintenance of highways in the State of Alaska, pursuant to the authorization provided under section 7 of the Federal-Aid Highway Act of 1966 (80 Stat. 768). The \$5 million, incidentally, is identical to the amount appropriated by Congress for the current fiscal year. Mr. Chairman, words are inadequate to convey the very real and urgent need Alaska has for this appropriation. The authorization of this vital Alaskan program is not open ended, nor does it permit any adjustment at some future date for appropriations not now made. Again, as last year, the administration did not request any of the \$14 million authorized annually for Alaskan assistance for the 5-year period of the authorization, fiscal year 1968 through fiscal year 1972. This is the second year of the authorization. When the period is over, the authorization will lapse, whether or not any funds are appropriated for any year. Last year the appropriations committee added \$5 million of the \$14 million annual authorization, notwithstanding the administration's refusal to budget the

amount. This year they have not done so.

Since the inception of the Federal-aid A-B-C highway program in 1916, Alaska never received an equal or appropriate share of the funds for this program, and Alaska has never participated in nor benefited from the financing of the Interstate System of Highways enjoyed by the other 49 States. This special Alaska assistance section of the Federal-Aid Highway Act of 1966 was a recognition by Congress of a situation which exists in Alaska that is significantly different than that of the other 49 States—that it is a unique situation meriting special treatment. It was also in recognition of the neglect, discrimination, and inequitable treatment given to Alaska in the past.

I would also emphasize that if Alaska had been a full partner in the Federal-aid highway program from its inception it would have received more than \$575 million in additional highway funds to build roads so desperately needed. It is not only imperative, but is just and equitable that the Alaskan assistance highway program be again funded this next fiscal year.

State and local highway revenues are double that of the average State on a per vehicle basis, and exceed the average on a per capita basis by more than two-thirds. Despite this heavy road user taxation, revenues are not out of line with other States on a mileage basis. Alaska's general fund appropriations for highways equal about one-eighth of the total State budget.

Imagine the complete dismay and shock of Alaskans when the Secretary of Transportation arbitrarily froze the entire sum appropriated last year for this special Alaskan assistance. Members of Congress are all too aware of the results of the Secretary of Transportation's decision to freeze the 1968 appropriations for all highway construction at 95 percent of the actual construction during the preceding year. But I would remind you that at least that freeze was on a uniform percentage basis; whereas, 100 percent, that is, the total appropriation for Alaskan assistance has been withheld.

The moneys appropriated last year for Alaskan assistance will remain available until expended. However, the arbitrary freeze of all moneys appropriated last year for Alaskan assistance has done considerably more than simply delay many vital highway projects in Alaska for 1 year. It costs twice as much to construct a given unit of highway in Alaska as it does in other States. This combined with sharply spiralling costs of construction and increasing land costs have caused a severe loss in purchasing power which, fortunately for other States, is not matched elsewhere.

Again, the administration has ignored the intent of Congress in resolving the special and urgent highway problems in Alaska which were the basis for the 1966 authorization and the \$5 million appropriation last year. Again, as last year, the President's budget for fiscal year 1969 does not include even one penny for the highway programs covered by section 7 of the 1966 Federal-Aid Highway Act.

Alaska has an area of 586,400 square miles—about 16 percent of the total land area of the United States. At the same time there are less than 7,000 miles of roads of all classes. Our rich resources lie undeveloped because they cannot be reached.

About 20 percent of Alaska's total population living in some cities and remote areas are not now connected to any highway system. The only means of transportation available to these people is by air or water. Imagine such a deplorable situation in your own congressional district.

Clearly, failure to appropriate the funds desperately needed by Alaska as authorized in the 1966 Federal-Aid Highway Act will severely and unjustly penalize Alaska and adversely affect the Nation. It is only through expansion of Alaska's total highway network that the State will be able to grow and prosper and contribute in larger measure to the Nation's economy.

Mr. Chairman, in the interest of fairness and equity, I urge that my amendment be adopted.

Mr. BOLAND. Mr. Chairman, I rise reluctantly in opposition to the amendment offered by the gentleman from Alaska.

No one is a more persuasive advocate for his State than the gentleman who proposed the amendment.

If it were not for the very tight budgetary restrictions that face the Congress and the Nation, I would have been quite willing to accept this amendment—and I am sure other Members would too—but there is a compelling reason for rejecting it now. This is an unbudgeted item. The committee this year did not in any instance exceed the budget.

It would not be fair to provide for this particular item and not the others. The committee had many requests for other items which were not budgeted, and the committee did not provide for those items. I do not believe we ought to do it here.

Because of the persuasiveness of the gentleman from Alaska, last year the committee did put in \$5 million, which was not budgeted, for this very item. Alaska does need help and ought to get help in this area. The committee has no problem on that. We did provide \$5 million in the budget last year, as a result of conferences with the gentleman from Alaska, but the \$5 million remains unobligated. It is resting in the Treasury. It is not being used. A freeze has been put on it by the executive branch.

I am sure that if we provide \$5 million again this year the same thing would happen.

The \$5 million already provided, if it were unfrozen, would be sufficient money to go ahead in fiscal year 1969 with the program the gentleman is interested in. So on that basis, Mr. Chairman, I ask that the amendment be defeated.

Mr. POLLOCK. Mr. Chairman, will the distinguished gentleman yield?

Mr. BOLAND. I am delighted to yield to the gentleman from Alaska.

Mr. POLLOCK. I appreciate very much the comments of the chairman. The committee has been very fair with me.

I have certain problems with this. It

was an unbudgeted item last year, and the committee did see fit to see the need. I believe it was the only unbudgeted item in the measure last year.

Mr. BOLAND. The gentleman is correct.

Mr. POLLOCK. The problem of the Secretary of the Interior not allowing any of the funds to be unfrozen or made available really is tantamount to this body giving the Secretary the right of line item veto power against any State, because it only mitigates against the State of Alaska and no other.

I reiterate, Mr. Chairman, we do not participate in the interstate highway program, and every other State does.

Mr. BOLAND. That is true.

Mr. POLLOCK. It is only a matter of a quid pro quo. We probably need help more desperately than any other State of the Union. Under the special Alaska program the money is fully programmed for the 5-year life of the authorization. It was supposed to be a \$70 million program, at \$14 million a year. Last year we got, out of the \$14 million authorization, only \$5 million. This means we lost \$9 million. If we should lose another \$14 million this year, that will mean we shall have lost already \$23 million which we desperately need, and this at a time when every other State enjoys participation in the \$4.2 billion interstate highway program to which Alaska is excluded.

This is the point I am trying to make. It is a matter of equity, fairness and justice.

There is one other point, Mr. Chairman. Last year there were only about four Members in the entire body who opposed the inclusion of this unbudgeted item, the only one in the appropriation bill last year. I very much appreciated that. I believe it was on the basis of the understanding of the Members of this body of the situation which prevails in this particular unique instance.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Alaska.

The amendment was rejected.

AMENDMENT OFFERED BY MR. CAHILL

Mr. CAHILL. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. CAHILL: On page 2, line 19, after the word statistics, strike out "\$6,000,000" and insert "\$5,400,000" and on the same line after the word "which", strike out "\$1,600,000" and insert "\$1,000,000".

Mr. CAHILL. Mr. Chairman, I shall try to be brief.

The appropriation subject to my amendment is for \$1.6 million in order for the Department of Transportation to conduct a study of the automobile liability insurance industry. The Department of Transportation estimates it will cost \$2 million and take 2 years.

My amendment will give them \$1 million for the first year. I would merely summarize this case by saying that if any of you were going to build a home and the contractor told you it would cost \$200,000, would take 2 years to construct and then asked you to give him \$160,000 in cash to be used during the

first year, I suggest not many of you would do it. My prediction is that if we do not adopt this amendment and give only \$1 million the first year, they will spend the entire \$1.6 million during the first year. Then they will come back and say, as the contractor would, "Well, there are certain extras that we did not anticipate and we will need some extra money." So, if you want to hold this study to a 2-year, \$2 million cost, in my opinion, the only way to do it is to appropriate only \$1 million in the first year and then evaluate what they do. If the job they have done is satisfactory, give them the other \$1 million in the second year. Then you will have the study kept within the costs and within the time limit.

Mr. Chairman, I yield back the balance of my time.

Mr. YATES. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, the gentleman from New Jersey is my good friend and is one of the most able lawyers in the House. I was a little surprised by his amendment, because, as a distinguished member of the Committee on the Judiciary, he knows a great deal about automobile insurance and the importance of this study. That committee has looked into that question. Knowing that, I would have expected the gentleman to have offered an amendment which would have increased the amount of money that would be available for this study. If there is one investigation in which the people of America are interested, it is the cost of automobile insurance. I know in connection with my own policy I am constantly amazed as I pay my insurance bills year by year to see the way in which the premiums are mounting. Every year they go up. I for one want a good study to be made by the Secretary of Transportation. The President signed Public Law 90-13 on May 22. By its terms this law requires a report be submitted to the Congress not more than 2 years from that date. However, since no money has been previously made available for this study, no work of consequence has yet been undertaken on it.

Mr. Chairman, the clock is already running. We have to get started on this study. Let me point out this is not new money that we are making available. This is money we have taken from other research programs of the Transportation Department and made available for this very vital study. If we limit it right at its inception, I think it will be unfortunate. This promises to be a very important investigation and one in which the public is very much interested.

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

Mr. YATES. I am pleased to yield to the gentleman.

Mr. CAHILL. If the argument advanced by the gentleman is sound, why do you not give them the entire \$2 million?

Mr. YATES. We are giving them \$1.6 million because of the justification that they presented to the committee that this is the amount necessary in order to conduct the study in the way in which it should be conducted.

Mr. CAHILL. I have read the testi-

mony and find no justification whatsoever except that this is an estimate of what they think. I am sure the gentleman did not mean to imply even indirectly that the gentleman in the well is opposed to an insurance investigation.

Mr. YATES. The gentleman from Illinois did not mean to imply that at all.

As I said, the able gentleman from New Jersey [Mr. CAHILL] is one of the most competent lawyers in the House. The gentleman has studied this important problem. But we, too, have studied the question. We believe the cost of conducting this study should not be cut. I would further state to the gentleman from New Jersey [Mr. CAHILL], with due respect, we sat throughout the hearings, we conferred with the people of the Department of Transportation. I think that we are in a more advantageous position to appraise the intent and purpose of that study.

Mr. CAHILL. Mr. Chairman, if the gentleman will yield further, I do not argue that point with the gentleman. I hope to see \$1 million for the first year on a program that is estimated to cost \$2 million and a study which will take 2 years to complete, I feel that the sum of \$1 million is a fair allotment at this time for this study, I do not believe the additional \$600,000 in appropriations will do any more than entice, if you will, the Department to spend that much more during the first year.

Mr. YATES. I will say to the gentleman from New Jersey that the members of the committee who made this amount available were very economy minded. We did not believe that the full amount of \$2 million should be made available because of the vast scope of the study.

Mr. CAHILL. Mr. Chairman, if the gentleman will yield further; if the committee believed more money was essential to success, you would have given them the entire \$2 million instead of the \$1.6 million. I am not saying that they should not receive \$2 million. I am saying they ought to get the \$2 million but that it should be spread over 2 years.

If your argument is sound, that \$1.6 million will do a better job than \$1 million, you would have given them the entire \$2 million rather than \$1.6 million in this bill.

Mr. YATES. The committee felt that the full amount would not be required at this time; that the \$1.6 million, that was the amount voted upon by the members of the committee, was the proper and necessary amount with which to carry out this study.

Mr. CAHILL. Mr. Chairman, it is my considered opinion that the \$1 million is sufficiently adequate for the first year.

Mr. YATES. I thank the gentleman for his opinion. I point out that all of the members were unanimous in voting for the \$1.6 million.

Mr. CAHILL. I shall follow the investigation with great interest and the way the money is spent with even greater interest. We shall then see who is right.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New Jersey [Mr. CAHILL].

The amendment was rejected.

Mr. GROSS. Mr. Chairman, I move to strike the requisite number of words.

I shall try to take only a minute or two during which to ask the chairman of the subcommittee, since I have not heard any discussion of the subject, the status of this high-speed train business between New York and Washington or wherever the terminal points.

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

Mr. GROSS. Of course, I yield to the gentleman from Massachusetts.

Mr. BOLAND. That is not my description of the program. I have ridden on the train. It is coming on but has been delayed to some extent. It was supposed to have made its maiden voyage in October but it did not do it.

I have ridden on the demonstration train which traveled between Boston to New York, but the other one has been delayed considerably, and I really cannot tell the gentleman when it will be placed into operation.

Mr. GROSS. How much money do we have in this proposition now?

Mr. BOLAND. There is no money in this bill for it.

Mr. GROSS. But how much has been invested up to this point?

Mr. BOLAND. There has been an estimate of the authorization but I forget the amount of the authorization. However, I shall supply it to the gentleman.

Mr. GROSS. There are, I understand, many, many miles of track between New York and Boston where trains cannot exceed the speed of 80 miles an hour thus making it impossible to operate 110 mile-per-hour trains.

Mr. BOLAND. Yes, there are many, many miles in that condition. That is due, however, to the condition of the roadbed it is my opinion that the only thing you can do in order to bring about this accomplishment is to improve the roadbed and that is going to cost many millions of dollars.

Mr. GROSS. What would the gentleman from Massachusetts estimate the cost to be to provide a roadbed which would accommodate really high-speed trains?

Mr. BOLAND. Hundreds of millions of dollars.

Mr. GROSS. Perhaps \$3 billion to \$6 billion?

Mr. BOLAND. It could run into the billions of dollars; yes.

AMENDMENT OFFERED BY MR. THOMPSON OF GEORGIA

Mr. THOMPSON of Georgia. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. THOMPSON of Georgia: On page 17, after line 5, insert a new section to read:

"None of the money appropriated hereby shall be used to make any payment on any lease-purchase contract for jet airplanes to be used by the Federal Aviation Administration wherein the total cost of these payments plus the amount needed to exercise the purchase option exceeds the purchase price of the aircraft (which would have been paid were the aircraft to be purchased by normal appropriations) by more than 20 percent."

Mr. THOMPSON of Georgia. Mr. Chairman, I am offering this amendment which does not absolutely prohibit the Federal Aviation Administration from

carrying out this lease contract, but which does require that if they do acquire these aircraft other than by a straight appropriation and through the normal procedure for acquiring physical assets, that the amount that they pay shall not exceed 20 percent more than the purchase price.

The reason that I do this is that the General Accounting Office reported to me—and I would like to read this to the Members:

The lease amount specified in the contract is \$200,000 a year for each aircraft, not including the cost of fuel, oil and maintenance. If the option to purchase the four aircraft is exercised, a portion of the lease payments and the amount paid for the special avionics equipment will be credited against the purchase price. The total credit consists of 50 percent the first year, 52.5 percent the second year, and 55 percent the third and subsequent years.

If you look at this, we will lose 50 percent of \$200,000 the first year, we will lose 47.5 percent the second year, and we will lose 45 percent the third year. The total cost of one contract would be \$285,000 more than the normal purchase price. If we grant them a 20-percent markup over the period of this 3-year lease, it would be about \$220,000.

So basically I am saying that they would have to rewrite this contract and bring it down to a basis where the amount that the company would receive for these aircraft would not be as excessive as it is now.

This is a darned good deal and anybody selling something would like to sell it on this basis.

I urge support of the amendment.

Mr. BOLAND. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, the amendment that has been offered by the gentleman from Georgia sounds very reasonable. I am reluctant to oppose it. I have consulted with one of my committee members here, and he also considers it to be reasonable.

We have not had an opportunity to consult the GAO or the FAA on it, but I have the inclination to accept the amendment.

I would disagree with some of the remarks made by the gentleman during general debate that this lease was made deviously. I have great respect for the FAA Administrator and the people who operate that administration. I know there are some great differences of opinion between the operators of airlines and airline pilots and all of the organizations that go to make up the aviation industry, and oftentimes they are highly critical of the activities and regulations and rules of the FAA. Be that as it may, this amendment appears to me, at least on the face of it, to be reasonable, and I would be inclined to accept it.

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

Mr. BOLAND. I yield.

Mr. MINSHALL. In view of the remarks made by my distinguished chairman of the subcommittee, the gentleman from Massachusetts [Mr. BOLAND], I would like to point out in reply to some of the remarks that the gentleman from Georgia [Mr. THOMPSON] made that we did go into this in our committee. I

would like to quote very quickly from the record of the committee hearings appearing on page 835 of those hearings, in response to the query as to the leasing of these aircraft, and I will read only a part of the answer that was given, in the interest of saving time, by Mr. Moore of the FAA in response to the inquiry made by the gentleman from California [Mr. McFALL].

He said:

Inasmuch as these light aircraft are of a fast, jet-type aircraft, we cannot only reduce the fleet by four airplanes, but we reduced the flying hours by 2,200 so there is a tremendous savings in this lease in our aircraft program.

If the Chairman wishes to go along with this, I will take it under advisement until such time as we can further consult with the GAO and then we can discuss it further in the conference.

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

Mr. BOLAND. I yield to the gentleman.

Mr. HOLIFIELD. I was going to ask the gentleman if it is not true that this method of leasing planes is a customary business practice among the airlines.

Mr. BOLAND. Absolutely, it is a customary business practice.

Mr. HOLIFIELD. Then I cannot see why there is opposition to it, looking at it from the standpoint of normal business procedure.

Mr. THOMPSON of Georgia. Mr. Chairman, will the gentleman yield?

Mr. BOLAND. I yield to the gentleman.

Mr. THOMPSON of Georgia. Mr. Chairman, I would like to say this. It is a practice among the airlines where there is a tax advantage that can be obtained as a result of leasing aircraft. But there is no tax advantage that accrues to the Federal Government.

I would also like to direct my remarks to the gentleman from Ohio. I have not tried to prohibit acquisition of these aircraft because I recognize in the operation of these aircraft it may well be that the FAA can make a very good case as to why they should go to the jet aircraft rather than the propeller aircraft such as the Constellations and so forth that they have.

It may be after a period of time and a certain number of flying hours that there will be a savings.

My objection to this goes not to any operational savings or expense but rather goes to the purchase of aircraft and whether it is cheaper for the U.S. Government to purchase these through the normal appropriations procedure or whether we should use this lease purchase basis which frankly is loaded in favor of the seller and at the expense of the Government.

Mr. HOLIFIELD. As to lease-purchase arrangements which we have adopted in the building of post offices and other Federal buildings, anybody knows who studies it that it is more expensive than outright appropriation. But the lease-purchase program under the Eisenhower administration was adopted just for the very purpose of keeping down the budget on capital investments.

Mr. BOLAND. Mr. Chairman, in view of the discussion that has been had, I am perfectly willing to take the amendment to conference. Of course, I do not know

what the other body will do, but we can take it to conference and learn a little more about it in the meantime.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Georgia [Mr. THOMPSON].

The amendment was agreed to.

The CHAIRMAN. There being no further amendments, the Chair recognizes the gentleman from Massachusetts [Mr. BOLAND].

Mr. BOLAND. Mr. Chairman, I move that the Committee do now rise and report the bill back to the House with sundry amendments, with the recommendation that the amendments be agreed to and that the bill as amended do pass.

The motion was agreed to.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. JONES of Alabama, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 18188) making appropriations for the Department of Transportation for the fiscal year ending June 30, 1969, and for other purposes, had directed him to report the bill back to the House with sundry amendments, with the recommendation that the amendments be agreed to and that the bill as amended do pass.

Mr. BOLAND. Mr. Speaker, I move the previous question on the bill and all amendments thereto to final passage.

The previous question was ordered.

The SPEAKER. Is a separate vote demanded on any amendment? If not, the Chair will put them en gros.

The amendments were agreed to.

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

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

MOTION TO RECOMMIT OFFERED BY MR. GROSS

Mr. GROSS. Mr. Speaker, I offer a motion to recommit.

The SPEAKER. Is the gentleman opposed to the bill?

Mr. GROSS. In its present form I am, Mr. Speaker.

The SPEAKER. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. GROSS moves to recommit the bill, H.R. 18188, to the Committee on Appropriations with instructions to report the bill back to the House forthwith with the following amendment: On page 16, after line 6, insert the following:

"SEC. 203. None of the funds provided under this Act shall be available for any expense in connection with the execution of programs, the obligations for which are in excess of \$60,000,000 in fiscal year 1969 for 'Civil Supersonic Aircraft Development.'"

Mr. BOLAND. Mr. Speaker, I move the previous question on the motion to recommit.

The previous question was ordered.

The SPEAKER. The question is on the motion to recommit.

The motion to recommit was rejected.

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

The bill was passed.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. BOLAND. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks on H.R. 17134, making appropriations for the Department of Transportation for the fiscal year ending June 30, 1969, and to include additional pertinent material.

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

There was no objection.

DISTRICT OF COLUMBIA REVENUE ACT OF 1968

Mr. McMILLAN. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 16361) to provide additional revenue for the District of Columbia, and for other purposes, and pending that motion I ask unanimous consent that debate be limited to 40 minutes thereon, 20 minutes to be allotted to each side.

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

There was no objection.

The SPEAKER. The question is on the motion offered by the gentleman from South Carolina.

The motion was agreed to.

IN THE COMMITTEE OF THE WHOLE

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill H.R. 16361, with Mr. GIBBONS in the chair.

The Clerk read the title of the bill.

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

The CHAIRMAN. Under the unanimous-consent agreement the gentleman from South Carolina will be recognized for 20 minutes and the gentleman from Minnesota [Mr. NELSEN] will be recognized for 20 minutes.

The Chair recognizes the gentleman from South Carolina.

Mr. McMILLAN. Mr. Chairman, I yield myself 5 minutes.

Mr. Chairman, at the request of the majority of the members of the House District Committee, I am presenting to you today H.R. 16361, the best revenue bill that we could get reported out of our committee. No one, I am certain, enjoys adding additional taxes to the already overburdened taxpayers of the United States. However, it seems that the expense of operating the government here in the Nation's Capital continues to go up and up every year. Only 2 years ago we enacted a revenue bill making available millions of dollars of additional revenue for operating the District government. Only 2 years prior to that time we enacted another revenue bill which made approximately \$30 million revenue available for operating the District government. During the past 6 months I have been pressured from every side and mostly through the news media here in the city of Washington to increase taxes and give the District officials more money to spend.

In my opinion, every time we add additional taxes in the District of Columbia we run at least 1,000 taxpayers out of the city.

The main complaint I have seen expressed in the newspapers during the past few days in opposition to the revenue bill under consideration today is the fact that we increased the sales tax by 1 percent and extended the coverage to all items, including medicine. The other complaint is the fact that we are providing the District with an additional \$10 million Federal payment, amounting to a total of \$80 million payment directly out of the U.S. Treasury. The opponents of this bill, including some of the District officials and certain Members of Congress, seem to be of the opinion that Congress should relinquish its constitutional duties entirely so far as the District is concerned and adopt a formula, which would mean exactly that the Federal Government would pick up the tab on practically every new function that would be created here in the Nation's Capital.

Virginia, our neighboring State, has a 4-percent sales tax, including medicine and groceries. My own State has a 3-percent sales tax and it is supposed to be increased to 4 percent January 1, which includes medicine and all retail groceries. I have never had one complaint registered with me concerning the tax we have in South Carolina, as it is the most painless tax we have in the United States.

I cannot make myself believe that anyone in the District of Columbia who has children attending the public schools and are depending on the police for protection would object to paying a 4-percent sales tax when they are not paying any other tax to keep up the District government. I understand approximately 75 percent of the people who have children in the Washington city schools pay very little, if any, taxes other than the sales tax. The time has come that we cannot continue to expect the businessmen in Washington to carry the entire load when the riots that happened in the city of Washington during the month of April has reduced the revenue from hotels and restaurants approximately 50 percent.

I hope the House will accept the revenue package as it was reported from the District Committee without any amendments. We certainly stand a good chance of not having a revenue bill enacted into law this year if this bill is emasculated by numerous amendments. There is nothing in this bill that will harm any person and since the income tax is being increased in the amount of \$8 million and property taxes increased by at least \$5 or \$6 million, there is no reason the people who are using the facilities here in the Nation's Capital should not be willing to assist in paying some of the expenses for education and police protection. By not requiring these people to pay some kind of tax, we are encouraging the poor people in my State and every other State to come to Washington where the news has already spread that they can come to Washington, get free meals, get on the public welfare and pay no taxes.

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

Mr. McMILLAN. I yield to the gentleman from New Jersey.

Mr. JOELSON. Mr. Chairman, the gentleman referred to the sales tax as painless. Can the gentleman believe that a tax on food is really painless for people who just manage to get by?

Mr. McMILLAN. Yes, sir, it must be. I have not had any complaint from any one citizen in my State on a comparable tax in South Carolina. They have been paying it on all food and medicine.

Mr. JOELSON. On food?

Mr. McMILLAN. On food and medicine.

Mr. JOELSON. Whether the gentleman has had any complaint or not, I believe it must be very difficult for people to pay a tax on food when they have difficulty in paying for their food.

Mr. McMILLAN. No one dislikes levying any tax more than I, but we must pay for our government in some manner. If we do not accept this proposal that has been presented here today, I do not know of any better method we can suggest to collect money to pay the expenses that the government in the District has incurred.

I include the following table at this point.

STATES TAXING GROCERIES AND MEDICINES

[In percent]

	Sales tax on groceries ¹	Medicine ²	
		All	Nonprescription
Alabama.....	4	4	.....
Arizona.....	3	3	.....
Arkansas.....	3	3	.....
California ³.....	.....	.....	4
Colorado.....	3	.....	3
Connecticut.....	.....	.....	3½
Georgia.....	3	3	.....
Hawaii ³	4	4	.....
Idaho.....	3	.....	.....
Illinois.....	4½	.....	4½
Indiana ³	2	.....	2
Iowa.....	3	3	.....
Kansas.....	3	3	.....
Kentucky.....	5	5	.....
Louisiana.....	2	2	.....
Maine.....	.....	.....	4½
Michigan.....	4	.....	4
Massachusetts.....	.....	.....	3
Mississippi.....	4	4	.....
Missouri.....	3	.....	.....
Nebraska ³	2½	.....	2½
Nevada.....	3	3	.....
New Mexico.....	3	3	.....
North Carolina.....	3	.....	3
North Dakota.....	3	.....	3
Ohio.....	.....	2	4
Oklahoma.....	2	2	.....
Pennsylvania.....	.....	.....	6
South Carolina.....	3	3	.....
South Dakota.....	3	3	.....
Tennessee.....	3	3	.....
Texas.....	.....	.....	2
Utah.....	3	3	.....
Virginia.....	4	.....	4
Washington.....	4½	4½	.....
West Virginia.....	3	3	.....
Wyoming.....	3	3	.....
District of Columbia.....	1	.....	.....

¹ Rate of tax on groceries and medicine is the same as the general sales tax rate except in District of Columbia.

² Illinois and Michigan only partially exempt prescription medicine.

³ State grants personal income tax credits. Flat credits of \$7 per personal exemption in Colorado and Nebraska and \$8 per dependent in Indiana. Hawaii and Iowa grant graduated credits based on income levels which increase as the income level falls.

Mr. NELSEN. Mr. Chairman, I yield myself 5 minutes.

Mr. Chairman, I am reminded of a story of the two robins who flew to the Southland. The Daddy Robin came back 3 days late and his wingfeathers were all

beat up and the tailfeathers were beat up. Mama Robin looked at Daddy Robin with a little critical eye. Daddy Robin said, "I know what you are thinking, but it is not so. The truth of the matter is I was flying low and got caught in a bad-minton game."

I want to say, serving on the District of Columbia Committee, I do not see how one can win. We do our best to try to come out with a bill that provides some answers for the problems which are here, and we are always subjected to criticism, no matter what we do, to the degree that one wonders if he can politically exist serving on the District of Columbia Committee, where he is subject to attack no matter how he turns.

There is one additional point I want to make. I am one of those who believes our Nation's Capital should be the model city of the United States of America. I am often disappointed on the floor when I see those who make their annual economy speech that is about the District of Columbia, and then I see those way over on the other side who go overboard.

I believe the Congress of the United States, which assumes responsibility or assumes authority, should also exercise responsibility in meeting the needs of the District of Columbia.

Likewise, I believe the city government here should respect the fact that the Congress is trying to help, and should be a little bit discreet and look carefully before sounding off, because, after all, we are making only the first step in this bill by action in our committee. We still will have to go to conference, and there are bound to be some changes which ought to be made.

As the old saying goes, let us look at the RECORD. Sometimes one would think, by reading what we see in the papers, that we have been niggardly to the District of Columbia. I want to say that in the past several years we can be proud of what has been done. The chairman of the committee [Mr. McMILLAN] and I have worked carefully together, and I believe we have made greater progress in the past several years than in the history of the District of Columbia in many areas.

I refer to the Federal City College, the Washington Technical Institute the Land-Grant Extension to apply to the District of Columbia, the bill to assist the handicapped in rehabilitation, the Children's Hospital, and the rapid transit bill.

There are \$185 million in Federal grants going to the District of Columbia. The Federal payment will up from \$32 million in 1959 to \$80 million in 1969.

What about the bill which is before us? As has been pointed out, there are several features in the bill. For example, we have had some discussion about low income and the income tax.

Actually, the income taxes in the low brackets were reduced under this bill, going from 2½ percent down to 2 percent on the first \$1,000 of net income. At the same time, there is an exemption of \$1,000 for single persons, \$2,000 for married people, and a \$500 exemption for each dependent. But there is a reduction of ½ percent on the first \$1,000 of net income. On the next \$2,000 of income it remains at 3 percent, and then it steps

up, going from there on, which gives some relief, we believe, in the area where needed the most.

This will yield \$8.2 million. Corporation taxes are increased.

Overall, we believe, there will be an additional \$47 million, by virtue of the \$10 million of Federal payment and the additional taxes that are covered in this bill. We also believe that that District will need this money.

There has been a good deal of discussion about some of the sales taxes involved. If they are stricken from the bill we will lose about \$11.5 million. If a formula were to be adopted, it would involve an additional \$3 million, or we would be losing \$14 million if this were changed.

We must keep in mind that in no area of the United States do we have as many good Federal jobs as there are here in the District of Columbia.

Without question any tax hurts some people, but at the same time the long view must be taken. We are trying to give better education. We are trying to provide technical training, so that people will have the qualifications necessary to hold jobs.

I think the long view must be observed when we consider this bill.

The CHAIRMAN. The time of the gentleman has expired.

Mr. NELSEN. Mr. Chairman, I yield myself an additional 2 minutes.

Mr. Chairman, I want to make this one comment relative to the action of the committee. I supported the formula in the committee. I believe the formula has merit. I believe that under the formula the city government would have a better opportunity to plan its future. I believe sometimes the Committee on Appropriations has its difficulties because they want to know early in the session how much they have to work with. So, I voted for the formula in the committee. I may say that I did not vote the proxies which I could have voted because I had never specifically discussed some items in this bill and I felt I was taking advantage of the situation, which I did not want to do, feeling that if a formula were to be adopted on this floor, every member of our committee and every Member on our side would have a chance to vote and make their own decision on it and not put me in a position of speaking for them perhaps in a manner which they might later change their minds on.

So, I want to say this bill, I think, is a good proposition. As I have stated, I voted for the formula in the committee and I will vote for it on the floor. At the same time I do want to say this: If the items are cut, as some will suggest, and if the 25-percent formula is to be applied, then you will have less money than you would have under the terms of this bill. I may say that I understand the formula that will be proposed will expire in 2 years. In other words, the application of the formula will then stop and the figure we are at that point remaining, looking to the future, expires at the same time as the borrowing authority, which means if there is abuse, it will be lost. That is a good way to put it, because Congress then will have to reinstate it.

I want to say to the chairman of the committee that I believe the committee has a good bill. I think the District of Columbia will be well taken care of under its provisions if this bill is to pass.

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

The CHAIRMAN. The time of the gentleman has expired.

Mr. NELSEN. Mr. Chairman, I yield myself half a minute and I yield to the gentleman from New Jersey.

Mr. JOELSON. The gentleman said that the sales tax provisions of the bill would bring in revenue of about \$11 million a year.

Mr. NELSEN. Yes.

Mr. JOELSON. Do we have any estimate of how much of that would be a sales tax on food and medicine?

Mr. NELSEN. This is the item of food and medicine—the \$11 million.

Mr. JOELSON. The whole \$11 million?

Mr. NELSEN. Yes. \$26 million for the total additional change in sales tax in all items, but \$11 million of that would be in the items you mentioned.

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

Mr. NELSEN. Mr. Chairman, I yield 5 minutes to the gentleman from Virginia [Mr. BROYHILL].

Mr. BROYHILL of Virginia. Mr. Chairman, the bill we have before us will provide approximately \$47 million in additional revenue for the District of Columbia. Now, this bill is a compromise at best. It is not 100 percent a satisfactory bill insofar as everyone is concerned. What revenue bill is ever 100 percent satisfactory to all concerned? It is never a pleasant assignment to deal with legislation that increases taxes for any of our citizens. I feel that, in spite of all the problems which we are confronted with, the committee did a very fine job to come up with a bill that will raise \$47 million per year in additional revenue. We are told that it is necessary to have additional revenue in this amount in order for the District of Columbia to continue to function. If any Member is not satisfied with the way we are raising taxes in this bill, then he should offer alternative proposals so that we can at least raise revenue in an equivalent amount.

There are always two points that we must bear in mind in providing the financing for the Nation's Capital.

First of all, this is the Nation's Capital and we do have a Federal financial responsibility whenever there is a deficit, regardless of the cause of the deficit. In other words, the Federal Government has the obligation to make it up.

Certainly, we should require the citizens of the District of Columbia to pay taxes at least comparable to those which are paid by the other citizens of the United States, and particularly taxes which are paid by citizens who live in the suburban area of the Washington metropolitan area.

As I have stated, the bill is estimated to provide approximately \$47 million of additional revenues for the District in a full fiscal year. The principal revenue-producing provisions are as follows:

First. An increase in the authorization for the annual Federal payment to the

District of Columbia from \$70 million to \$80 million. This authorization has increased in the past decade from \$32 million per year to the present level of \$70 million in fiscal year 1968. In view of the present financial picture in the Nation's Capital, I feel that the increase of \$10 million proposed in this bill is both justified and realistic.

For the past several years, the District of Columbia government has requested that the Federal payment authorization be established as a fixed percentage of the city's revenues to the general fund. This year, the requested percentage was raised from 25 percent to 30 percent while the bill was under consideration. Also, between April 25 and June 5 of this year, the District's estimate of the general fund revenues for fiscal year 1969 decreased by \$4 million. In view of this uncertainty surrounding the actual return which might be expected if the formula were adopted, I feel that the District is in a far sounder position with the set maximum of \$80 million which the bill provides.

Second. An increase in personal income taxes for all but the lowest levels of taxable income. This is accomplished by revising the scale by which the tax is determined, and it is estimated that the measure will produce some \$8.2 million of additional revenue per year. This provision of the bill was requested by the District of Columbia Commissioner.

This new scale for personal income taxes will place the income tax for most District citizens a little above those levied in Virginia, but they will be substantially lower than those now prevailing in both Montgomery County and Prince Georges County in Maryland.

Third. Several adjustments are made to the District of Columbia Sales and Use Tax Act. The first of these will raise the present levy of 3 percent on most retail sales to 4 percent. This will include the tax on the sale of restaurant meals and alcoholic beverages. The District of Columbia Commissioner asked that the tax on these latter items be increased to 5 percent, but it was the feeling of the committee that this would be discriminatory and unfair to this type of business. It is my strong feeling that the present plight of the restaurant business in the District of Columbia is a grim one indeed, and certainly could not withstand such a tax increase. The rate of 4 percent on their business therefore seems both fair and reasonable.

The bill also provides for an increase in the tax on the sale of food for consumption off the premises from 1 percent to 4 percent, and removes the exemption presently existing on the sale of medicines and of fertilizers and other garden preparations. Both the latter will be taxed at the rate of 4 percent also.

The sales tax rate of 4 percent will also apply for the first time to local telephone service in the District of Columbia. With reference to this item, my own home county of Arlington, Va., has recently imposed a tax of 14 percent on all utilities, including local telephone service.

These amendments to the Sales Tax Act, collectively, are estimated to provide some \$26.5 million of new revenues per full fiscal year.

I cannot agree with the statement that any part of these amendments to the Sales Tax Act are in any way unfair. As of July 1 of this year, the State and local sales tax in virtually every part of the State of Virginia amounts to 4 percent, and it applies to retail sales of all items including groceries and medicines. Further, such broad-based sales taxes are in force in 32 States, with 31 of these maintaining such a tax on food for consumption off the premises. I believe that the citizens of the District of Columbia, with a per capita income higher than that in nearly every large city in the country, are as able to carry such a tax load as are the residents of the majority of our States. Furthermore, the sales tax is the only significant means by which the millions of visitors to the Nation's Capital each year will contribute to the services which they use to a degree while in the city.

Fourth. An increase is provided in the tax on incomes of corporations and businesses, from the present rate of 5 to 6 percent of the taxable income. I and my colleagues on the committee agree that this increase is quite fair and justified, in view of the provision for an increase in personal income taxes.

This provision is estimated to afford an additional \$2.5 million per year of revenue.

It is my earnest conviction that these provisions for increasing the District of Columbia's revenues are reasonable and fully justified at this time. However, I wish to point out that I and a number of my colleagues on the District of Columbia Committee are growing increasingly fearful that the trend of spending in the District in recent years, if not curbed by some prudent and realistic action on the part of the city's government, will create in the near future a financial crisis of the most serious proportions. The District of Columbia government's budget has doubled in the past 5 years, and it is obvious that the taxpayers of the District simply cannot afford a continuation of this trend, nor should the citizens of the rest of the country be expected to pay the bill for what appears to be a policy of reckless and wasteful spending. The Congress recently approved legislation requiring a substantial cut in Federal Government expenditures, and I see no reason why the District of Columbia could not and should not adopt such a program of economy and austerity as well. The vast number of "do-gooders" programs seems to mushroom each year, with no concern either for the welfare of the taxpayers or for the actual benefit to be derived from the projects themselves. I wish to take this occasion to express my strong conviction that this new government in the District of Columbia has an obligation to reverse this trend toward financial bankruptcy, and to pursue a course of fiscal responsibility.

In addition to the above-cited revenue provisions, the bill contains two sections which are designed to forbid the expenditure of District of Columbia funds in two specific areas, both of which I regard as prime examples of the wasteful practices which have become so prevalent in the city's government in recent years.

The first of these provisions will for-

bid the use of District of Columbia appropriate funds to promote or further demonstrations of any kind. While no figures have been released as to the cost to the District of Columbia government of the recent Poor People's Campaign centered around the so-called Resurrection City, I feel confident that it was a very considerable sum, and that such expenditure of public funds in their connection probably has not yet reached its conclusion. There can be no rational defense for any such expenditures.

The second of these items is a ban on the expenditure of District of Columbia funds for the transportation of schoolchildren within the city to accomplish better racial balance in any schools, and also for the expense of sending District schoolchildren to suburban schools.

As a consequence of the Judge Wright decision, in which this eminent jurist ordered an end to de facto segregation in the District of Columbia public school system, the District of Columbia Board of Education has initiated an extensive system of sending children by bus to schools far from their homes simply to achieve a better mixture of races in the schools. While I have never been able to comprehend how Judge Wright expected any board of education to accomplish racial balance in the schools of a system in which 93 percent of the students are Negro and only 7 percent are white, I resent the entire effort which involves sending young children miles from their homes to school each day and completely contravenes the time-honored precept of neighborhood schools upon which the public educational system of this country was founded. I maintain that such a practice is harmful to the children themselves, and that the money spent on such a project is a flagrant waste.

I understand that there is a plan afoot to send some District of Columbia schoolchildren into Maryland suburban public schools next September, with the District paying the out-of-State tuition and other expenses involved. I am quite certain that whatever benefits such a scheme is supposed to achieve for the District students involved can as well be afforded in the city's own public schools, on which a prodigious amount of money has been spent in the past 10 years. I cannot recall a proposal which more fully deserved to be labeled an outrageous mis-spending of the taxpayer's money, and I cannot express too strongly my support for this and the other money-saving measures in this bill.

I wish to point out that this provision does not apply in the case of handicapped children for whom there are not adequate educational facilities in the District of Columbia system. These children are sent to suburban schools of a specialized nature, and the expenditures of District funds for this purpose is fully justified.

In conclusion, I wish to state that I regard H.R. 16361 as a good bill, providing adequate revenues for the proper operation of the District of Columbia government and at the same time spelling out a few very proper areas in which District funds are not to be wasted. My own greatest concern for the District of Columbia is in the area of law enforcement,

and I am convinced that this bill will provide sufficient money for a very considerable strengthening of the war on crime in the Nation's Capital. I am completely unimpressed by the fact that these revenues will not support a budget with enough money for the hiring of 1,000 new police officers during the coming year, for I realize that it will be completely impossible for the city to recruit and secure the services of more than a small part of this number of qualified police officers in a year's time. To date, they have not been able to fill the present minimum authorization of 3,100 men. Hence, any talk of acquiring a force of 4,100 men in the next year is utterly ridiculous.

Mr. Chairman, I urge favorable action on this bill.

The CHAIRMAN. The time of the gentleman from Virginia has expired.

Mr. NELSEN. Mr. Chairman, I yield the gentleman 2 additional minutes.

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

Mr. BROYHILL of Virginia. I now yield to the gentleman from Washington.

Mr. ADAMS. Mr. Chairman, I appreciate the gentleman indicating that this was a compromise, but I want to go through three or four items in the hearings which in my opinion, show that is not the correct situation.

Mr. Chairman, some of us felt that the sales tax increase was not in the proper amount or that it should not have been increased unless there had been an extension of the unincorporated franchise tax on doctors, lawyers, dentists, architects, and other professionals where 80 percent of their income is derived from the business which they conduct in the District of Columbia. We backed off from that proposal did we not?

Mr. BROYHILL of Virginia. That is right.

Mr. ADAMS. And there was also an increase in the sales tax generally from 3 to 4 percent, and we went along with that.

Mr. BROYHILL of Virginia. That is correct.

Mr. ADAMS. Also that there was a proposal that the cloakrooms of the House be excluded from the sales tax on food and on beverages, and we went along with that.

What I am asking is why we did not receive something on the other side, either the formula of 25 percent, or leaving the food at 1 percent rather than going to 4 percent, or to leave the tax off of drugs.

When the gentleman from Virginia says it was a compromise, I believe the gentleman does not quite clearly state what happened.

Mr. BROYHILL of Virginia. I would say to the gentleman from Washington that the committee did not rubber stamp the proposal that was made by the District Government, and I do not believe that we should have rubber stamped that proposal. We clearly worked the will of the majority. It just so happens that the gentleman was in the minority in the compromise. I would say that that happens frequently. I happen to be in the minority in many cases, but in this par-

ticular case the gentleman from Washington was in the minority.

Mr. ADAMS. I am asking whether it is not true that we did remove taxes from the people that you might say could afford them better, such as the doctors, dentists, and lawyers, and those of us who eat in the cloakrooms, in calling for the sales tax on food, those taxes we let go up, the taxes on the others—

The CHAIRMAN. The time of the gentleman from Virginia has expired.

Mr. NELSEN. I yield 1 additional minute to the gentleman from Virginia.

Mr. BROYHILL of Virginia. Mr. Chairman, let me say to the gentleman that he is most compassionate when it comes to certain groups—but as to the professional people, the doctors, dentists, and lawyers, the gentleman is not so compassionate.

Mr. ADAMS. I am sure that they should be excluded, I would say to the gentleman. I believe that they should be excluded. I believe a good argument was made for that, and therefore we backed off.

I have no quarrel with having excluded them.

Mr. BROYHILL of Virginia. And the gentleman agreed that we would not have received any additional income by trying to tax these professional people.

Mr. ADAMS. We would have received \$1.6 million.

Mr. BROYHILL of Virginia. This was a compromise that the gentleman agreed to.

Mr. ADAMS. That is what I say—that we agreed that these people should be excluded. All we are asking the gentleman from Virginia is for a little agreement and a little compassion at the other end on food and drugs, and perhaps on the Federal formula. I agree that we may have many differences of opinion on the Federal formula, but particularly with food and drugs, and it just seems to me that—

Mr. BROYHILL of Virginia. Mr. Chairman, let me say to the gentleman from Washington that he does not dislike the tax on food and on drugs any more so than does the gentleman from Virginia. I do not like any sales tax. But we have to find some way of raising revenues, and if we eliminate the tax on food we are going to have to raise the Federal share.

Mr. ADAMS. I would say to the gentleman from Virginia that we had a proposal to raise the tax on restaurant meals, and for alcoholic beverages from 3 to 5 percent, which would have raised \$6.6 million. We did not raise that to 5 percent. We only went to 4 percent on it. Now, if it were in terms of raising revenue, we could have raised revenue in that area. But again I agree with the gentleman from Virginia that a reasonable compromise might be not to raise the tax on restaurant meals and alcoholic beverages because it might injure the merchants here.

But I do not believe we can put a triple tax on the food that is consumed out of the grocery stores, and not go the other way and still call it a compromise. I believe it should be called something else.

Mr. BROYHILL of Virginia. I am still saying that it was a compromise because, if the gentleman remembers—and I am

sure that it was discussed in executive session—at least a number of the members of the committee were concerned about the law of diminishing returns, and we considered that.

Mr. ADAMS. That is right.

Mr. BROYHILL of Virginia. And if there is any business in the District of Columbia which has been injured and has lost money in the last few months, it has been the restaurant business. You cannot look to that source for additional revenue, so we thought that 4 percent was about as far as we dared go.

But the gentleman believes we could get more from that source.

Mr. ADAMS. That is why we are asking the question that if we are going to be compassionate on the professional businessmen, and for their problems, we should also look at the problems of the poor as well.

The CHAIRMAN. The time of the gentleman from Virginia has again expired.

Mr. McMILLAN. Mr. Chairman, I yield the gentleman 1 additional minute.

Mr. BROYHILL of Virginia. I thank the gentleman.

Mr. NELSEN. If the gentleman would yield, I would like to point out something in connection with the tax on doctors, dentists, and lawyers. We were told that there would be reciprocity for this particular segment if they were taxed, that there would be reciprocal compensation in the area, if you like it, outside of the District. However, it came to our attention that the way it was drafted actually there would not be reciprocity because all that we were doing in the provision was to take a dollar figure that they paid in taxes as an expense item against the tax in their own areas.

It is my understanding that the detail was not properly worked out and the difficulty about it so far as I am concerned was the fact that we are running into almost the same situation as in dealing with foreign corporations where they move their offices out of the District as the result of a tax that was imposed. We clarified it, I think, a year ago in the Congress of the United States.

I am not an expert on details but this is as it was explained to me by the people who were involved and who should know.

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

Mr. BROYHILL of Virginia. I yield to the gentleman.

Mr. JOELSON. The gentleman stated that the tax should be comparable in the District and in the suburbs. Does not the gentleman concede it is much more onerous for a poor person to pay a 1-percent tax on food that it would be for a well-to-do person in the suburbs? Is that really comparable—even though it is 1 percent?

Mr. BROYHILL of Virginia. I will not permit the gentleman to put words in my mouth or to put his interpretation on my words. I said the taxes were comparable to those in the suburbs, as closely as we could make them so in the committee.

So far as anybody wanting to tax the poor people is concerned, this was not and is not the desire of any member of this committee.

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

Mr. BROYHILL of Virginia. I yield to the gentleman.

Mr. WHITENER. I associate myself with the gentleman's statement. None of us like to see a sales tax on food or on medicine. But the fact remains according to the information that we have that there are 31 States that have a sales tax on groceries; 20 States have a sales tax on all medicine and 15 States have a sales tax on nonprescription medicine.

I think it is rather singular that our good friend, the gentleman from Washington, is complaining so about it when his State has the highest sales tax on food of any State in the Union—4.5 percent.

I might also say that in his State there is a 4.5-percent tax on all medicines.

I feel sorry for the people of the State of Washington who have to pay that 4.5-percent tax.

But in Washington, D.C., the people only pay 4-percent tax, which is a half percent less than the people of the State of Washington have to pay.

Mr. BROYHILL of Virginia. I do not think we have to take sides on who is most concerned for the poor. That would only be something that would come from a demagog, and we hear it all the time. But I am concerned about the middle-income group. They are the ones who are carrying the tax load in this country today, and they are carrying the load in the District of Columbia. Yet, we do not hear anyone making a plea for them.

But we always have this little minority over here who have their hands out for something, and who are arrogantly demanding more.

This is a question of helping those who are poor and deprived and I think we should do even more than what we are doing for those who cannot help themselves. Our problem has been how can we keep the chiselers and people who will not work off the welfare rolls.

Mr. WHITENER. Mr. Chairman, will the gentleman yield further?

Mr. BROYHILL of Virginia. I yield to the gentleman.

Mr. WHITENER. I would not want anyone to think that I am unfairly pointing out the State of Washington because in my State the legislature imposes a 3-percent sales tax on all foods bought in grocery stores and elsewhere and I am sure the gentleman from Virginia would not mind if I mention his State imposes a 4-percent tax. So I would not want to be understood as needing the gentleman from Washington. I just say that if this is such a great inequity here in the District of Columbia to have a 4-percent tax on food and medicines, it is a much greater inequity on his people in his own State.

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

Mr. BROYHILL of Virginia. I yield to the gentleman.

Mr. ADAMS. I am very glad that the gentleman brought up the point about the problems that we have with the regressive tax system.

I might say two things. First, in our area we have tried for many years to

substitute an income tax as a balance to the sales tax but because of the constitutional provision which requires a two-thirds vote by both houses of the State legislature, we are unable to have that changed.

The whole thrust in America in recent years has been to try to establish a fair tax system. The sales tax does have a part in it. But the progressive and alive States are trying to take this tax off food. We will try again in our State to take this off food and drugs because we cannot help the fact that in America we have a strata of people, those who earn a lot of money and some who do not earn very much.

I would say to the gentleman from North Carolina and the gentleman in the well that when you have a 4-percent tax on someone who is taking home only \$50, that tax on him is \$2 out of his total take-home pay, whereas someone who is taking home \$1,000 for that period of time, the tax on him does not hurt him as much. Therefore, that is what I am saying about this bill. I am not trying to point to one or to the other, but asking that we have a fair tax.

Mr. NELSEN. Mr. Chairman, I yield 2 minutes to the gentleman from Maryland [Mr. GUDE].

Mr. GUDE. Mr. Chairman, I thank the gentleman for yielding.

I believe the colloquy that we have had on the floor today well points up the need for a formula. The gentleman from Iowa [Mr. SCHWENGL] and I have introduced legislation which would provide for a study to develop some type of formula as to exactly what the Federal contribution would be.

For example, you speak about police services and the police force in the District of Columbia. Did anyone ever stop to think about the amount of time that the police department devotes to taking care of embassies when they have parties and receptions? What about the time they put in on inaugural parades and other functions of state? There is a great deal of expense associated with the functions of the Federal Government here that are above and beyond the normal government functions of taking care of the citizens of a municipality. I think this attempt to establish a percentage formula is a step toward developing a logical fiscal base for the District of Columbia government with equitable contributions from the District and Federal Governments.

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

Mr. GUDE. I am glad to yield to the chairman of the District of Columbia Committee.

Mr. McMILLAN. I would like to have the gentleman's opinion as to why he thinks certain people who are against the present procedures are so anxious to apply a formula. They have been trying to do so for about 15 years. Is it not your opinion, as I am certain it is the majority opinion of those Members present, that the only reason for the requested formula is to try to bypass the Appropriations Committee of this House and bypass Congress so they can get the money without even going to the Congress?

Mr. GUDE. In response to the gentleman, I would not want to read the motives in someone else's mind. But my motivation is that I believe by developing a formula we can arrive at some figure by which we could determine exactly the cost to the District for such services that I have mentioned and what is involved in tax loss from Federal land besides what might be set aside for several of the major monumental buildings such as the Capitol, the Monument and the White House. I think with a formula we would know where we are headed. We would know whether we were asking too large or too small a Federal contribution from Congress. The way we are doing it now is like adding a little sugar on one side of a scale, putting a little more on, and taking a little off, and when the process ends we seem to say, "This looks like what it ought to be."

I think we ought to try to arrive at something that is based on figures instead of emotion.

Mr. McMILLAN. I should like to ask the gentleman whether he does not think the Appropriations Committee could check over the proposed expenses of the District and appropriate a lump sum with no questions asked?

Mr. GUDE. Under a formula, in reply to the chairman, we would better know whether the Federal Government was contributing more or less than it should to the District.

Mr. NELSEN. Mr. Chairman, I yield 2 minutes to the gentleman from New Jersey [Mr. WIDNALL].

Mr. WIDNALL. Mr. Chairman, I take this time to ask the chairman a couple of questions. I have never heard a real discussion of real estate taxes in the District of Columbia. When I see houses being sold in Georgetown for \$60,000 to \$70,000 on which "peanuts" in taxes are paid, and when I consider the real estate taxes in my own State of New Jersey, which bear the burden of education and the running of government in the State of New Jersey, I wonder why we are paying two, three, and four times as much as is paid on the values out in Georgetown? Has any study been made of that situation?

Mr. McMILLAN. Mr. Chairman, I am happy the gentleman brought that question up. I would like to state that real estate taxes are not under the jurisdiction of my committee. It seems, by some prior law or other where the District Commissioners and the Council have the authority to increase taxes on property. That is not under the District of Columbia Committee's jurisdiction.

Mr. WIDNALL. As I understand it, the gentleman would have no jurisdiction over this?

Mr. McMILLAN. That is correct.

Mr. WIDNALL. Does the gentleman have power to make recommendations with respect to this? The gentleman does, does he not?

Mr. McMILLAN. I guess we could, however I understand they are increasing the real estate tax by several million dollars this year.

Mr. WIDNALL. It seems to me this is one source of revenue that could easily be picked up in the District of Columbia.

It would be a tax against those people who can really afford it. In many, many instances they are getting a practically free ride right now.

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

Mr. WIDNALL. I yield to the gentleman from Mississippi.

Mr. ABERNETHY. Mr. Chairman, I think the gentleman raises a good question. May I say also I know for a fact in many instances the real estate taxes in the District of Columbia have been raised about 260 percent in the last 6 years. They have gone up quite rapidly. In most instances—I will not say in all—they probably have reached the saturation point.

I know there are those who disagree with me, but the fact remains that the jurisdiction for the assessments, and the real estate tax levy wholly lies with the government of the District of Columbia, and not within the Congress or the District Committee.

With all due deference to what has been said by some, when the District government feels it needs more money, then it and the Washington press start howling and growling about the Federal payment. Just since I have been in this Congress, I have seen this payment grow from \$2 million to \$70 million. It must be remembered that this is the best money mill in the world—Washington, D.C. They have never known a depression in this town. During the 1930's they had glorified prosperity here, and they have had it ever since, because of the large salaries of those who work for this Government.

We have means of providing additional revenue if they need it. But as the gentleman has pointed out, they do not use the sources they have available. They ought to use those before they come crying on the shoulders of the Congress about the Federal payment.

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

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

The CHAIRMAN. The Clerk will read. The Clerk read as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "District of Columbia Revenue Act of 1968."

COMMITTEE AMENDMENT

The CHAIRMAN. The Clerk will report the committee amendment.

The Clerk read as follows:

Strike out all after the enacting clause and insert:

"That this Act may be cited as the 'District of Columbia Revenue Act of 1968'.

"TITLE I—FEDERAL PAYMENT AUTHORIZATION

"Sec. 101. Section 1 of article VI of the District of Columbia Revenue Act of 1947 (D.C. Code, sec. 47-2501a) is amended (1) by striking out 'June 30, 1968', and inserting in lieu thereof 'June 30, 1969', and (2) by striking out '\$70,000,000' and inserting in lieu thereof '\$80,000,000'.

"TITLE II—AMENDMENTS TO THE DISTRICT OF COLUMBIA INCOME AND FRANCHISE TAX ACT OF 1947

"Sec. 201. Section 3 of title VI of the District of Columbia Income and Franchise Tax Act of 1947 (D.C. Code, sec. 47-1567b(a)) is amended to read as follows:

"SEC. 3. IMPOSITION AND RATES OF TAX.—In the case of a taxable year beginning after December 31, 1967, there is hereby imposed on the taxable income of every resident a tax determined in accordance with the following table:

"If the taxable income is:	The tax is:
Not over \$1,000-----	2% of the taxable income.
Over \$1,000 but not over \$3,000-----	\$20 plus 3% of excess over \$1,000.
Over \$3,000 but not over \$5,000-----	\$80 plus 4% of excess over \$3,000.
Over \$5,000 but not over \$10,000-----	\$160 plus 5% of excess over \$5,000.
Over \$10,000-----	\$410 plus 6% of excess over \$10,000.'

"Sec. 202. (a) Section 2 of title VII of such Act (D.C. Code, sec. 47-1571a) is amended by striking out '5 per centum' and inserting in lieu thereof '6 per centum'.

"(b) Section 3 of title VIII of such Act (D.C. Code, sec. 47-1574b) is amended by striking out '5 per centum' and inserting in lieu thereof '6 per centum'.

"Sec. 203. (a) Section 7(a) (4) of title XII of such Act (D.C. Code, sec. 47-1586f(a) (4)) is amended to read as follows:

"(4) EMPLOYERS.—Every employer required to deduct and withhold tax under this article shall make a return of, and pay to the District, the tax required to be withheld under this article for such periods and at such times as the District of Columbia Council may prescribe."

"(b) Section 1(b) of title XIII of such Act (D.C. Code, sec. 47-1589(b)) is amended to read as follows:

"(b) FAILURE TO FILE EMPLOYER'S RETURN.—In the case of any employer—

"(1) who pursuant to this article is required to withhold taxes on wages, make a return of such taxes, and pay to the District the taxes required to be withheld pursuant to this article, and

"(2) who fails to withhold such taxes, make such return, or pay to the District the taxes required to be withheld pursuant to this article,

there shall be imposed on such employer a civil penalty (in addition to any criminal penalty provided for in this article) of 5 per centum of the amount required to be shown as tax on such return if the failure is for not more than one month, with an additional 5 per centum for each additional month or fraction thereof during which such failure continues, not exceeding 25 per centum in the aggregate."

"Sec. 204. (a) The repeal or amendment of any provision of the District of Columbia Income and Franchise Tax Act of 1947 shall not affect any act done or any right accruing or accrued, or any suit or proceeding had or commenced in any civil cause before such repeal or amendment; but all rights and liabilities under such Act shall continue, and may be enforced in the same manner and to the same extent, as if such repeal or amendment had not been made.

(b) All offenses committed, and all penalties incurred, under any provision of law hereby repealed or amended, may be prosecuted and punished in the same manner and with the same effect as if this title had not been enacted.

"Sec. 205. The amendments made by sections 201 and 202 of this title shall be applicable to taxable years beginning after December 31, 1967. The amendments made by section 203 of this title shall take effect on the date of enactment of this Act.

"TITLE III—AMENDMENTS TO THE DISTRICT OF COLUMBIA SALES TAX ACT AND THE DISTRICT OF COLUMBIA USE TAX ACT

"Sec. 301. Section 107 of the District of Columbia Sales Tax Act (D.C. Code, sec. 47-2601, par. 7) is amended by striking out: 'Provided, however, That the word "food"

shall not include spirituous or malt liquors and beer'.

"Sec. 302. Subsection (a) of section 114 of the District of Columbia Sales Tax Act (D.C. Code, sec. 47-2601, par. 14(a)) is amended by adding at the end thereof the following new paragraph:

"(7) (A) The sale of or charges to subscribers for local telephone service. The inclusion of such sales and charges in the definition of the terms "retail trade" and "sale at retail" shall not authorize any tax to be imposed under this title on so much of any amount paid for the installation of any instrument, wire, pole, switchboard, apparatus, or equipment as is properly attributable to such installation.

"(B) The term "local telephone service" means—

"(i) the access to a local telephone system, and the privilege of telephonic quality communication with substantially all persons having telephone or radio telephone stations constituting a part of such local telephone system, and

"(ii) any facility or service provided in connection with a service described in paragraph (i).

The term "local telephone service" does not include any service which is a "toll telephone service" or a "private communication service" as defined in subparagraphs (C) and (D).

"The term "toll telephone service" means—

"(i) a telephonic quality communication for which (a) there is a toll charge which varies in amount with the distance and elapsed transmission time of each individual communication and (b) the charge is paid within the United States, and

"(ii) a service which entitles the subscriber, upon payment of a periodic charge (determined as a flat amount or upon the basis of total elapsed transmission time), to the privilege of an unlimited number of telephonic communications to or from all or a substantial portion of the persons having telephone or radio telephone stations in a specified area which is outside the local telephone system area in which the station provided with this service is located.

"(D) The term "private communication service" means—

"(i) the communication service furnished to a subscriber which entitles the subscriber—

"(a) to exclusive or priority use of any communication channel or groups of channels, or

"(b) to the use of intercommunication system for the subscriber's stations, regardless of whether such channel, groups of channels, or intercommunication system may be connected through switching with a service described in subparagraph (B) or (C),

"(ii) switching capacity, extension lines and stations, or other associated services which are provided in connection with, and are necessary or unique to the use of, channels, or systems described in paragraph (i) of this subparagraph, and

"(iii) the channel mileage which connects a telephone station located outside a local telephone system area with a central office in such local telephone system.

except that such term does not include any communication service unless a separate charge is made for such service."

"Sec. 303. Section 114(b) (2) of such Act (D.C. Code, sec. 47-2601, par. 14(b) (2)) is amended to read as follows:

"(2) (A) Sales of transportation and communication services other than sales of local telephone service.

"(B) Sales of local telephone service rendered by means of a coin-operated telephone available to the public; except that where such coin-operated telephone service is furnished for a guaranteed amount, the amounts paid under such guarantee plus any fixed

monthly or other periodic charge shall be subject to the tax imposed on local telephone service by this title.

"Sec. 304. Section 125 of such Act (D.C. Code, sec. 47-2602) is amended to read as follows:

"Sec. 125. A tax is imposed upon all vendors for the privilege of selling at retail certain tangible personal property and for the privilege of selling certain selected services (defined as sales at retail in this title). The rate of such tax shall be 4 per centum of the vendor's gross receipts from the sale of such tangible personal property and services, except that the rate of tax with respect to sales or charges for any room or rooms, lodgings, or accommodations, furnished to transients by any hotel, inn, tourist camp, tourist cabin, or any other place in which rooms, lodgings, or accommodations are regularly furnished to transients, shall be 5 per centum of the gross receipts from such sales or charges."

"Sec. 305. Section 127 of such Act (D.C. Code, sec. 47-2604) is amended—

"(1) by striking out in paragraph (a) 'other than sales of food for human consumption off the premises where such food is sold, and'; and

"(2) by striking out paragraph (b) and redesignating paragraph (c) as paragraph (b)."

"Sec. 306. (a) Section 128 of title I of such Act (D.C. Code, sec. 47-2605) is amended—

"(1) by adding after paragraph (c) the following new paragraph:

"(d) Sales of materials and services to the printing clerks of the majority and minority rooms of the House of Representatives for use in the operation of such rooms, and sales of materials and services made by such clerks in connection with the operation of such rooms;

"(2) by amending paragraph (1) to read as follows:

"(1) Sales of food, beverages, and other goods made to any person for use in the operation of the majority and minority cloakrooms of the House of Representatives and sales of such food, beverages, and other goods made by such person in connection with the operation of such cloakrooms;

"(3) by striking out paragraph (o); and

"(4) by redesignating paragraphs (p) and (r) as paragraphs (o) and (p), respectively.

"(b) Paragraph (d) of such section 128, added by paragraph (1) of subsection (a) of this section, shall apply with respect to the sale of materials and services made on or after January 1, 1961.

"Sec. 307. Section 201(b)(2) of the District of Columbia Use Tax Act (D.C. Code, sec. 47-2701, par. 1(b)(2)) is amended to read as follows:

"(2) Sales of transportation and communications services other than sales of local telephone service."

"Sec. 308. The last sentence of section 212 of the District of Columbia Use Tax Act (D.C. Code, sec. 47-2702) is amended to read as follows: "The rate of the tax imposed by this section shall be 4 per centum of the sales price of the tangible personal property or services rendered or sold."

"Sec. 309. Except as provided in section 306, the amendments made by this title shall take effect on the first day of the first month which begins on or after the thirtieth day after the date of enactment of this Act. The imposition of sales tax on local telephone service shall be applicable to the sales price or charge made by a vendor for local telephone service as stated on the bills rendered to the purchaser by the vendor on and after such effective date.

"TITLE IV—GENERAL PROVISIONS

"Sec. 401. No funds appropriated for the government of the District of Columbia may be used—

"(1) to provide transportation for students enrolled in the public schools of the District of Columbia if the transportation is provided solely to change the racial balance in any

public school in the District of Columbia, or

"(2) for the cost of education (including the cost of transportation) of any individual in an elementary or secondary school located outside the District of Columbia, except handicapped individuals for whose education facilities do not exist in the public school system of the District of Columbia.

"Sec. 402. No funds appropriated for the government of the District of Columbia may be used to furnish materials or services to promote or further any demonstration in the District of Columbia undertaken for the purpose of influencing legislation or other governmental actions of the United States Government or the government of the District of Columbia."

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

The CHAIRMAN. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

AMENDMENT TO COMMITTEE AMENDMENT OFFERED BY MR. ADAMS

Mr. ADAMS. Mr. Chairman, I offer an amendment to the committee amendment.

The Clerk read as follows:

Amendment to the committee amendment offered by Mr. ADAMS: On page 13, strike out lines 13 through 17 and insert in lieu thereof the following:

"Sec. 101. Article VI of the District of Columbia Revenue Act of 1947 (D.C. Code, secs. 47-2501a, 47-2501b) is amended to read as follows:

"ARTICLE VI—FEDERAL PAYMENT

"Sec. 1. In recognition of the unique character of the District of Columbia as the Nation's Capital City, a regular annual payment (hereafter in this article referred to as the "Federal payment") is authorized to be appropriated from revenues of the United States to cover the proper Federal share of the expenses of the government of the District of Columbia. The Federal payment, when appropriated, shall be paid into the general fund. The Federal payment authorized by this article for each of the fiscal years ending June 30, 1969, and June 30, 1970, shall be an amount equal to 25 per centum of the amount of District of Columbia fees and tax revenues which the Commissioner estimates will be credited to the general fund in such fiscal year. Subject to any adjustments required under section 3 for overpayments or underpayments, the Federal payment authorized by this article for the fiscal year ending June 30, 1971, and each fiscal year thereafter shall be an amount equal to 25 per centum of the amount of District of Columbia fees and tax revenues credited to the general fund in the fiscal year ending June 30, 1970.

"Sec. 2. The Commissioner shall estimate the amount of District of Columbia fees and tax revenues that will be credited to the general fund during the fiscal years ending June 30, 1969, and June 30, 1970. He shall submit such amount to the Bureau of the Budget with the regular budget of the District of Columbia for such fiscal years. The amount of such revenues and fees which is approved by the Director of the Bureau of the Budget shall be submitted to the Congress.

"Sec. 3. If the amount of the Federal payment appropriated in the fiscal year ending June 30, 1969, or June 30, 1970, does not equal 25 per centum of the amount of District of Columbia fees and tax revenues credited to the general fund in such fiscal year, the amount of the Federal payment authoriza-

tion for the second fiscal year beginning after such fiscal year shall—

"(1) if such Federal payment appropriation exceeded 25 per centum of such fees and tax revenues, be reduced by the amount of such excess; or

"(2) if such Federal payment appropriation was less than 25 per centum of such fees and tax revenues, be increased by the amount by which such appropriation was lower.

"Sec. 4. For purposes of this title—

"(1) The term "District of Columbia fees and tax revenues" means the sum of—

"(A) the proceeds from the motor vehicle registration fees collected under section 3 of title IV of the District of Columbia Revenue Act of 1937 (D.C. Code, sec. 40-103); and

"(B) the tax revenues (including penalties and interest) of the District of Columbia, including revenues derived from the following taxes: (i) taxes imposed on real and tangible personal property, (ii) sales and gross receipt taxes, (iii) taxes on the incomes of individuals, corporations, and unincorporated businesses, (iv) real estate deed recordation taxes, and (v) inheritance and estate taxes.

"(2) The term "general fund" means the general fund of the District of Columbia in the Treasury of the United States.

"(3) The term "Commissioner" means the Commissioner of the District of Columbia."

"Sec. 102. This title may be cited as the "District of Columbia Federal Payment Authorization Act of 1968."

Mr. ADAMS (during the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

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

There was no objection.

Mr. ADAMS. Mr. Chairman, this is the amendment that was offered in the District of Columbia Committee, and it lost by a 10-to-10 vote.

Not having prevailed in the majority, the amendment was not adopted.

This is the amendment which would provide that there be a 25-percent formula established, 25 percent of the District of Columbia tax revenues and fees. This would be established only for 2 years, fiscal year 1969 and fiscal year 1970. At the end of that period of time the Congress would consider what had occurred under the formula and would decide whether or not to continue forward with it.

This matches the formula on borrowing which was established by the gentleman from Minnesota in this Congress a few months ago. In other words, the borrowing formula, which allows the District of Columbia to borrow based upon 6 percent of the revenues of the District, and this tax payment formula would run out at the same time, in the middle of the next Congress, so that the Congress would have an opportunity to determine whether it wanted to change the system.

There were some remarks made that this would bypass the Appropriations Committee. That is not correct. The appropriations for the District of Columbia under this formula, under the bonding formula, and under all the rules of this House would continue to be made by the Appropriations Committee.

What this is is a revenue bill to determine how the District of Columbia will raise its revenues.

I am pleased that one of the gentlemen on the other side of the aisle asked the question about property taxes, because he is correct. As shown on page 29 of the hearings, the property tax rate in 1954 in the District of Columbia was \$2.15, and in 1968 the property tax rate is \$2.90. During that period of time, it is true, the assessed valuation in the District has gone up, but the assessed valuation has gone up because the property in this District has become incredibly valuable.

What we are talking about in this tax bill—and this is why I asked the questions of the gentleman from Virginia and some other Members who spoke—is, obviously any time one raises taxes it is difficult, but to raise taxes one must try to be fair. This is the thing a number of us have objected to in this bill. We have tried to compromise, and we are in support of raising additional revenue, but we do not believe we should raise revenue on the food that people eat, with a tax going from 1 percent to 4 percent. This is not food in restaurants or any fancy eating places. This is what the man goes to the grocery store and buys, if he can, and takes home.

We do not believe one should raise the tax on drugs when, with all of the new drugs, as we know, whenever a person is sick he just goes out to buy drugs, no matter what they cost, from zero percent to four percent, while at the same time we have not raised the amount we are going to require to be paid in certain fields.

I mentioned unincorporated business. I do not have an objection to excluding them, but I believe we should not exclude them while we are raising the sales tax.

The same is true with regard to the formula. There is a reason for the formula. The Federal Government owns an incredible amount of property in the District—an incredible amount. It requires all the services of the District.

What we try to do with a formula is to say, "This is in effect a payment in lieu of taxes." We can argue about the percentage. I do not mind saying 25 or 30 or 26 or 27 percent. We can compromise on this figure. But we should pay, as the Federal Government, a fair amount if we are going to try to put a tax on food and on drugs. We should pay a fair amount for the property of the Federal Government. That is why the formula is here. That is why we have recommended it.

If we did adopt a 25-percent formula, and passed the taxes in this bill, which would raise about another \$47 million, we would have raised as much revenue as would be raised under the package that has been proposed.

I am also worried, just from the standpoint of the reputation of the House, that we should exclude the cloakrooms from the sales tax on food while we are raising everybody else's taxes. Again I think the cloakrooms should be excluded, but I do not think we should be excluding them at the same time as we are taxing the man who goes to buy his food in the grocery store, raising his taxes from 1 to 4 percent and putting a 4-percent tax on drugs and not raising the tax on beverages and restaurants more than from 3 percent to 4 percent.

The CHAIRMAN. The time of the gentleman has expired.

Mr. ADAMS. Mr. Chairman, I ask unanimous consent to proceed for 1 additional minute.

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

There was no objection.

Mr. ADAMS. I will conclude my remarks by saying I hope that the gentlemen on both sides of the aisle will support this formula proposal. I want to compliment the gentleman from Minnesota who has suggested this formula. There are other Members, such as the gentleman from Maryland [Mr. GUD] and others who have worked on this for years. I hope my offering it does not prejudice it in any way, because it is a bipartisan matter and something we all have thought about for many years. I hope the House will adopt the amendment.

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

Mr. ADAMS. Yes. I am glad to yield to the gentleman.

Mr. NELSEN. I mentioned earlier that I supported the formula, but I want to make it very clear to the Members here under the formula the Appropriations Committee still will have complete authority as to the amount of money they will appropriate. They do not necessarily go to the level that the formula would set up. I want to make that very clear.

Mr. ADAMS. I thank the gentleman. I think he has made that clear, and I hope I made it clear in my remarks, because that is the case.

Mr. BROYHILL of Virginia. Mr. Chairman, will the gentleman yield?

Mr. ADAMS. I am glad to yield to the gentleman.

Mr. BROYHILL of Virginia. The pending amendment does not exclude the sales tax on food; does it?

Mr. ADAMS. No, sir. This is strictly the formula.

Mr. BROYHILL of Virginia. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I stated before that the Federal Government certainly does have a financial responsibility to the Nation's Capital. In that position, I do not think I have any quarrel from the gentleman proposing this amendment. However, I think we have a right and a duty to know the extent of that financial responsibility and that Federal payment. There is no magic formula that we can adopt that will bypass that responsibility. It is ridiculous to think we can discharge it merely by saying we owe to the people of the District of Columbia 25 percent of whatever revenue is raised from other sources, or 30 percent, as the case may be. As a matter of fact, early this year the District of Columbia government did ask for a formula of 25 percent Federal payment, but as recently as June they changed that and stated that 25 percent will not give them enough revenue. It now has to be 30 percent. So it makes no difference what figure we come up with. If it does not bring out enough revenue, they will surely come up and ask us to change the formula, exactly the same as they will come up and ask to increase the

\$80 million Federal payment if this is not enough.

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

Mr. BROYHILL of Virginia. I am glad to yield to the gentleman.

Mr. ABERNETHY. There are many Federal grants made all over the country from the Federal Government. I would like to point out that none of these are based on a formula. They are based on a determination by the Federal agencies involved and on a dollars-and-cents figure in the statutes.

Mr. BROYHILL of Virginia. I would like to point out that the formula proposed of 25 percent will not bring in any more revenue for the District of Columbia at the present time than we provide for in the bill, but if the formula proves to be excessive and to produce more revenue than is necessary, this will be used as an excuse to justify high spending and high appropriations. However, if the formula is insufficient and will not provide enough revenue, they will surely come up here and say we should increase the formula or the payment. In other words, it will be a one-way train. I question the constitutionality of this approach. Of course, I hesitate to say that because no one knows nowadays what the Constitution actually means. But here we have already delegated to the District government the authority to raise real property taxes, and this source brings in approximately \$111 million per year.

So, since they have control over that, they will have control over all the Federal payment because they control the source of approximately one-third of the revenue.

However, if certain incidents should again occur here in the District of Columbia such as the recent incidents of civil disobedience, rioting, looting, and other acts of civil disorder, the formula will not supply enough money because the city's general fund revenues will continue to decrease. Therefore, Mr. Chairman, the formula will not work. We will be asked for a higher Federal payment and, therefore, the Committee on Appropriations would play the final role in this matter. I have no question about how the Committee on Appropriations will handle it. But I do not feel that there is any excuse or any reason why we should abdicate our responsibilities in this field. Further, I do not know why the gentleman has suggested a 2-year formula. After 2 years pass, we will have to take a look at it again. Why not keep the figure at \$80 million? If that should not be sufficient, then we will have to do something about it. It is a serious matter to think that we can avoid our responsibility for this problem by any simple formula of 25 percent or 30 percent.

So, Mr. Chairman, I suggest that this amendment be voted down and that the Committee on the District of Columbia maintain its responsibilities to the District of Columbia, as we have always maintained them in the past.

Mr. HARSHA. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in opposition to the amendment.

As was pointed out by the distinguished gentleman from Virginia who preceded me in the well of the House, there is going to be a continual effort to come up here and change this formula, even if you approve it from year to year and, there would be a great deal of pressure to increase the formula.

Mr. Chairman, under this amendment the total amount of taxes at best is an estimate or a guesstimate, designed and intended solely to enable the District of Columbia government to obtain, each year, more Federal funds out of the U.S. Treasury.

However, the estimate is to be based upon the amount of taxes or tax revenue collected that year and then there would have to be an adjustment in the following year's budget, and the guess for the next year is repeated.

Mr. Chairman, the advantage of a lump-sum payment, as approved by your committee and the Congress, for all the years, is that the District knows the amount of the authorized Federal payment each year. It is not based upon any slide rule figure, or guess, as to which adjustments must thereafter be made because the experts were wrong in their estimates.

Mr. Chairman, until this year, proponents of the formula have always argued it would make budgeting so much simpler for the District, because once the formula were adopted it would not be necessary for the District to come to Congress each year to increase the Federal payment. Under the formula, the Federal payment would automatically increase because the total taxes collected each year would normally increase. But this year the experts ran into a snag and had to change their argument.

Mr. Chairman, the District of Columbia government came before the District Committee on April 25 with its revenue proposals including this formula providing for Federal payment authorization of 25 percent of the taxes collected as above. The District of Columbia officials estimated that in 1969 taxes collected would be \$331.6 million, 25 percent of which would produce a Federal payment of \$82.9 million.

Because of the April disorders, the revenue estimates were changed, and after the hearings, but before the committee could write up the revenue bill, the District government sent down a revision of the formula raising it to 30 percent rather than 25 percent of the taxes collected. The District government also revised downward its estimate of taxes to be collected as \$327.6 million rather than \$331.6 million, 30 percent of which would produce a Federal payment of \$98.3 million. So, Mr. Chairman, the fallacy of the argument originally presented to the Congress—that a formula once adopted would suffice thereafter, to meet the District needs each year without returning to the Congress for further Federal payment authorization—is evident.

If this formula is adopted as the proposed amendment provides, it is almost a foregone conclusion based on our experiences in recent years, that the District government will be back before our

committee next year and the year after, and so on, requesting an increase in the percentage. The incentive there will be to increase taxes upon which the percentage is based, or the formula is based.

Now, one thing I want the committee to understand is that in 1963 the Federal payment was \$32 million. In 1967 the Federal payment was \$60 million. Last year alone we raised it an additional \$10 million, to make it what it is now, \$70 million. And we again this year propose to increase it another \$10 million, to make it \$80 million.

In that short span of time we have almost tripled the Federal contribution to the District of Columbia government.

Let me also point out to the Members that in the very brief period from 1964 to 1969, the total District of Columbia annual budget has doubled from \$358.5 million in fiscal 1964 to almost \$714 million in fiscal 1969. This year alone it is \$100 million over last year.

Why does the rest of the country have to economize, why do we have to cut down spending for the rest of the country, imposing a surtax on the rest of the country and ask the rest of the country to tighten its belt and then come in here and increase the District of Columbia budget by \$100 million in 1 year?

The CHAIRMAN. The time of the gentleman from Ohio has expired.

(By unanimous consent, Mr. HARSHA was allowed to proceed for 2 additional minutes.)

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

Mr. HARSHA. I will be glad to yield to the gentleman from Iowa in just a moment, but first let me finish this statement:

Yet, significantly enough, while the demands upon the Federal Treasury and the tax revenues of the District of Columbia have increased in an unproportionate amount as to the rest of the government, the services have greatly expanded, the employment has greatly expanded, yet the population of the District of Columbia during this period of time in most years has declined, or in other years has held at its present level?

This burgeoning of the District of Columbia budget must be halted, and the only way we can do it is to hold to this Federal payment, to the lump sum plan.

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

Mr. HARSHA. I now yield to the gentleman from Iowa.

Mr. GROSS. Mr. Chairman, I would ask the gentleman from Ohio how officials of the so-called government of the District of Columbia explain the tremendous increases in their costs of operations.

Mr. HARSHA. I will reply to the gentleman from Iowa, there are arguments on both sides of that, but to my satisfaction they never have explained it.

Mr. ADAMS. Mr. Chairman, would the gentleman yield for an answer to the question posed by the gentleman from Iowa?

Mr. HARSHA. I yield to the gentleman from Washington.

Mr. ADAMS. Mr. Chairman, I would point out that the two biggest expenses are, No. 1, for education and, No. 2, for additional police protection.

Mr. HARSHA. While we are on the subject of police protection, let me tell the Members that last year there were 357 vacancies on the police force, and it took them the whole year to bring in 227 new policemen. We are still 128 policemen under the authorized 3,100 police officers.

Now they have asked for an additional 1,000 police officers, which will call for \$16.5 million to do it. But they cannot possibly hire another 1,000 police officers in 1 year's time.

We have provided in this bill almost \$7 million to take care of that possibility.

The CHAIRMAN. The time of the gentleman from Ohio has again expired.

(By unanimous consent, Mr. HARSHA was allowed to proceed for 1 additional minute.)

Mr. HARSHA. If they are successful in hiring 1,000 more police officers, I certainly will approve it, or consent, at least as far as I personally am concerned, to receive a request for a supplemental expenditure on that item.

Let me point this out: That this amendment calls for a formula payment for a 2-year period, and at the end of the 2-year period it will then again become a fixed-sum payment. The same thing we are trying to provide for here, and the gentleman from Washington pointed out, there has been this formula applied on the borrowing authority. As it is, we have increased the borrowing authority a tremendous amount, and we are now trying the formula method for that part of the District of Columbia budget.

Would it not be better judgment to proceed with that innovation, and see how it works, see whether or not it is successful, and if it is successful we then have some experience upon which to base an effort to try the formula method for the Federal payment. But let us not go into two avenues that have previously been unexplored or untried at the same time.

Mr. Chairman, I hope the amendment is defeated.

The CHAIRMAN. The question is on the amendment to the committee amendment offered by the gentleman from Washington [Mr. ADAMS].

The question was taken; and on a division (demanded by Mr. ADAMS), there were—ayes 36, noes 43.

Mr. ADAMS. Mr. Chairman, I demand tellers.

Tellers were refused.

So the amendment to the committee amendment was rejected.

AMENDMENT TO COMMITTEE AMENDMENT OFFERED BY MR. ADAMS

Mr. ADAMS. Mr. Chairman, I offer an amendment to the committee amendment.

The Clerk read as follows:

Amendment to the committee amendment offered by Mr. ADAMS: On page 16, line 14, insert the following immediately before the period: "and inserting after the period at the end of such section the following new sentence: 'The word "food" shall not include spirituous or malt liquors, beer, or wines.'"

On page 19, line 25, insert immediately before the period the following: ", and the rate

of tax with respect to sales of food for human consumption off the premises where such food is sold shall be 1 per centum of the gross receipts from such sales".

On page 20, strike out lines 1 through 7 and redesignate the succeeding sections in title III and all references thereto accordingly.

On page 20, insert "and" at the end of line 22 and strike out line 23, and on page 21, strike out lines 1 and 2 and insert in lieu thereof the following:

"(3) by redesignating paragraph (r) as paragraph (q)."

On page 21, line 16, insert immediately before the period ", except that the rate of tax with respect to sales of food for human consumption off the premises where such food is sold shall be 1 per centum of the sales price of such sales".

Mr. ADAMS (during the reading). Mr. Chairman, I ask unanimous consent that the amendment may be considered as read and printed in the RECORD.

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

There was no objection.

The CHAIRMAN. The gentleman from Washington is recognized for 5 minutes.

Mr. ADAMS. Mr. Chairman, this is the amendment that was indicated earlier would be presented to return the situation of taxation on food and drugs to the original position that they were in. In other words, the committee increased the tax on food taken from a grocery store from 1 percent to 4 percent. The amendment would restore the amount to be taken from a man's salary when he goes in to buy his food at the grocery store to an amount of only 1 percent.

With regard to drugs, the amendment provides that there would be no sales tax on drugs.

What the committee has done in this case is to put a very regressive tax on food and on drugs, which are absolute necessities for life.

I would like to point out what the effect of this type of tax is as compared to an income tax or as compared to property tax or as compared to all the other taxes we have had. If you are a man who takes home only \$50 a week, you probably spend close to half your budget on food, maybe more. You have to in order to stay alive. So when you pay a 4 percent tax on food, you are paying a tax on a major portion of your earnings.

A man who will earn \$500 a week or \$400 a week spends only \$50, \$60, maybe close even to \$100 on food. The percentage of his income that you take is much less than that taken on the poor. We do have a number of people in this city who are poor or who are on welfare. I wish we did not.

I wish that we could correct this, and we are trying to do so. That is part of the reason why the budget has gone up, as has been mentioned by some of the earlier speakers. This city has been neglected for years, and starting a few years ago we have tried to correct this, and there have been corrections. We have a long way to go on education so that our people can support themselves and can become taxpayers across the full spectrum. We have some incredible problems of protection of the public safety in this city. They apply not only because this

city suffers from the problems of every city in America, and the central district is going downhill because we have not determined how to bring it back up, but also we have the problem in the central area of patrolling the streets. Therefore, we have one bad set of problems. We have a second set of problems.

This is the Federal City. We do a lot of things of a Federal nature in this city that are not done in any other city in America. So we need more police protection. We need more public services than we have elsewhere. We have to have more firemen, more reserves, more protection, because, yes, you and I as Congressmen are here, and yes, the Federal Government is here and, yes, the Federal Government must be protected and things have to be done for it. We have to try to make this a model city. We are not doing it and we know it.

So many of us have voted for proposals in this bill. We went along. We compromised. As I mentioned before, we took out some of the professional people. We went along with increasing the sales tax generally from 3 to 4 percent. We went along with increasing the income tax, even at the level of a \$2,000 income. We have gone along with the whole spectrum of propositions. All we are asking is that this be fair, and, yes, what we are saying here is that this is a very regressive tax. So we are asking that the tax on food taken out of a grocery store be removed, and that the tax on drugs be removed.

If this carries, then I will favor an amendment to raise the tax on beverages and on restaurant meals from 3 to 4 percent to bring back part of the income.

I know that this is a difficult thing. Taxes are difficult on all of us. But we have got to put this city back together. We have got to have some protection.

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

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

Mr. GROSS. Is the gentleman aware that last summer, just last year, young vandals rocked out \$170,000 worth of window glass in the schools in this city?

Mr. ADAMS. I am aware of that, and I would say to the gentleman that if we would spend, and if we do spend the money that is necessary on education, and if we could bring the Police Department up to strength, which we are attempting to do by new recruiting techniques and by new increases in salary, we can deal with this problem, and that is what we are trying to do.

Mr. BROYHILL of Virginia. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I think we can all agree that a food tax is most undesirable. In fact, I think all sales taxes are regressive, and all excise taxes are regressive. Many Members will recall that the Ways and Means Committee worked for many years in an effort to get the excise tax, which is a form of sales tax, eliminated from ladies' jewelry, cosmetics, handbags, and luggage, and from admission taxes. We actually had a formula where—by the excise taxes on telephone service

and automobiles would eventually be eliminated, and we had to postpone that elimination.

If there was any other way whereby we could raise the necessary revenue to finance the District of Columbia government, there would not be any sales tax, much less a sales tax on food.

I might say—and I have said this before in my remarks—all of us are concerned about the plight of the poor. I do not think anyone among us has a monopoly on concern for those who are poor and downtrodden. I also said a few moments ago that we must do more for those who cannot help themselves. We spend billions of dollars in trying to eliminate poverty and human suffering and unemployment, but we have found that there has been a lot of slippage and waste, and that the benefits have not gotten down to those we have tried to help, so I think we should look for better ways and better formulas for helping those who cannot help themselves.

But I think also we should think about the middle-income group, the fellow who gets out of bed and goes to work every day, goes to church, sends his children to school, and pays he taxes. He is the backbone of this Nation, and he represents the majority of American people, the majority of those who pay all sales taxes—on food and all other sales. Actually, we reduced the taxes on the poor or low-income people as far as the income tax is concerned, when the bill was reported out of the committee.

Mr. Chairman, I think there are five factors we should consider in discussing this amendment. I mentioned a moment ago that we are trying to make existing taxes comparable to those in the suburbs, and we have done that insofar as the State of Virginia is concerned, and very close to comparability with the State of Maryland.

Second, most people in the District of Columbia are transient, and many of these people never get on the city's income tax roll. Actually, the only way we can really get these people to pay taxes is through some form of sales tax, including a tax on the sale of groceries.

Third, the income per capita in the District of Columbia—recognizing that we do have our share of poor people—is among the highest in the entire United States, so why should the people in the District of Columbia be exempted from a form of taxation that 31 of our States already have on their statute books—and that includes the State of the gentleman who offered the amendment to eliminate the tax?

Also, if this amendment is adopted, we are going to lose \$8.5 million in potential revenue. The amendment being discussed will reduce the revenues provided by the committee's bill by \$11.1 million. And by increasing taxes on restaurant meals and alcoholic beverages to 5 percent instead of 4 percent as the committee has recommended, we will only bring in \$2.6 million in additional revenue. Hence, the net loss will be \$8.5 million.

If the amendment of the gentleman from Washington is adopted, we will lose another \$8.5 million of potential

revenues, and I am going to predict that even the estimates in the report itself are going to fall short, because we have lost millions and millions of dollars in business and revenues in the District of Columbia because of the Poor People's March and the riots and other civil disturbances that have occurred here in recent months.

So we will be back here asking the rest of the people of the United States to finance by additional money the District of Columbia, and certainly we should not be asked to reduce the revenue proposed in this bill by another \$8.5 million.

Mr. MOSS. Mr. Chairman, I rise in support of the amendment.

Mr. Chairman, I must confess I find it rather difficult to believe that this Committee is going to impose a price increase on food and drugs for the vast majority of people in the District of Columbia who are in very low-income categories.

I do not live in the District of Columbia. I have no property here. It is not going to affect me.

But I walked out to the telephone, and I phoned to my county assessor's office out in Sacramento, Calif.

I believe it is quite obvious why there is a problem here. It is very obvious. The District of Columbia assessed value of taxable property in 1968 is \$3,369,209,000. The tax rate is \$2.90. It is going up to \$3 this time.

I learned that the combined tax rate in my county is \$10.48 per \$100 of assessed valuation.

I believe that if the rest of the Members would go to their telephones and make comparable calls they would find that the underlying cause of the lack of adequate finances remains as it has always been in the District of Columbia, a lack of fair and equitable levy on real property.

I remember going back quite a number of years ago, when we took the trouble to compare taxes in a number of cities around this Nation, and in case after case after case the same pattern of inequality of taxation of real property existed.

This is a unique enclave of privilege insofar as property ownership is concerned here in the District of Columbia. I do know why that it, but I know this House, this Congress, has the power to reach it. But it does not do so.

So we adopt, if the committee prevails, a highly regressive tax, a highly unfair tax.

My State, with all its problems of growth and its need for new revenues, has not felt compelled to place on the backs of the poorest of its citizens a tax on their groceries and their medicines.

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

Mr. MOSS. I am happy to yield to the gentleman from Minnesota.

Mr. NELSEN. I want the gentleman to know that the city government has the authority to levy the tax on real property in the District of Columbia. We gave them that authority about 3 years ago.

Mr. MOSS. Yes, I know they have; and I know that the committee has the authority to direct them to increase that levy. I cannot for the life of me under-

stand why year after year after year that authority is not exercised.

I think that the tax being proposed today, the sales levy, is an outrage. I think it is an affront to the people who are denied representation here in this body.

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

Mr. MOSS. I am happy to yield to the gentleman from Illinois.

Mr. PUCINSKI. The gentleman from Virginia talked about the need for a sales tax on food. I wonder if I may have the gentleman's attention.

What is the gentleman's attitude on a payroll tax or a commuter tax, to have all of these fine people who come here every morning, who earn their living in the District and who leave in the evening, who leave no significant contribution to the city, who get the benefit of police protection and fire protection and all the other services, pay such a tax?

I wonder what the gentleman's attitude would be toward getting a proper solution to the financial needs of this city through a payroll or commuter tax.

Mr. BROYHILL of Virginia. In the first place, I wish they would get some more police protection. Then we would have more of them coming here to shop.

Mr. PUCINSKI. Forget about the shopping. What about the working. They come here to work.

What about putting a tax on earnings? Mr. BROYHILL of Virginia. Everyone who comes to the District of Columbia and buys anything in the District of Columbia must pay the sales tax and all the other taxes.

Mr. PUCINSKI. I asked you about an earnings tax. Forget about that sales tax. They do not do any buying here to amount to anything.

Mr. BROYHILL of Virginia. I do not believe that anyone should pay a premium for the right to work for the Federal Government.

Mr. GUDE. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I merely rise to associate myself with the remarks of the gentleman from Washington [Mr. ADAMS] in opposition to this excessive 4-percent tax on food. I think this comes at a very unfortunate time, particularly when this House has been passing legislation such as the school lunch program and showing its awareness of the importance of nutrition in our national war against poverty.

Mr. JOELSON. Mr. Chairman, I rise in support of the amendment.

I think it is incredible in this day and age that this Congress should be asked to increase a sales tax on food in the District of Columbia. It displays an appalling insensitivity to the needs of the times and to the mood of the times. We are told day after day that men and women do not have enough bread. Our answer today is to add to the tax on bread. We are told that children do not have enough milk. Our answer is to increase the tax on milk.

Mr. Chairman, I agree completely with the gentleman from California that if we want to get the revenue, we should get it from people who have the ability to pay. When you tax a poor man for food at a

rate of 4 percent, it is a much greater sacrifice than when you tax a well-to-do man 4 percent. That well-to-do man is just going to buy as much food as he always did, but it is conceivable and in fact it is likely that a poor person will be deprived of food because of the tax.

Mr. Chairman, I urge the acceptance of this amendment.

Mr. ABERNETHY. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I know how this sort of a tax aggrieves and concerns the members of this committee. It concerns me.

I do not like to advertise or comment on it—and I seldom do—but the average income of the people in my State is the lowest in the Nation. Now, I do not say that with any degree of pride. It is a very sad thing. The sources of revenue available to that State reached the bottom of the barrel. So, we had to go to this kind of a tax. My State was the first in the Union to enact a sales tax. Whether it was enacted upon food or whatnot, all other States thought we were wrong; but most of them eventually enacted such themselves. And this is what the District is going to have to do.

Now, Mr. Chairman, as in all States there is some poverty in the District of Columbia. Those who are going to suffer if you adopt this amendment are those who are very poor, because most of the revenue we are trying to raise will go directly to those on welfare. If you do not want that other large segment of the District population, which is probably 95 percent or more, who can afford to pay this tax and who can afford to make that additional contribution to those who need it for welfare, for dependent children, and so on—if you do not want them to pay such, then you vote for this amendment, and the poor people will not get the money they need.

If we adopt this amendment, I know who will suffer. It will not be those who can pay the tax. It will be those on welfare who are to be the recipients of this revenue.

Mr. Chairman, unfortunately the State of our good friend, the gentleman from Washington [Mr. ADAMS] who proposed this amendment, why his State levies a 4.5-percent sales tax on food and a 4.5-percent tax on medicine. Mr. Chairman, I know this hurts. I know they would rather this would not have to be. But evidently a majority of the Legislature of the State of Washington and the gentleman's Governor found that they had to do so to meet the needs of the people of that great State. In addition, Mr. Chairman, there are 30 other States which levy similar taxes, a list of which I have in my hand and which my chairman will place in the RECORD.

Mr. Chairman, even in the great State of Illinois from which my good friend, the gentleman from Illinois [Mr. PUCINSKI] comes—and I am not being critical and I want to agree with some of the criticisms and recommendations he offered—even his State levies a 4.5-percent sales tax on food. There are many poor people in the city of Chicago as well as throughout the State of Illinois. Regrettably, Illinois had to go to resort to this tax to meet the needs of all of its people, including the poor.

Mr. Chairman, the State of Kentucky, a State with many poor people, just a few days ago raised its sales tax from 3 percent to 5 percent, and they levied it across the board on food and medicine. I know it hurt. I know they did not want to do it. But they had to.

It serves one no great pleasure or credit, Mr. Chairman, to serve on this committee. It is a tough job. Maybe I should get off. But someone has to do this job. About all I get out of it is some kicking around, particularly from some of those people—some woodpeckers—sitting in the press galleries. They constantly ride the chairman and other members of this committee as they did in this morning's papers. The reward for doing this job is terribly light, if there is any reward at all.

Mr. Chairman, we have been through this year after year after year after year. We have come to the point that you either take a sales tax or these poor people who need the welfare money are going to be the ones that suffer the most.

Mr. ADAMS. Mr. Chairman, will the gentleman yield for a question?

I would like to ask one question and make one comment.

Mr. ABERNETHY. I yield to the gentleman for a question.

The CHAIRMAN. The time of the gentleman from Mississippi has expired.

(By unanimous consent Mr. ABERNETHY was allowed to proceed for 1 additional minute.)

Mr. ADAMS. I just want to ask the gentleman from Mississippi if he thinks the fact that the State of Kentucky and other places as well as his State are doing this is something—

Mr. ABERNETHY. And your State—

Mr. ADAMS. And my State, that should be done. I do not.

Therefore, I ask the gentleman whether he thinks this is a good thing.

The second thing is serving on the Committee on the District of Columbia which is a difficult assignment. However, so long as the Congress persists and insists that they are going to take over the District some of us are supposed to serve on this committee and to do the job for which it is designed.

If the gentleman from Mississippi does not like it, I am sure some of our fellow colleagues will fill in for him if he wants to leave the committee.

The CHAIRMAN. The time of the gentleman from Mississippi has again expired.

(By unanimous consent Mr. ABERNETHY was allowed to proceed for 1 additional minute.)

Mr. ABERNETHY. With all deference, I really would like to say to the gentleman if he has any criticism of this kind of tax, he ought to start at home. We are not proposing to lift the sales tax to the level that you have in your State of Washington. We are being more temperate and modest with this tax than are the authorities in your great State. I do not say this to needle the gentleman.

Mr. ADAMS. I will state to the gentleman that it is not a question of needling me—

Mr. ABERNETHY. Regretably, I can-

not yield any further to the gentleman from Washington.

If they needed additional revenue in the State of Washington, and I am sure they did, instead of a food tax why did they not levy a tax on income? That would appear to me to be what should have been done. I understand that Washington State has no income tax. On the other hand I recognize that you people in Washington State have a right to levy what ever tax suits you. That is your privilege. But don't make such a levy and then criticize others for attempting to do the same thing.

Mr. CEDERBERG. Mr. Chairman, if the gentleman will yield, is it not true that if we lose the revenue by not putting this tax on—and we do not like taxes, none of us do—then the loss will have to be made up by the taxpayers throughout the whole country?

Mr. ABERNETHY. I am not so sure. The District may just have to do with less. I am not too sure the Congress will enlarge the grant. I can tell you the Members of this House are getting a little sick of this so-called Federal payment business, and so are the Nation's taxpayers. The Federal grant has grown in 5 years from \$32 to \$80 million as carried in this bill. That is traveling pretty fast. And it started at \$2 million, then on up to \$32 million. I repeat, in the last 5 years it has grown from that \$32 to \$80 million.

No one likes taxes. No one likes to levy taxes. Levies must be made in keeping with the sources of revenue. We have studied this question for years. We have now reached the bottom of the barrel. We either levy the sales taxes included in this revenue bill, or else the people of the District must give up something; and those who will be hurt the most are the poor people.

The CHAIRMAN. The time of the gentleman from Mississippi has again expired.

Mr. JACOBS. Mr. Chairman, I rise in support of the amendment.

Mr. Chairman, the theory of a sales tax is very simple: "never hit a man when he is up." A sales tax should be the very last resort for raising revenue in any situation, but if you do enact a sales tax, putting it on take home food should be the very, very last resort.

Now, it may not be the first resort in this revenue measure, but it certainly is not the last resort, either, because the plain fact of the matter is that \$3 is the rate on real estate taxes in the District of Columbia. Back home in Indiana I pay \$11 per \$100 rate on my real estate.

Who is going to make up for it if the poor people of this community are not taxed while the coaches ride by to the restaurants?

Well, maybe the people who have property in the District of Columbia can start paying their fair share. We just passed a 10-percent surcharge the other day for the whole country, or part of the whole country, while some people bask in exemptions and depletion allowances, and that kind of thing, and do not bear their fair share.

Now, here we go again.

Mr. Chairman, I have detected a note of some retribution in some remarks that

have been made here today—talking about riots and "what those people have done." Well, who are those people? Is it every person who is poor in this community who has participated in riots and broken windows in schools? Or do you want to talk about those who have been law-abiding citizens who have huddled in the doorways while the riots were raging and who have spoken out in their churches for law and order? A person pays sales tax when he buys something, not when he steals something. When a poor person goes down to buy food he has only \$10 or maybe \$9.20 in his pocket for the whole week to buy food. He would not pay 3 percent more. His babies would eat 3 percent less.

These are the kinds of things we are talking about. And that is the kind of thing that has led to the downfall of civilizations in this world—those who are well off and do not understand those who are far below "not well off." And if communication breaks again with an act of this Congress today, then we are more closer to the failure of the experiment in democracy where self-discipline is required of all citizens, and self-discipline is required of the Members of this Chamber.

That is the kind of thing we object to.

I am not talking about bleeding hearts. It may be funny to some people. The rat control bill was funny to some people. I am talking about the sort of thing that occurred to the czar of Russia when his troops were freezing at the front, and he laughed in warmth on the Baltic.

I hope Members will bear this in mind when they vote on whether they want to increase by 300 percent the tax on that person who in a week's time digs up \$10 to go down to the grocery store. He should pay some tax, all right. One percent is some tax. And for him it is enough. Go tax those who have houses out in Georgetown and then come back, so that person who did not participate in the riots can be treated fairly by the government with which he has kept faith.

If we were going to treat the draft law in this country the way it is proposed we tax the poor people who buy food in the District of Columbia, then no matter how much you weighed or how old you are, you would be drafted. Because the draft law would no longer be on the basis of the ability to serve. The draft law is based on the ability to serve. The tax law should be based on the ability to pay.

That is what we are concerned about, and I hope Members will bear it in mind when they vote.

The CHAIRMAN. The question is on the amendment to the committee amendment offered by the gentleman from Washington [Mr. ADAMS].

Mr. ADAMS. Mr. Chairman, I demand tellers.

Tellers were ordered, and the Chairman appointed as tellers Mr. ADAMS and Mr. McMILLAN.

The Committee divided, and the tellers reported that there were—ayes 69, noes 50.

So the amendment to the committee amendment was agreed to.

AMENDMENT TO COMMITTEE AMENDMENT
OFFERED BY MR. FRASER

Mr. FRASER. Mr. Chairman, I offer an amendment to the committee amendment.

The Clerk read as follows:

Amendment to the committee amendment offered by Mr. FRASER: On page 22, strike lines 11 through 16 inclusive.

Mr. FRASER. Mr. Chairman, this amendment does not deal with the question of revenue.

It does deal with an effort written into this bill to insert the Congress of the United States into the educational practices of the District of Columbia.

About 2 years ago an energetic group of citizens in a Maryland county decided that they would like to help bridge the gap between the District of Columbia with respect to its educational problems and this community out at Bannockburn. The people out at Bannockburn offered to take some of the elementary school children from one of the schools in the District of Columbia, some of the children from a school known as the Agnes Meyer School, an elementary school at 11th and Clifton Streets in Northwest Washington. They offered to take 21 young children in grades 1, 2, and 3, and permit these children from the center of Washington, D.C., to fill in some of the vacancies that they had in their elementary school out in Montgomery County.

The PTA was very interested in this project. In fact, it had a vote of the families involved in that school, and by a vote of 2 to 1 they voted that they would like to take some of these children from the District of Columbia out in Montgomery County.

What we have proposed to do in this bill is to say that that arrangement is not going to be permitted. The great, mighty power of the U.S. Congress is being inserted between the elementary school in the center of Washington, D.C., and this community group out in Bannockburn who have indicated their interest in having these children come out.

In this bill we are trying to say that these 21 young elementary school children may not attend this school out in Montgomery County, despite the interest of the school in Montgomery County to have them.

I do not see why it is that we have to insert ourselves into the educational policy of the District of Columbia. I do not know why it is we have to write a provision in here which would prevent these children from accepting this offer and having a chance to be educated in this elementary school in Montgomery County.

So my amendment would strike this language. My amendment would take this language out so that this arrangement could proceed, so that these young children could have the advantage of this experiment of having education in this school in Montgomery County.

Mr. Chairman, it is a very simple amendment. It would simply take out this prohibitory language, and in effect says that the Congress will not involve itself in the educational policy of the District of Columbia, but instead will

leave this up to the school boards of the respective schools involved.

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

Mr. FRASER. I yield to the gentleman from North Carolina.

Mr. WHITENER. Will the gentleman restate the matter which would be stricken by his amendment from the bill?

Mr. FRASER. Yes. The amendment would strike lines 11 through 16 on page 22.

Mr. WHITENER. Mr. Chairman, will the gentleman yield further?

Mr. FRASER. I am glad to yield to the gentleman from North Carolina.

Mr. WHITENER. The gentleman has mentioned these 21 students, Dr. Carroll, who I believe is Assistant Superintendent of Education, testified that the proposed action would cost the taxpayers, if the District of Columbia paid for it, something like \$700 per student per year. Does the gentleman feel that the children should be transported to another jurisdiction when there are adequate schools within the District of Columbia at this additional cost to the Government?

Mr. FRASER. I think, if the gentleman would consider for a moment, that the general view of this Congress is that these questions should be left to the local school boards, that they should decide what is best for the children in the school district, and that we should not impose ourselves in making an educational judgment in the Congress. We should instead leave it to the staffs and the school boards and those who have the best knowledge of what would be best for the children.

So my view would be that, if it would be helpful to the children involved, it would be worth trying. I do not want to be a party to writing a full prohibition against them.

Mr. WHITENER. Mr. Chairman, will the gentleman yield further?

Mr. FRASER. Yes; I am glad to yield to the gentleman from North Carolina.

Mr. WHITENER. Would the gentleman agree that if his amendment were adopted and if his philosophy were followed, then the Congress would abdicate its responsibility for expenditures and in effect say to the District school authorities that if, instead of sending these children to Montgomery County, Md., they could send them to Minneapolis, Minn., or San Francisco, Calif., and not only pay their transportation and their tuition, but also pay the cost of their board and lodging? That is the logical conclusion one could reach, is it not?

Mr. FRASER. As the gentleman clearly knows, there is no such suggestion being made and there is no such proposal before the school board. All there is, is this effort to build a bridge between two communities, one in the center of Washington and one in a suburb which is very close to and which has an interest in the District of Columbia. That is the only proposal we are dealing with, and it is a proposal which by this language we would bar.

Mr. WHITENER. Mr. Chairman, I rise in opposition to the amendment.

I understand, Mr. Chairman, the motivation of my friend from Minnesota,

but I cannot accept his philosophy that the Congress has no proper role to play in determining how the taxpayers' money shall be spent by the Board of Education or any other governmental body.

If we follow the reasoning of the gentleman from Minnesota, there would be no limitation upon the expenditure of appropriated funds by the Board of Education for the transportation and tuition and even the lodging of public school-age students anywhere in the United States.

This language which the gentleman seeks to strike merely says that no funds appropriated for the District of Columbia may be used "for the cost of education—including the cost of transportation—of any individual in an elementary or secondary school located outside the District of Columbia, except handicapped individuals for whose education facilities do not exist in the public school system of the District of Columbia."

It would be unfortunate to follow the suggestion of the gentleman and authorize in effect the use of the taxpayers' money in the District of Columbia to send children abroad for education in other school systems.

Mr. GUDE. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I know the hour runs late. These amendments were brought to the attention of the committee the last day we met so we really did not have the opportunity to give them careful study.

Just as one example, without going into all the ramifications of this, we checked with the welfare department of our county and the District of Columbia. There is a certain welfare program—and we did not have the time to get all the details on it, in which there are 72 District of Columbia children enrolled in Montgomery County elementary and secondary schools, whose tuition is being paid by the District of Columbia. I imagine these children are in foster homes or some similar situation in our county.

This program is already in effect and these children could no longer go to school under this program if this section is not remedied by the amendment of the gentleman from Minnesota [Mr. FRASER]. This welfare program is an attempt to help some deprived children get straightened out in a better home environment.

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

Mr. GUDE. I yield to the gentleman from Minnesota.

Mr. FRASER. Mr. Chairman, is the gentleman telling us that if we do not adopt the amendment which I proposed, we would cut off some children already provided for because of some problem arising out of the welfare problems?

Mr. GUDE. Yes. This is District of Columbia money paid through the District of Columbia Welfare Department. I do not know all the details, but for some reason or other, these children are living in Montgomery County and are going to Montgomery County schools. As I see it this bill could force the discontinuance of this program. I would not be surprised if there are not a number of deprived District of Columbia children

who are living and going to school in the same program in Prince Georges County and Virginia.

Mr. FRASER. So I understand the gentleman feels, in order to protect the status of these children, we ought to strike the language my amendment would strike?

Mr. GUDE. That is correct.

Mr. FRASER. I thank the gentleman.

The CHAIRMAN. The question is on the amendment to the committee amendment offered by the gentleman from Minnesota [Mr. FRASER].

The question was taken, and the Chairman announced that the noes appeared to have it.

Mr. FRASER. Mr. Chairman, I demand tellers.

Tellers were ordered, and the Chairman appointed as tellers Mr. FRASER and Mr. McMILLAN.

The Committee divided, and the tellers reported that there were—ayes, 48, noes 64.

So the amendment to the committee amendment was rejected.

AMENDMENT TO COMMITTEE AMENDMENT
OFFERED BY MR. ADAMS

Mr. ADAMS. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment to the committee amendment offered by Mr. ADAMS: On page 19, line 25, strike out the period and insert in lieu thereof the following: “, and the rate of tax with respect to sales of spirituous or malt liquors, beer, and wines, and to sales of food for human consumption (other than off the premises where such food is sold), shall be 5 per centum of the gross receipts from such sales.”

On page 21, line 16, strike out the period and insert in lieu thereof the following: “, and the rate of tax with respect to sales of spirituous or malt liquors, beer, and wines, and to sales of food for human consumption (other than off the premises where such food is sold), shall be 5 per centum.”

Mr. ADAMS. Mr. Chairman, this is the amendment I indicated earlier I would offer if the amendment removing the tax on food sold in grocery stores was adopted.

That amendment was adopted, and I therefore offer this one. This would have raised \$3.3 million and replaced a portion of the revenue to be lost by the reduction of the tax on food bought in grocery stores.

One of the gentlemen mentioned a little earlier about the value of the sales tax and mentioned that people who came into the District and left the District and were protected by the Police and Fire Departments never paid any taxes here. The primary person involved in that is a person—and I must confess that I am a part of this, because when I have guests I bring them into town, guests from out of the city, as well as the rest of us do, and I bring them to these restaurants downtown. These people have cocktails before dinner or malt liquors, as they say in the bill, and buy food. It was recommended by the committee to the District government that they raise the tax from 3 to 5 percent, but it was only raised from 3 to 4 percent, the committee says. Mr. Chairman, I am offering this amendment to see that the tax goes to 5 percent. If this amendment

is adopted, as I hope the minority will accept it in their motion to recommit, I hope that this will go into the formula. If that formula is applied to the tax revenues now plus the revenues that we will raise in this bill, then I believe, together with this amendment, it will raise the same amount of revenue that we originally suggested should be raised. The reason for this is the revenue figures contained in the formula as reported out as \$12.9 million—if you add in the \$40 million, not the amount of the Federal payment but the \$40 million otherwise—and apply the 25 percent to it, together with this amendment it will balance the budget.

Mr. Chairman, I know that the hour is late. I will not take any more time. This is the amendment that I mentioned previously, and I am offering it now.

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

Mr. ADAMS. I yield to the gentleman. Mr. BUCHANAN. Mr. Chairman, I want to register my support for the removal of the tax on food and for this amendment. It seems to me to be the right place to raise revenue. If the people of this city want to drink themselves blind, this is their privilege, but this is the place to raise revenue, together with increased real estate taxes.

Mr. McMILLAN. Mr. Chairman, I rise in opposition to the amendment.

I would like to say to the Committee that we gave serious consideration to this amendment and to an increase in the dining room service, also to the service in hotels, we increase by 1 percent. We had figures from the hotels and restaurants showing that they had lost 50 percent of their trade this year on account of the law-enforcement problem in the Nation's Capital. If you want to run people out of business and send them to Virginia, this is a good way to do it.

Thank you.

Mr. NELSEN. Mr. Chairman, I move to strike the last word.

Mr. Chairman, my concern on this is a recollection of what happened on our cigarette tax. We increased it and we lost revenue. I do know that we will be out of line with Virginia and Maryland, and it means those in business in the District of Columbia will find themselves at a disadvantage over those who may be in business outside the District of Columbia. I think this should be taken into account. I believe the record will show we are way out of line with Maryland and Virginia on the tax level. This is something we should consider when we consider this amendment, I believe.

The CHAIRMAN. The question is on the amendment to the committee amendment offered by the gentleman from Washington.

The question was taken; and on a division (demanded by Mr. McMILLAN) there were—ayes 73, noes 22.

So the amendment to the committee amendment was agreed to.

The CHAIRMAN. The question is on the committee amendment, as amended.

The committee amendment, as amended, was agreed to.

Mr. McMILLAN. Mr. Chairman, I move that the Committee do now rise and report the bill back to the House with

an amendment, with a recommendation that the amendment be agreed to and that the bill, as amended, do pass.

The motion was agreed to.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. GIBBONS, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 16361) to provide additional revenue for the District of Columbia, and for other purposes, had directed him to report the bill back to the House with an amendment, with the recommendation that the amendment be agreed to and that the bill as amended do pass.

The SPEAKER. Without objection, the previous question is ordered.

There was no objection.

The SPEAKER. The question is on the amendment.

The amendment was agreed to.

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

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

MOTION TO RECOMMIT OFFERED BY MR. HARSHA

Mr. HARSHA. Mr. Speaker, I offer a motion to recommit.

The SPEAKER. Is the gentleman opposed to the bill?

Mr. HARSHA. I am, Mr. Speaker, in its present form.

The SPEAKER. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. HARSHA moves to recommit the bill H.R. 16361 to the Committee on the District of Columbia.

The SPEAKER. Without objection, the previous question is ordered on the motion to recommit.

There was no objection.

The SPEAKER. The question is on the motion to recommit.

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

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

The SPEAKER. Evidently a quorum is not present.

The Doorkeeper will close the doors, the Sergeant at Arms will notify absent Members, and the Clerk will call the roll.

The question was taken; and there were—ayes 102, noes 122, not voting 209, as follows:

[Roll No. 228]
YEAS—102

Abernethy	Carter	Flynt
Andrews, Ala.	Cederberg	Ford, Gerald R.
Arends	Clancy	Fountain
Ashbrook	Cowger	Galifianakis
Battin	Curtis	Gathings
Belcher	Davis, Ga.	Goodling
Betts	Derwinski	Griffin
Bevill	Dole	Gross
Bolton	Dowdy	Gubser
Bray	Downing	Gurney
Brinkley	Duncan	Hagan
Brown, Ohio	Edwards, Ala.	Haley
Broyhill, N.C.	Edwards, La.	Harsha
Broyhill, Va.	Eshleman	Henderson
Burleson	Everett	Hunt
Bush	Fisher	Jarman

Johnson, Pa.
King, N. Y.
Kleppe
Kyl
Laird
Langen
Lennon
McDade
McDonald,
Mich.
McEwen
McMillan
Mailliard
Marsh
Martin
May
Miller, Ohio
Minshall
Montgomery

Moore
Morton
Myers
Nelsen
O'Neal, Ga.
Price, Tex.
Randall
Reid, Ill.
Reifel
Rhodes, Ariz.
Rivers
Roberts
Roth
Satterfield
Schadeberg
Scherle
Schneebell
Scott
Selden

Skubitz
Smith, Calif.
Smith, Okla.
Snyder
Steed
Stuckey
Talcott
Taylor
Thomson, Wis.
Watson
Watts
Whalley
Whitener
Whitten
Williams, Pa.
Wydler
Zion

Lukens
McClory
McCloskey
McClure
McFall
Macdonald,
Mass.
MacGregor
Madden
Mathias, Calif.
Mathias, Md.
Mayne
Meeds
Michel
Miller, Calif.
Mills
Minish
Mize
Monagan
Mosher
Murphy, N. Y.
Nichols
Nix
O'Hara, Ill.
Olsen
Passman
Patman
Pepper
Pettis
Pickle
Pogge
Podell

Poff
Pollock
Pool
Pryor
Purcell
Quillen
Rallsback
Rarick
Reid, N. Y.
Reinecke
Resnick
Reuss
Rooney, Pa.
Roubush
Roush
Roybal
Ruppe
St Germain
St. Onge
Sandman
Scheuer
Schwengel
Shipley
Shriver
Sikes
Smith, Iowa
Smith, N. Y.
Springer
Stanton
Steiger, Ariz.
Stephens
Stratton

Stubblefield
Taft
Teague, Tex.
Tenzer
Thompson, Ga.
Thompson, N. J.
Tiernan
Tuck
Tunney
Udall
Ullman
Utt
Van Deerlin
Vander Jagt
Waggonner
Waldie
Walker
Wampler
Watkins
White
Wiggins
Willis
Wilson, Bob
Winn
Wolf
Wylle
Yates
Young
Zablocki
Zwach

Government about when they will return. Mrs. Lloyd M. Bucher, the wife of the captain of the *Pueblo* stated that "they—the crew—took an oath as military men—to protect and die for their country. But it is a one-way ticket. The country does not do the same thing."

On the occasion of July 4 we must ask ourselves about the responsibility we have to the 82 American servicemen who are today held prisoners in North Korea. We must ask ourselves how our Government has handled this matter, and we must ask our Government when some action will be taken.

Recent reports have been disturbing and contradictory. On June 12, it was reported from Poznan, Poland, that North Korea displayed photographs of the crew of the *Pueblo* at the Poznan international trade fair, which is supposed to be nonpolitical. The U.S. Consulate protested and asked that the pictures be removed.

On June 20, the State Department disclosed that the United States had made "certain proposals" to North Korea to gain the release of the captured intelligence ship. The press officer, Robert J. McCloskey, declined to give details of the proposals, saying only that they were offered at the last session of United States and North Korean representatives May 28 at Panmunjom.

On June 21, State Department officials denied that the United States has proposed to North Korea that the crew of the U.S.S. *Pueblo* be turned over to the neutral nations' supervisory commission in Korea pending an investigation.

This type of meaningless report is all we now receive from an administration which 5½ months ago said that this act of piracy would not be tolerated and that the American crew should be immediately returned.

Needless to say, we are left confused. The wives, mothers, fathers, and friends of the imprisoned servicemen are also left confused.

One of the latest reports, on June 28, indicates that United States and North Korean negotiators met again to discuss the fate of the captured crewmen but "there was no breakthrough."

There have been 18 sessions between the two sides since the *Pueblo* was captured on January 23. The Americans remain in prison. At this point, there is no indication that our Government has spoken to these men. There is not even any indication that it has requested to speak to these men. When queried on this subject, the response is one of "No comment."

How can we celebrate July 4 and hold our heads high while these Americans languish in Communist prisons? How can we look at our flag, the Statue of Liberty, or any of the various monuments to our Nation's heroes and not feel that our country is welching on its promise? Has our national honor in 1968 deteriorated to the point where such affronts no longer concern us? Are we indifferent to the fate of these men, or are we dedicated at this time and in this place once again to pledge our fortunes and our sacred honor that they may once again be free?

The American people are concerned

NAYS—122

Adams
Albert
Annunzio
Ashley
Aspinall
Bennett
Biester
Blatnik
Boggs
Brasco
Buchanan
Burke, Mass.
Burton, Calif.
Button
Byrne, Pa.
Byrnes, Wis.
Cahill
Casey
Clark
Clausen,
Don H.
Cleveland
Cohelan
Collier
Conable
Conte
Daniels
Dawson
Dingell
Donohue
Edmondson
Edwards, Calif.
Eilberg
Erlenborn
Felghan
Foley
Fraser
Frelinghuysen
Friedel
Gallagher
Gialmo
Gibbons

Gonzalez
Goodell
Green, Oreg.
Green, Pa.
Gude
Halpern
Hanley
Hansen, Wash.
Hathaway
Hechler, W. Va.
Heckler, Mass.
Helstoski
Hicks
Hollifield
Horton
Irwin
Jacobs
Joelson
Jones, Ala.
Karth
Kee
Kyros
Long, Md.
McCarthy
McCulloch
Machen
Mahon
Matsunaga
Meskill
Mink
Moorhead
Morgan
Morris, N. Mex.
Morse, Mass.
Moss
Murphy, Ill.
Natcher
Nedzi
O'Hara, Mich.
O'Konski
O'Neill, Mass.
Ottinger

Patten
Pelly
Perkins
Philbin
Pike
Pirnie
Price, Ill.
Pucinski
Quie
Rees
Rhodes, Pa.
Riegler
Robison
Rodino
Rogers, Colo.
Rogers, Fla.
Ronan
Rooney, N. Y.
Rosenthal
Rostenkowski
Rumsfeld
Ryan
Saylor
Schwelker
Sisk
Slack
Stafford
Staggers
Steiger, Wis.
Sullivan
Teague, Calif.
Vanik
Vigorito
Whalen
Widnall
Wilson,
Charles H.
Wright
Wyatt
Wyman

So the motion to recommit was rejected.

Messrs. CONABLE, BYRNES of Wisconsin, FRELINGHUYSEN, and FEIGHAN changed their votes from "yea" to "nay."

Messrs. ABERNETHY and BURLESON and Mrs. MAY changed their votes from "nay" to "yea."

The result of the vote was announced as above recorded.

The doors were opened.

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

The bill was passed.

A motion to reconsider was laid on the table.

INDEPENDENCE DAY AND THE CREW OF THE "PUEBLO"

Mr. SCHERLE. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

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

There was no objection.

Mr. SCHERLE. Mr. Speaker, tomorrow is a day on which we celebrate the anniversary of our Declaration of Independence. It is a day on which Americans gather in cities and towns across the country to remember that time when our forefathers pledged their fortunes and their sacred honor to the proposition that man was meant to be free.

This proposition is no less important today, and today another generation of Americans are making that supreme sacrifice on the faraway battlefield of Vietnam. Eternal vigilance has always been the price of freedom, and in our history thus far, America has maintained that vigilance.

But July 4 also marks the 164th day in which the crew of the U.S.S. *Pueblo* remain in the hands of the North Korean Communist Government. And for these men, the rights and privileges of American citizenship must today seem quite remote.

We have heard no word from these men. We have heard no word from our

NOT VOTING—209

Abbott
Adair
Addabbo
Anderson, Ill.
Anderson, Tenn.
Andrews,
N. Dak.
Ashmore
Ayres
Baring
Barrett
Bates
Bell
Berry
Bingham
Blackburn
Blanton
Boland
Bolling
Bow
Brademas
Brock
Brooks
Broomfield
Brotzman
Brown, Calif.
Brown, Mich.
Burke, Fla.
Burton, Utah
Cabell
Carey
Celler
Chamberlain
Clawson, Del
Colmer
Conyers
Corbett
Corman
Cramer

Culver
Cunningham
Daddario
Davis, Wis.
de la Garza
Delaney
Dellenback
Denney
Dent
Devine
Dickinson
Diggs
Dorn
Dow
Dulski
Dwyer
Eckhardt
Esch
Evans, Colo.
Evins, Tenn.
Fallon
Farbstein
Fascell
Findley
Fino
Flood
Ford,
William D.
Fulton, Pa.
Fulton, Tenn.
Fuqua
Gardner
Garmatz
Gettys
Gilbert
Gray
Griffiths
Grover
Hall
Halleck

Hamilton
Hammer-
schmidt
Hanna
Hansen, Idaho
Hardy
Harrison
Harvey
Hawkins
Hays
Hébert
Herlong
Holland
Hosmer
Howard
Hull
Hungate
Hutchinson
Ichord
Johnson, Calif.
Jonas
Jones, Mo.
Jones, N. C.
Karsten
Kastnemeier
Kazen
Keith
Kelly
King, Calif.
Kirwan
Kluczynski
Kornegay
Kupferman
Kuykendall
Landrum
Latta
Leggett
Lipscomb
Lloyd
Long, La.

and it is the responsibility of our Government to show by both word and deed that it shares this concern. July 4 marks the date on which we initiated this great adventure in self-government. It is a fitting day for rededicating ourselves to those principles and for remembering those brave Americans who are imprisoned as a result of their own faith in a government which they believed would protect them. Let us now restore this faith.

CAPITAL PUNISHMENT AND FEDERAL LAW

Mr. WYMAN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

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

There was no objection.

Mr. WYMAN. Mr. Speaker, it is unfortunate that the U.S. Attorney General should publicly urge abolition of capital punishment under Federal law. Such a position is inconsistent with the function and responsibilities of the office of Attorney General and a marked disservice to the cause of law enforcement in these troubled times.

The Attorney General's position would spare from the death penalty such murderers as Presidential assassins, aircraft exploders, kidnap killers, traitors, saboteurs, deliberate cop killers or deliberate wife poisoners, and more. For him to describe capital punishment for such offenses as these as "barbarism" is to engage in demagoguery at the expense of the law-abiding public. This is a curious role for the Nation's chief law-enforcement officer. Instead of standing firm for deterrents to vicious and deliberate criminal conduct of the most horrible type, he is attempting to weaken Federal laws against crime.

Capital punishment is, more probably than not, a deterrent to most deliberate premeditated murder. At least deliberate murderers should think about paying for their crime with their lives if they do it and if convicted. While the measure of this is incapable of mathematical proof, there is no question but that in our system of law he who deliberately and intentionally takes the life of another with malice aforethought, should know in advance that he will pay for his crime with his life.

Law-abiding citizens are entitled to the continuance of this protection against first degree murder in the arsenal of Federal criminal law. For the U.S. Attorney General to urge its removal is to weaken still further the criminal laws of the land and is a disservice to the cause of law enforcement.

A YOUNG AMERICAN'S FAITH IN HER LAND

Mr. MORSE of Massachusetts. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection

to the request of the gentleman from Massachusetts?

There was no objection.

Mr. MORSE of Massachusetts. Mr. Speaker, a number of days ago, I had lunch with our distinguished and respected colleague, BILL WIDNALL of New Jersey. Over coffee, BILL told me of a letter that he had recently received from his daughter, Mrs. Barbara Williams, a graduate of Middlebury College, who, with her husband—a young officer in the U.S. Army—and their two young children, is now residing in Venezuela.

The press, radio, and television tell us daily of the alienation of American youth, of the rejection by our younger citizens of the values and institutions upon which our Nation was constructed and has prospered. Congressman WIDNALL, at my request, shared his daughter's letter with me, and although some might disagree with some of the points which she makes, it struck me at once as an eloquent statement of a young American's faith in her land. But I think that it is more than that: it is an anguished plea to those of us who have the high responsibility for guiding our country's course to commit ourselves again to the traditional virtues which have given full meaning to the American adventure, and to the noble and majestic standards which have given our Nation strength and vitality for almost two centuries.

In order to share a young American's deep feelings about her country with my colleagues, I insert Mrs. Williams' letter at this point in the RECORD:

MAY 20, 1968

DEAR DAD: This is the first letter that I have written to my Congressman.

What is going on in our nation? I have read and read, and listened and talked and cannot find anything for which we Americans can be proud. Please tell me what I can do, as an American who loves her country, to help our nation.

Living overseas is an experience which I have found very enlightening. Recently we have been exposed to increasing doses of overseas Americans who live very well and who do not pay taxes but who very vociferously denounce and criticize everything our country is doing. We are also constantly questioned by Venezuelan acquaintances about what is going on in our nation and what will happen. Many Venezuelan people I know are extremely concerned about our problems. It seems that they like us and want us to be strong but are not interested in siding with weakness.

We have not displayed strength within our nation nor in our foreign dealings. No one has ever respected weakness. I am appalled at the magnitude of the campus problems. I am aghast at the lack of carried out authority by the Administrations. Every child on this earth, be he 5 or 25 or 45, needs a firm discipline of self learned by operating within a sound set of standards. No one can be effective if he is undisciplined. One only learns to take and take and expect more for having done absolutely nothing constructive. It seems to me that most of these trouble-makers in our schools and cities are asking for a firm hand and a sense of direction and they would respect such. Just as a small child does not really want his own way all the time.

For many years I have been thinking of having a "Mothers' March on Washington." I have been bothered by many things. One of these is that as the wife of a military man I cannot speak out freely on many subjects. I can vote and I have voted in every election. At this point I do not believe that

voting is enough. I want to do more for my country, which I love so dearly.

Tomorrow evening my husband and I will be attending the memorial service for a friend of ours, Lt. Col. Fred Hampton. He was shot down in Vietnam earlier this year, when he was piloting many young Marines into Khe Sanh. This whole planeload of men was lost. For what? It would seem worthwhile to die for the saving of a nation. But to die when we do not have a policy of trying to win! This we wives and mothers do not understand.

I am also sure that if I planned my "Mothers' March on Washington", that I would not be given permission to pitch my tent by the Lincoln Memorial. Where on this earth has our Yankee common sense vanished to?

Dear Congressman of mine, I know I have said enough but yet not enough. I feel so strongly that time is running out and we must all think beyond ourselves to the future and stop this selfish thinking for the moment. Somehow I pray I can find a way to help my country.

Your most loyal and devoted constituent.
BOBBI.

FEDERAL BUREAU OF INVESTIGATION SHOULD BE KEPT APART FROM PARTISAN POLITICS

Mr. EDWARDS of Alabama. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

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

There was no objection.

Mr. EDWARDS of Alabama. Mr. Speaker, operations of the Federal Bureau of Investigation and of its Director have for many years been kept apart from partisan politics. Yet this year one of the candidates aspiring for the high office of President has chosen to call openly and unashamedly for replacement of the FBI Director, J. Edgar Hoover.

Mr. Hoover is one of the outstanding public servants of this or any other day. His consistent dedication to duty, as acknowledged by leaders of both political parties over a period of many years, is unquestioned.

His insight and wisdom, at times when sophistry penetrates deep into other offices of American Government, will be valued and better understood even in the future than it is today.

His courage and strength of character have become respected in a day when these qualities are perhaps most needed of all others.

J. Edgar Hoover merits the high praise of all Americans. Our country needs him today as much as we have needed him in the past; perhaps more. I know that our people in overwhelming numbers are thankful for his service to America, and join in prayer that it will continue.

PERMISSION TO COMMITTEE ON AGRICULTURE TO FILE CONFERENCE REPORT ON S. 2986—TO EXTEND PUBLIC LAW 480

Mr. McMILLAN. Mr. Speaker, I ask unanimous consent that the Committee on Agriculture may have until midnight tonight to file a conference report on S. 2986 to extend Public Law 480.

The SPEAKER. Is there objection to

the request of the gentleman from South Carolina?

There was no objection.

LEGISLATIVE PROGRAM FOR NEXT WEEK

Mr. GERALD R. FORD. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

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

There was no objection.

Mr. GERALD R. FORD. Mr. Speaker, I have requested this time in order to inquire of the distinguished majority leader as to the program for next week.

Mr. ALBERT. Mr. Speaker, will the distinguished gentleman from Michigan yield?

Mr. GERALD R. FORD. I yield to the gentleman from Oklahoma.

Mr. ALBERT. Mr. Speaker, in response to the distinguished minority leader's inquiry, we will adjourn over until Monday, pursuant to the resolution heretofore agreed to.

The program for the House of Representatives for the week of July 8, 1968, is as follows:

Monday is District day. There are two bills scheduled for consideration:

H.R. 16288 to amend the District of Columbia Alcoholic Beverage Control Act to permit certain clubs to hold licenses, and

H.R. 18248 to amend acts of 1955 and 1956 relating to certain common carrier operations in the District of Columbia. Also, H.R. 17989, the Housing and Urban Development Act of 1968 under an open rule with 4 hours of general debate, waiving points of order and general debate on the bill only on Monday.

Mr. Speaker, for Tuesday and the balance of the week the program is as follows:

Continued consideration of H.R. 17989, the Housing and Urban Development Act of 1968;

H.R. 15263, the Foreign Assistance Act of 1968 under an open rule with 3 hours of debate, waiving points of order against the committee amendments;

H.R. 17735, the State Firearms Control Assistance Act of 1968, subject to a rule being granted;

S. 3293, the Defense Procurement Authorization for fiscal year 1969, subject also to a rule being granted;

H.R. 15758, to amend the Public Health Service Act, with an open rule, with 2 hours of debate;

House Joint Resolution 1, creating a Joint Committee To Investigate Crime; and

H.R. 16903, Foreign Service Retirement and Disability Fund Annuities, with an open rule, 1 hour of debate.

Mr. Speaker, this is made subject to the usual reservation that conference reports may be brought up at any time, and any further program may be announced later.

Mr. GERALD R. FORD. I thank the gentleman.

The SPEAKER. The time of the gentleman from Michigan has expired.

DISPENSING WITH BUSINESS IN ORDER UNDER THE CALENDAR WEDNESDAY RULE ON WEDNESDAY NEXT

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the business in order under the Calendar Wednesday rule may be dispensed with on Wednesday next.

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

There was no objection.

THE 200-BEV. ACCELERATOR

The SPEAKER. Under a previous order of the House, the gentleman from California [Mr. HOLIFIELD] is recognized for 15 minutes.

Mr. HOLIFIELD. Mr. Speaker, I have from time to time over the past several years, reported to the Congress on progress on the planned 200-Bev. accelerator. This accelerator, or atom smasher, would be the most powerful accelerator in the world. Recently my colleague on the Joint Committee and the chairman of the Joint Committee's Subcommittee on Research, Development, and Radiation, MELVIN PRICE, initiated a study of what effect recent congressional appropriations actions would have on the 200-Bev. accelerator project.

As usual, Mr. PRICE has come up with some important points which, if they are not recognized, will result in incurring additional costs and delays in carrying out this project. I ask unanimous consent to include in the RECORD the study which my esteemed colleague, Congressman PRICE, initiated and a copy of his letter which submitted the report and summarized the principal findings to Chairman PASTORE and the Senate and House Appropriations Committees for their use.

CONGRESS OF THE UNITED STATES,
JOINT COMMITTEE ON ATOMIC
ENERGY,

Washington, D.C., June 28, 1968.

HON. JOHN O. PASTORE,
Chairman, Joint Committee on Atomic
Energy, U.S. Congress, Washington, D.C.

DEAR MR. CHAIRMAN: As you will recall, when the Public Works-Atomic Energy Commission fiscal year 1969 appropriations bill (H.R. 17903) was considered in the House of Representatives on June 19, 1968, I informed my colleagues that I planned to ask the staff of my Subcommittee on Research, Development, and Radiation to review the probable effects upon the National Accelerator Laboratory of H.R. 17903 as reported by the House Appropriations Committee. I also indicated that the report of the staff would be forwarded for their consideration to my Joint Committee colleagues in the Senate who are members or ex-officio members of the Senate Committee on Appropriations, and to you and the other members of the Subcommittee on Public Works of the House Committee on Appropriations.

The Subcommittee staff has now completed its review. The report thereon, copies of which are enclosed herewith for use by the members of your committee and its staff, is based on detailed discussions with the scientific and engineering staff of the National Accelerator Laboratory. The report stresses the adverse effect on the project of the preclusion of certain limited but critical construction activities and the extent of the reduction in funds for FY 1969. According to the report, the most serious specific effects of the House action are these: (1) Disrup-

tion of the closely interlocked design and construction schedule of this highly technical facility with resultant inefficiency and increased costs up to \$10 million; (2) probable loss of key staff members; and (3) further delay in recapturing the energy lead in high energy physics, long held by the United States but now held by the U.S.S.R. Another related consequence which the staff has noted and which gives me great personal concern is the serious damage that will result to already initiated training programs designed to improve employment opportunities on the project for members of minority groups.

The Subcommittee on Research, Development, and Radiation has reviewed the staff report and is in full agreement with the appraisal of the impact of such action on this major national facility. When one considers all of the history and factors relating to this project, it becomes clear that at least a minimal construction program should be undertaken during FY 1969.

In transmitting this report to you there are several considerations which I particularly would like to commend to your attention. First, the project has been under active consideration by the Atomic Energy Commission since early 1963 when the Lawrence Radiation Laboratory began an extensive design study on an accelerator in the 150-300 Bev range. Then came the March 1965 hearings before my Subcommittee, the long and careful process of selecting the site and the establishment of the initial design group at Oak Brook, Illinois, under Dr. R. R. Wilson. The Laboratory has just completed a full year of design work on the facility. All of the above has taken 5 years. The Laboratory is now ready to proceed with a full program and, in my earnest opinion, should be permitted to undertake at least a minimal program involving additional design work, a small amount of crucial construction, and some long-lead-time component procurement.

Second, the project is of major national and international importance in the field of fundamental science and will return the energy lead in this important field to the United States.

Finally, I should like to emphasize that a staff of uniquely qualified and motivated scientists has been carefully assembled and is ready to move ahead now. The retention of these people with a meaningful and efficient use of their talents is critical to the success of this project. In order to retain them, it is essential to permit at least limited construction in FY 1969.

I am confident that you will give the enclosed report your serious consideration in connection with further review of the AEC's FY 1969 appropriations legislation.

Sincerely yours,

MELVIN PRICE,
Chairman, Subcommittee on Research,
Development, and Radiation.

JCAE STAFF ANALYSIS, 200-BEV ACCELERATOR—EFFECT OF HOUSE APPROPRIATIONS COMMITTEE ACTION, JUNE 28, 1968

(Reduction FY '69 Funding from \$25 million to \$7.1 million and restricting work to A-E only.)

(DUSAF—Daniel, Mann, Johnson & Mendenhall, The Office of Max O. Urbahn Architects, Seelye Stevenson Value and Knecht, Inc., George A. Fuller Co.)

BACKGROUND

In March 1965 the Subcommittee on Research, Development and Radiation of the Joint Committee on Atomic Energy held a week-long series of hearings on the whole field of high energy physics. Those hearings included an extensive review of the report "High Energy Physics Program: Report on National Policy and Background Information," which had been prepared by the Atomic Energy Commission and other Federal

agencies with a program interest, in response to a request of the Joint Committee. It was the consensus of these hearings that high energy physics was of great importance to the scientific leadership of the nation and the next step most needed to be taken in this field was the construction of an accelerator in the 200-Bev range. A design study which had been in progress at Lawrence Radiation Laboratory (LRL) since 1963 had already developed the technical and scientific groundwork for such a machine.

A national search was made for a site for such a machine in 1965 and 1966. A select committee appointed by the National Academy of Sciences reviewed all proposals meeting the basic criteria and forwarded their recommendation of the six best sites to the Atomic Energy Commission for final consideration. The Commission, after some ninety-nine meetings during 1965-66 on this matter, selected a site in DuPage and Kane Counties, Illinois.

For budgetary reasons the project scope was reduced by the Administration in the President's 1968 budget request for project authorization. Senator Pastore, Chairman of the Joint Committee on Atomic Energy, in 1967 assigned the Subcommittee on Research, Development, and Radiation to review the reduced scope as well as the management proposed for this facility. Additional hearings were held in February 1967, and in April 1967 the Subcommittee recommended that the project should not be reduced in scope.

During this period the Director for the proposed national laboratory had been selected—Dr. Robert R. Wilson, then at Cornell University. The Committee has met with Dr. Wilson on a number of occasions and has the greatest respect for his ability and talent to lead the team necessary to design and construct this unique facility for fundamental physics research.

The Subcommittee and the full Joint Committee concluded that the 200-Bev accelerator should not be reduced in its initial scope, but should instead be built with a full-scope design intensity of 3×10^{13} protons per pulse as had been originally contemplated. Furthermore the Committee recommended that the AEC give careful study to the possibility of building into the machine an additional capability, i.e., the option of going to an even higher energy than 200 Bev. In connection with the AEC's FY 1968 budget the Congress authorized and appropriated funds in the amount of \$7,333,000 for design of the project.

During the Joint Committee's authorization hearings on the AEC FY 1969 Budget, the Committee was pleased to hear that Dr. Wilson and his key staff had not only carried out the Committee's request that this machine be designed to meet its original intensity goal but had also managed to incorporate into the design an option to go to a higher energy at some later date. It should be stressed that Dr. Wilson has accomplished both of these objectives essentially within the budgetary restrictions that had been established for the reduced-scope facility—some \$60 million less than the original estimated cost of the project. It is important to note that Dr. Wilson, in doing so, was following both the Executive Branch guidance and the Congressional recommendations.

Meanwhile, in the summer of 1967, the National Accelerator Laboratory (NAL), managed by Universities Research Association (URA), had launched a year of intensive design. NAL and the architect-engineer consortium DUSAF* moved into temporary quarters in an office building in Oak Brook, Illinois, and, under the leadership of Dr. Wilson, set about establishing the working design of the Laboratory.

The year of design effort resulted in a project with a total estimated cost of \$243.6 million with construction to be completed in FY 1973. The schedule called for new obliga-

tional authority of \$77 million in FY 1969 with estimated FY 1969 costs of \$25 million.

Due to budgetary pressures, a strong effort was made within the Executive Branch to reduce FY 1969 project costs. Dr. Wilson responded by rearranging the construction schedule of the facility, but it became clear that, owing to the highly technical nature of the Laboratory and the need to build some components early in the construction cycle in order to test others later, a severe economic penalty would be paid for postponing the commencement of construction of those essential components and their housings. Consequently, Dr. Wilson chose to begin only those items in FY 1969 and to delay construction starts on the more conventional support buildings and facilities until later years. This decision implied that little or no on-site laboratory or office space for the NAL staff would become available until late in the construction schedule. To meet this problem plans were developed to house the staff in an AE camp consisting of the existing frame houses of the Village of Weston and a few temporary buildings. These plans, while assuring that money will be saved, do require expenditures of construction funds in FY 1969.

With these accommodations to the restrictive fiscal climate, Dr. Wilson was able to reduce planned FY 1969 obligations from \$77 million to \$25 million while maintaining a viable project. However, as a result of this reduction in planned FY 1969 obligations, the total estimated project cost necessarily increased by \$6.7 million to the currently estimated project cost of \$250 million.

During the course of FY 1968, a year of design was completed and several other efforts took shape in preparation for beginning construction in FY 1969.

Dr. Wilson has succeeded in assembling an excellent staff of high-energy-accelerator physicists and engineers. Many of these research scientists were attracted by the efficiency and expeditiousness of the construction schedule and consequent promise of early research results as well as by the ingenuity of the design. It is clear to the Subcommittee staff that there is no overabundance of these scientists; it is equally clear that they were drawn to the 200-Bev project in substantial part by Dr. Wilson's reputation for building high-performance accelerators rapidly, economically and efficiently. (A list of the principal NAL staff members appears in Appendix A.)

Also during FY 1968, the State of Illinois began acquiring the site property in the expectation that construction would begin in October 1968. At present, the State has negotiated the purchase of 102 of the 105 houses in the Village of Weston at a cost to the State of approximately \$1.7 million.

Another important development during FY 1968 has been the initiation by the laboratory, with the full support and encouragement of the AEC, of a strong affirmative action program to improve employment opportunities for members of minority groups. Pre-apprenticeship and apprentice programs are presently in being.

Also noteworthy is the fact that the U.S.S.R. has, during this last year, brought into operation a new accelerator which is now running at 84 Bev, an energy about two and a half times higher than that of the highest energy accelerator in the U.S. or anywhere else.

In the June 14, 1968 report of the House Committee on Appropriations (H. Rept. 1549) on H.R. 17903, the AEC's FY 1969 appropriations bill, the Committee, while recommending disallowance of \$17,900,000 of the \$25,000,000 requested during fiscal year 1969 for the project, went on to state that it "... fully supports the need for the project. . . ." As these words amply indicate, the Appropriations Committee had no intention of causing any termination of the facility or slowing it down unduly.

On June 19, 1968, during House consideration of the FY 1969 Public Works-AEC Appropriation Bill, Chairman Price of the Subcommittee on Research, Development, and Radiation and other members indicated their concern with the potentially serious adverse consequences of the restrictions imposed on this project. At that time Chairman Price indicated that he had instructed the staff of his Subcommittee to review the effect of these restrictions on the project and to report to him on this matter. Copies of this report were made available to the relevant committees of the Congress for their further consideration.

EFFECTS OF HOUSE ACTION

The Subcommittee staff has reviewed with the scientists and technical personnel responsible for the design of the 200-Bev accelerator facility the effects of the House bill on the project. In the course of this review it has become quite clear that major inefficiencies to the project would result from the restriction of activities solely to AE work in FY 1969. These inefficiencies will cause significant increases in the total costs of the accelerator estimated to be as high as \$10 million.

The NAL staff members are highly trained scientists who have committed their careers to research. They have been attracted to the 200-Bev project on the basis of an efficient, challenging schedule leading to early research results. To continue for a second year the restriction to AE work alone on this project would be wasteful of their distinctive talents and highly discouraging to them. The lack of any concrete indication that this project is in fact going to move forward into the construction stage will unquestionably have a demoralizing effect upon them. The Subcommittee staff has therefore concluded that there would be a very real danger of losing key technical personnel under the provisions of the House bill. Without question their loss would jeopardize the entire project.

The 200-Bev machine is a complex scientific instrument comprising four successive accelerators. The economy of the design is intimately dependent upon an efficient well-paced schedule employing closely interlocked engineering and construction efforts to arrive at an up-to-date facility. The disruption of this schedule would result in project cost increases due both to escalation and to inefficiencies. Design and development work has proceeded to the point where construction of facilities critical to succeeding phases of the project can now be started. Experimental data from these initial facilities is needed to provide firm technical guidance for succeeding phases. The delay in construction of the initial facilities will defer the availability of critical experimental data and will require an increase in analytical work and extend project effort in general. No reduction in FY 1969 expenditures (as contrasted with obligations) is anticipated as a result of the House action, while the increase in estimated project cost is approximately \$10,000,000. This increase reflects a slippage of the completion date of about one year.

The scientists and engineers directly involved in the project have indicated to the Subcommittee staff that it is extremely important that the project proceed with a balanced effort among all three important phases: design, initiation of the most critical construction items, and procurement of long-lead-time components. The injection system, for example, must be started early to assure its availability for the testing of other critical accelerator components. The principal laboratory staff is fully aware of the serious fiscal crisis faced by the nation and, in discussions with the Subcommittee staff, was asked to develop an austere program consistent with these somewhat opposing requirements.

During the past year, a program has been underway to train a number of Negro and other individuals in the use of heavy construction equipment. If no construction is permitted at the site in FY 1969, the promising start that has been made in improving employment opportunities for members of minority groups will be retarded.

The Subcommittee staff, after consulting with the laboratory and the AEC and completing its own deliberations¹ concludes that in order to insure the viability of the project it is necessary that the restriction to AE only work be removed and that \$20 million in obligational authority (an increase of \$12.9 million over the amount recommended by the House Appropriations Committee) be approved for FY 1969.

The detail setting forth the austere program recommended is as follows:

[Dollars in thousands]

(1) Salaries, wages, services (NAL & AEM) -----	\$7,400
Subtotal -----	7,400
(2) Procurement of engineering equipment, prototype components and long-leadtime materials -----	1,500
Contingency on (2) -----	300
Subtotal -----	1,800
(3) Long-leadtime electric utility equipment -----	1,600
(4) Development of AE camp -----	700
(5) Injection system housing and associated facilities -----	8,700
(6) Site work -----	700
Contingency on (3) through (6) -----	1,800
Subtotal -----	13,500
Total -----	*22,700

*This figure includes \$2.7 million in obligational authority carried over from the AEC's FY 1968 appropriation.

It is the Subcommittee staff's firm belief that the FY 1969 obligational authority recommended above without restriction to design use only would permit the National Accelerator Laboratory to progress in an admittedly austere but nevertheless meaningful fashion; by the same token, anything substantially less will jeopardize this important national facility.

APPENDIX A

NATIONAL ACCELERATOR LABORATORY, PRINCIPAL STAFF MEMBERS, JUNE 24, 1968

Robert R. Wilson, Director. B. 3/4/14. B.A. (1936), Ph.D. (1940), Berkeley under E. O. Lawrence. 1940-43 head of Princeton University atomic energy project. 1943-46 directed Cyclotron Group, Los Alamos Laboratory of the Manhattan Project. 1947 Harvard University—cyclotron design. 1948-1967 Director, Laboratory of Nuclear Studies, Cornell University engaged in the design and construction of a series of accelerators culminating with the 10 BeV electron synchrotron.

Edwin L. Goldwasser, Deputy Director. B. 3/9/19. B. A. (1940) Harvard University, Ph. D. (1950) University of California, Berkeley. 1951-67 Assistant Professor, Associate Professor and Professor of Physics, University of Illinois, Urbana. Member, Board of Directors, Midwestern Universities Research Association (MURA); University of Illinois delegate to the Argonne Universities Association and member of the High Energy Physics Board Committee; member of the General Advisory Committee, USAEC; Chairman, Di-

vision of Physical Sciences, National Research Council.

M. Stanley Livingston, Associate Director. B. 5/5/05. A.B. Pomona College (1926), Ph.D. University of California, Berkeley (1941). 1938-1956, Massachusetts Institute of Technology, design and development of 16 MeV cyclotron, and 3 BeV cosmotron and other accelerators at BNL. 1956-1967, Director, Cambridge Electron Accelerator. Coinventor of the Alternating-gradient Principle on which all large circular accelerators are based.

Francis T. Cole, Assistant Director for Technical Affairs. B. 10/6/25. B.A. Oberlin 1947, Ph.D. Cornell (1953). 1953-1964 Midwestern Universities Research Association (MURA), development and construction of fixed-field alternating gradient accelerators. 1964-67 Lawrence Radiation Laboratory, Berkeley, design of 200 BeV accelerator and Omnitron. Editor of design studies for each accelerator.

Donald R. Getz, Assistant Director. B. 2/20/30. B.A. (1956), M.S. (1959) University of Chicago. 1959 to 1965, Assistant to Associate Director for High Energy Physics, Argonne National Laboratory; 1965-1967 Administrative Officer for Special Scientific Programs, University of Chicago; Staff Consultant, Argonne Universities Association Board of Trustees Committee on High Energy Physics.

Thomas L. Collins, Accelerator Division Associate Director and Head, Engineering Services. B. 3/27/21. B.A. (1942), M.A. (1943), Ph.D. (1950), University of British Columbia. 1957-68 Assistant Director, Cambridge Electron Accelerator.

Miguel A. Awshalom, Radiation Physics Section Head. B. 12/20/27. B.A. Rutgers (1950), Ph.D. Rochester (1955). 1955-57 Louisiana State University. 1957-68 Princeton-Penn Accelerator, Head, Health Physics Group. Member AEC Advisory Panel on Accelerator Radiation Safety.

Quentin A. Kerns, R.F. Section Head. B. 6/16/24. B.A. University of California, Berkeley, 1951, 1942-1967 Lawrence Radiation Laboratory, Berkeley, r.f. accelerator systems for 184" cyclotron, Bevatron, 200 BeV study group.

Alfred W. Maschke, Beam Targeting Section Head. B. 11/14/32. A.B. (1956) Yankton, University of Nebraska 1956-61. 1961-67, Brookhaven National Laboratory AGS Deputy Division Head and Acting Operations Manager.

A. Lincoln Read, Research Facilities Section Acting Head. B.Sc. (1957), Ph.D. (1960) University College, London. 1960-65 Brookhaven National Laboratory AGS. 1965-67 Assistant Professor of Physics, Cornell University, and consultant BNL-AGS Division.

Frank C. Shoemaker, Main Ring Section Head. A.B. Whitman College (1943), Ph.D. University of Wisconsin (1949). 1949-1951 Massachusetts Institute of Technology. 1951-68, Professor of Physics, Princeton University and Associate Director, Princeton-Pennsylvania Accelerator.

Lee C. Teng, Accelerator Theory Section Head. M.S. (1948), Ph.D. (1951) University of Chicago, 1955-67 Argonne National Laboratory ZGS becoming Director of the Particle Accelerator Division in 1962.

Donald E. Young, Linac Section Head. B. 6/13/22. B.A. (1946) Ripon College, Ph.D. (1959) Minnesota. 1960, Professor of Nuclear Engineering University of Wisconsin and staff member, Midwestern Universities Research Association. Consultant, Argonne National Laboratory ZGS.

Z. J. J. Stekly, Director Superconductivity and Cryogenic Operations. B. 10/11/33. S.M. (1955), Sc. D. (1959) Massachusetts Institute of Technology. 1956-1960 Dynatech, Inc. 1960-1968 AVCO-Everett Research Laboratory.

Philip V. Livdahl, Experimental Planning and Operations. B. 2/1/23. B.A. (1948) St. Olaf College, M.S. (1952) University of Wash-

ington. 1953-1957, Lawrence Radiation Laboratory, Berkeley, California. 1957-1967 Argonne National Laboratory ZGS.

Lloyd Smith, Senior Accelerator Physicist. B. 2/28/22. B.A. (1943) University of Illinois, Ph. D. (1946) Ohio State University. 1946-1948 University of Chicago. 1948-1950 Lawrence Radiation Laboratory, Berkeley, California. 1950-1952 Carnegie Institute of Technology, Pittsburgh, Pennsylvania. 1952-1967 Lawrence Radiation Laboratory, Berkeley, California.

Stanley C. Snowden, Senior Accelerator Physicist. B. 3/19/18. B.S. (1940) Massachusetts Institute of Technology, Ph. D. (1943) California Institute of Technology. 1943-1946 California Institute of Technology. 1946-1949 University of Wisconsin. 1949-1959 Bartol Research Foundation. 1959-1967 Midwestern Universities Research Association (MURA). 1967—Professor of Nuclear Engineering, University of Wisconsin.

Kennard Williams, Equal Opportunity and Community Relations Officer. B. 7/29/22. 1948-1963 Heinz Veterans Hospital, Chicago. 1963-1967 Veterans Administration Hospital, Chicago, Personal Property Management Administration. 1967 Dupage County Branch NAACP, President.

APPENDIX B

UNIVERSITIES RESEARCH ASSOCIATION, INC.,

Washington, D.C. June 14, 1968.

Mr. JOHN T. CONWAY,
Executive Director, Joint Committee on Atomic Energy, U.S. Capitol, Washington, D.C.

DEAR MR. CONWAY: I have been told there is a danger that the House Appropriations Committee may insert the words "for architect-engineering only" in the appropriation bill for the 200 BeV accelerator. I am convinced that these words would have a disastrous effect upon the project and I would appreciate your doing everything possible to have them eliminated.

There are a number of reasons for which this limitation would be especially harmful to this particular project. These include the following:

(A) The technical nature of the project is such that the urgent current need is for the procurement and test of certain of the long-lead-time items and for the construction of portions of the accelerator which must be placed in operation early so that they may be used in testing other components. Likewise, construction is required at an early date on the part of the tunnel that will house these portions of the accelerator.

(B) The efficiency and economy of the work would be seriously impaired by the restriction on expenditure to architect-engineering. We know from experience that the difficulties are real and not imagined; even during the present year this limitation has caused real problems to the orderly and efficient development of the project. If this artificial restriction is continued an additional year it will lead to major inefficiencies and increased costs.

(C) Dr. Wilson has been successful in assembling around him an outstanding team of scientists and engineers at the National Accelerator Laboratory. He and they came to the project, as they have emphasized before, on the basis that the accelerator was now really going to be built. They are now prepared to move forward to construction and would feel that they would be wasting their time if their work were totally limited to architect-engineering. One of the greatest attractions to these scientists has been the imaginative and economical design and the determination of the Laboratory to produce a scientifically exciting machine at a low cost and in a short time period. With the reduced efficiency and the increased time scale and cost caused by a restriction to architect-engineering only, there is a real

¹ In this connection see App. B hereto, letter report from President of URA dated June 14, 1968.

danger we will lose some of the most valuable members of the Laboratory including the Director, Dr. Wilson, who takes particular professional pride in directing rapid, economical and efficient projects. If the present highly effective team is dispersed by interruption or excessive delays in the project, it will be more difficult after an initial false start to reassemble a comparable team.

(D) The limitation to architect-engineering only is incompatible with the reprogramming that has been done to accommodate the severe budget reductions contemplated for next year. As you know, the original laboratory request was for \$77 million for next fiscal year. When this was reduced to \$25 million the laboratory undertook a major rescheduling of its planned operations to minimize the harmful effects of the reduction. One of the most effective steps was a postponement by several years of the start of the central laboratory building and a plan to utilize the vacant existing houses on the site instead of renting more expensive space during the accelerator construction period. Although this plan significantly reduces the total cost and diminishes the delays caused by the budget cut, it does require some prompt expenditure of construction funds for suitably modifying and supplementing the existing houses.

(E) The start of the accelerator construction is correlated to the acquisition of the site. To prevent the site acquisition from being the bottleneck following the passage of the accelerator construction authorization bill by Congress this year, the State of Illinois in good faith has already started acquiring the site.

(F) The delays that have already occurred in the accelerator project make it difficult to catch up with the now successfully operating Russian 70 BeV accelerator. However, with the design improvements last year that make possible an option later to increase the energy from 200 to 400 BeV, the accelerator, despite the past delays, will be still the right machine at the right time. Every effort should be made from now on to follow a time schedule which will retain for the accelerator the added value that comes from timeliness.

(G) The Canadian National Research Council has already appropriated \$35,000 for a study of means by which the Canadian Government might contribute financially to the accelerator, perhaps by supplying an additional experimental area from Canadian funds. The added discouragement and uncertainty of a U.S. delay in starting the accelerator construction will markedly diminish the chances of obtaining a major contribution from Canada.

(H) In many respects the accelerator is more a continuation of an old project than the start of a new one. The initial hearings by the Joint Committee on Atomic Energy on the desirability of such an accelerator took place in 1965, the laboratory site was selected in 1966, and detailed architect-engineering was authorized and funded by Congress in 1967. The limitation of the first year's funds to architect-engineering provided an opportunity for an additional Congressional review of the design. It will be unfortunate if this added design review unintentionally places the accelerator in the category of a new project and thereby leads to an additional delay.

In view of the above I earnestly hope that you and the Joint Committee members will make every effort to remove the restriction to architect-engineering in the accelerator appropriation.

Sincerely yours,

NORMAN F. RAMSEY,
President.

MEDICARE OBSERVES SECOND BIRTHDAY

The SPEAKER. Under a previous order of the House, the gentlewoman from

Ohio [Mrs. BOLTON] is recognized for 5 minutes.

Mrs. BOLTON. Mr. Speaker, my constituent, Mr. N. R. Calvo, has written a very thought-provoking letter to the editor which appeared in the Cleveland Plain Dealer of June 28, 1968. This concerns the second anniversary of the medicare program. Believing it will be of interest to my colleagues and other readers of the RECORD, I include it herewith:

READERS' FORUM: MEDICARE OBSERVES SECOND BIRTHDAY

Medicare will be two years old Monday. It's a good plan, but it could be better. It should be extended to include others who need it, such as the disabled under age 65. There are about 1½ million persons in this country receiving disability compensation under Social Security. Through no fault of their own, these individuals no longer have earning power, which creates a greater need for them for medical care and treatment. Private health insurance is difficult for them to obtain. Their needs are no less than those now covered by Medicare.

Bills are now pending before Congress to include this benefit. Letters to our representatives in Washington—congressmen, senators, and even the President—might bring this vital issue forward and make a proposal a reality.

No doubt Medicare has its faults—maybe it demands too much paper work, but this is a small worry considering that millions of deserving persons are being taken care of at the time of greatest need.

N. R. CALVO.

CLEVELAND.

PERMISSION FOR THE COMMITTEE ON MERCHANT MARINE AND FISHERIES TO FILE CERTAIN REPORTS

Mr. PATTEN. Mr. Speaker, I ask unanimous consent that the Committee on Merchant Marine and Fisheries may have until midnight tonight to file certain reports.

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

There was no objection.

TELEVISION VIOLENCE

The SPEAKER. Under a previous order of the House, the gentleman from West Virginia [Mr. STAGGERS] is recognized for 5 minutes.

Mr. STAGGERS. Mr. Speaker, President Frank Stanton of CBS proposes a comprehensive study of violence on television, including its effect on viewers. The proposal should be applauded and encouraged. Other reports indicate an industrywide disposition to eliminate some of the more gruesome killings from TV serials.

Fictional violence is a more or less logical outgrowth of TV westerns. From concerned parents, churches, and schools comes increasing complaints, that children learn the how and the thrill of crime, drug addiction, and other forms of vice from constant viewing of the "tube."

Real life violence on the screen may have begun with the murder of Lee Harvey Oswald, assassin of President Kennedy. Practically a whole nation was witness to an actual murder, and the impact was terrific. So far as the television

industry was concerned, broadcasting of this crime was accidental. But its effect could not be ignored when our cities were struck by riots and civil disorders. There was always the possibility of other murders. The situation has been described as equivalent to throwing gasoline on the fire.

Even more than its rival news medium, the television industry needs to acquire maturity. Only those newspapers which earn public confidence and support by responsible reporting can survive. Television channels are few in number, and are controlled by Government. If they are not used as the public has a right to expect, the public will insist that something be done. That something could be denial of right to use the airwaves, or excessive regulation, or even Government takeover. All of these ideas are repugnant to popular notions of the free-enterprise system. Hence careful consideration of where television is heading may be a reasonable purpose of the whole industry.

POLAND'S ANTI-JEWISH CAMPAIGN

Mr. FARBSTEIN. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and to include extraneous matter.

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

There was no objection.

Mr. FARBSTEIN. Mr. Speaker, never have I seen more poignantly expressed the plight of the Jews who live in Poland today than a letter written by the eminent pianist, Arthur Rubinstein, to the editor of the New York Times. This letter, published in the Times of April 28, 1968, and cosigned by 1,000 professors from 100 universities portrays with magnificent sensitivity a description of contemporary Jewish life in Poland. I insert, at this point in the RECORD, Mr. Rubinstein's letter:

To the EDITOR:

Some days ago the world observed the 25th anniversary of the Warsaw ghetto uprising, when 40,000 Jews took up arms in a doomed effort to combat the Nazi forces. This was surely one of the glorious chapters in the annals of martyrdom and heroic resistance to tyranny. What irony and tragedy that at this moment virulent anti-Semitism is being revived on Polish soil soaked with the blood of millions of Jews. The wave of anti-Jewish hysteria in Poland is being whipped up by potent reactionary forces in the regime and exploited as a weapon in a power struggle, a scapegoat for popular discontent, a smoke-screen for economic and political ills, an instrument to stifle progressive reforms demanded by the intelligentsia and students. The close link between anti-intellectualism, antiliberalism and anti-Semitism is once again tragically demonstrated.

On March 8 thousands of Warsaw University students demonstrated for freedom of expression, fair trials and an end to censorship. These demonstrations spread swiftly to other universities throughout the country, and were met by police violence and arrests.

PLAY SUPPRESSED

It is universal knowledge that the outbreak of students' demonstrations was due to the suppression by the authorities of public performances of "Dziady," the masterpiece of Mickiewicz, Poland's greatest poet. Will the music of Chopin be next to be prohibited from being heard in public? The political

ideology of Chopin and his friend Mickiewicz was identical.

Since then Poland has been undergoing a massive systematic course of purge and propaganda whose central feature has been its undisguised anti-Semitism. The Jewish community of 18,000, many elderly or ill, is accused of disloyalty and browbeaten into self-abasement. Dozens of distinguished Jewish academics, artists, writers and intellectuals of international repute are called alien to Poland, charged with being spiritual instigators of the student movement, expelled from the Communist party and dismissed from their positions.

PURGE OF INTELLECTUALS

Scores of students are arrested. All intellectuals and students alike, are named and are pointed out as Jews. Many hundreds of others less prominent are also being purged more quietly but not less efficiently.

Most shocking is that all this is being done to the accompaniment of a vast propaganda campaign which has charged the country's atmosphere fearfully. Jews are accused of being "cosmopolitans, national nihilists, members of an international Zionist conspiracy, Zionist lackeys of Western imperialism." Jewish philanthropic organizations which have poured millions of dollars into the economic and social rehabilitation of war-torn Poland are accused of conspiracy, sabotage and espionage at the behest of international Zionism and Western imperialism.

The moral nadir of this campaign is the falsification and distortion of the facts of Jewish martyrdom at the hands of the Nazis, the obscene denigration of the Jewish victims of mass murder.

This is the brutal lexicon used by Stalin and his anti-Semitic purges of 1948-52 and in the infamous doctors' plot he concocted in January 1953. It is, tragically, the very language that has been revived in the Soviet Union since the Arab-Israel War last June, in an ominous propaganda campaign against the Jewish people. This is the policy and the propaganda now taken over and carried further by the Polish authorities.

I appeal to the leaders of Poland to cease this outrage. I appeal to world public opinion to rally to the defense of the Polish intelligentsia and Polish Jewry.

ARTHUR RUBINSTEIN.

PARIS, April 16, 1968.

(The writer is the well-known concert pianist.)

Yesterday, on the floor of this body I indicated my intention to seek to amend the foreign aid bill to deny Poland most-favored-nation privileges. Mr. Rubinstein's letter makes me even more determined to carry out my intentions.

MACGREGOR WINS SST ROUND

Mr. LANGEN. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

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

There was no objection.

Mr. LANGEN. Mr. Speaker, one of the bright young men serving in this House over the past 8 years is my colleague from Minnesota, the Honorable CLARK MACGREGOR. He has worked diligently for his district, State, and entire Nation, always stressing the importance of sound fiscal management in the Federal Government and never hesitating to point out instances when the long-suffering taxpayer is being taken for a ride.

It is gratifying that one of Minnesota's great newspapers, the St. Paul Dispatch, has recognized CLARK MACGREGOR's efforts in a recent lead editorial. I would like to share those remarks with you and, without objection, include the editorial at this point in the RECORD:

MACGREGOR WINS SST ROUND

Cong. Clark MacGregor of Minnesota won a tentative but significant victory for taxpayers last week when the House Appropriations Committee voted to delete from the 1969 fiscal budget an item of \$223 million for the supersonic transport plane (SST) program.

For two years he has fought to prevent the public from being saddled with the cost of this purely commercial venture. Beaten in the past by lobbying efforts of the aviation industry, MacGregor is now making headway. If the House approves the Appropriations Committee action in a vote expected to be taken Tuesday, it will be a long step towards forcing re-examination of the whole SST project.

In addition to rejecting the \$223 million item for the new fiscal year, the Committee also voted to rescind \$30 million of still uncommitted funds which were authorized last year. Hundreds of millions of public money already have been sunk in SST development, and the total will eventually go into the billions unless Congress calls a halt.

MacGregor and Cong. Frank Bow of Ohio are backing a bill to switch the SST program out of the public treasury and have it financed by private investors interested in the aviation industry. They propose a government corporation publicly controlled but privately financed, the approach which was followed on the communications satellite project.

"There is absolutely no need for the SST to be financed solely or even primarily by the federal government," said MacGregor. "This is a commercial endeavor. It offers no known prospect of military significance. It will not contribute to national security. It is designed to carry passengers on commercial airlines for commercial profit."

For the past two years or more, MacGregor has led SST opposition forces in the House. In May, 1966 he moved to kill an appropriation of \$280 million, but was defeated. In July, 1967, he tried to delete an item of \$142 million, but lost on an 80-30 vote. In October, 1967, he again moved to strike this item. He nearly succeeded, losing by only 8 votes. Continuing the fight in the Appropriations Committee last week, he won rejection of the entire \$223 million included in the 1969 budget.

This Committee action should by all means be upheld by the House of Representatives in the coming vote. There is no justification for using taxpayer funds to carry out the commercial profits venture of the SST promoters.

A CONDEMNATION OF THE PROPOSED FOOD TAX HIKE AND INCREASED CONGRESSIONAL PENSIONS

Mr. WIDNALL. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

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

There was no objection.

Mr. WIDNALL. Mr. Speaker, this Congress has taken a strong stand in favor of Federal expenditure control, in favor of stronger police action to combat crime, and in favor of controlling inflationary food costs while assisting the

hungry. Today, however, we are asked to support a bill which would raise the District of Columbia sales tax on food from 1 to 4 percent, raising costs for all citizens, and hurting the poor the most. We are being asked to short change the District's efforts to increase police protection for its citizens, and for our own constituents who come to the Nation's Capital. Shortly, we will be asked to dip into the Federal till to fatten our own pensions.

It is bad enough that any of these unsupported moves could be seriously considered. It is beyond my comprehension, however, as to why any Member of Congress would deliberately move to downgrade this body before the eyes of the American public. We are in a period of time when distrust and cynicism toward our governmental system is growing in seriousness. Action such as this, if approved by Congress, simply makes it that much more difficult for any American to believe that he should have faith in the democratic process.

I hope that the section advocating the 300-percent increase, from 1 to 4 percent, in the sales tax on food in the District will be eliminated today, and that sufficient funding for adequate police protection will be supplied.

As for the pension proposal, which would increase the Federal contribution by 2½ percent, and make some Members eligible for 80 percent of their full salary, or \$24,000, upon retirement, no doubt when it comes up for House action, an attempt will be made to avoid a record vote. I serve notice right now that I will not be a party to such a move, that I will fight to gain a record vote, and that I will vote against this unconscionable proposal which has been tacked onto the bill, H.R. 16903, dealing with Foreign Service annuities. I hope the press will fully record the proceedings on both measures.

Mr. Speaker, I have been in Congress for 19 years and I cannot recall a more audacious set of proposals for congressional action. Triple the tax on food, cut the funds for police protection, and raise your own pension at the taxpayers expense. What a combination. It condemns itself just by being stated. I am just telling it like it is.

DECLARATION OF CHAMBER OF DEPUTIES OF NATIONAL CONGRESS OF REPUBLIC OF PARAGUAY

Mr. HAYS. Mr. Speaker, I ask unanimous consent that the gentleman from Massachusetts [Mr. McCORMACK] may extend his remarks at this point in the RECORD and include extraneous matter.

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

There was no objection.

Mr. McCORMACK. Mr. Speaker, it is my privilege to call to the attention of the Members of the House—and to Mrs. Robert F. Kennedy and her loved ones, and to the people of our country, a declaration of the Chamber of Deputies of the National Congress of the Republic of Paraguay, delivered to our Ambassador at Asunción.

This declaration, dated the 5th day of June, echoes the shock felt by the world at the assassination of Senator Robert F. Kennedy. It expresses deepest sympathy at the Senator's untimely death, and condemns the act of violence which caused it.

I am pleased to express the appreciation of this body for the act of four colleagues of the Chamber of Deputies of Paraguay. I shall see to it that Mrs. Ethel Kennedy, the widow of the late Senator, learns of their expression of sympathy and of this action here today.

I include a translation of the declaration as follows:

DECLARATION NO. 1

Whereas: The world was shocked by the most tragic announcement of the attack that later cost the life of a leader of American Democracy, the United States Senator and possible presidential candidate, Robert Kennedy;

Whereas: The people of Paraguay mourn the death of such an illustrious champion of democracy and vehemently and unanimously condemn such an attack, not only because of its direct and indirect consequences, but also because of its meaning as an act of repudiation of all human and social values;

Therefore, the Chamber of Deputies, expressing the feelings of all the citizens of Paraguay,

Declares: Art. 1 Its deepest sympathy at the untimely death of Robert Kennedy, a Senator and possible presidential candidate. Art. 2 Its vigorous condemnation of the act of violence itself and of all systems or doctrines that lead to such acts, and

Resolves: To render tribute to the memory of Senator Kennedy by observing one minute of silence and to appoint a committee to convey the condolences of this Chamber to the people of the United States of America, through their Ambassador at Asunción.

Art. 4 This Declaration is to be made known to the pertinent officials and filed in the National Archives.

Given at the Assembly Hall of the Chamber of Deputies, on this sixth day of June in the year nineteen hundred and sixty-eight.

BONIFACIO IRALA AMARILLA,
Parliamentary Secretary.
J. AUGUSTO SALDIVAR,
President of the Chamber.

TEXTILE INDUSTRY SHOULD BE PROTECTED NOW

Mr. LANDRUM. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

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

There was no objection.

Mr. LANDRUM. Mr. Speaker, as a Representative of a district where we have a large and important textile payroll, I am greatly concerned over the future course of this great industry. At this point in its history we need to take a careful look at where the industry is today and where it is headed.

Textiles, of course, is one of the basic and most essential industries of our Nation. Nearly 1 million Americans are employed directly in the manufacturing of textiles, and another 3 million people are engaged in supplying raw materials—cotton, wool, and manmade fibers—transporting fiber and materials and manufacturing apparel and household fur-

nishings and selling goods. Textiles supply two of the basic needs of mankind—clothing and shelter. The textile industry makes some 20,000 items for our Armed Forces, and the industry has been classified as second only to steel in essentiality.

While many people think of the textile industry as something which is concentrated in a few States of the Southeast and the New England area, mills are located in 42 States. Every State except Hawaii produces wool for the textile industry, and 19 States grow cotton. The apparel industry has some 25,000 plants located in every State of the Union.

It has been estimated that 4 million Americans depend upon the textile industry to some degree for a livelihood. These include the more than a quarter of a million people on sheep ranches and 500,000 on cotton farms who receive more than \$1 billion from the sale of their products to the textile industry.

Approximately 975,000 people are employed directly by the textile industry and an additional 1.4 million work for the apparel industry. Their combined payroll is about \$10 billion annually. In addition, the manmade fiber producing industry employs 90,000 people with an annual payroll of \$650 million.

All in all, the textile industrial complex spends about \$30 billion annually for the products and services of the various industries which supply it and provide the transportation for its products.

In my own State of Georgia, and particularly in the Ninth District, textile manufacturing is a basic industry; the source of most of our manufacturing employment. Textiles provide the largest manufacturing payroll in my home State, some 110,000 jobs with an annual payroll of more than \$475 million. In addition, the apparel industry provides another 65,000 jobs. Georgia textile mills last year consumed more than 1.5 million bales of cotton, providing our farmers with an income of \$47 million.

The Committee on Ways and Means, on which it is my pleasure to serve, has been conducting hearings on foreign trade for the past 3 weeks. We recently heard testimony by the president of the American Textile Manufacturers Institute, Mr. Frederick B. Dent, who discussed an extremely important aspect of the textile industry—its unique role in combating unemployment in the underdeveloped areas of our country.

Mr. Dent pointed out that the textile industry offers unusual opportunities to workers in areas such as Appalachia and in the overcrowded cities where apparel manufacturing is a major employer.

More than 450,000 people are employed by the textile industry in the Appalachia development region. In many of these counties, more than three-quarters of the people are engaged in textile manufacturing. The national average for employment in the textile industry is 13 percent of all manufacturing jobs. But in the Appalachian region 26 percent—better than one out of every four manufacturing jobs—are in the textile industry.

Over the years since the Appalachia development program was developed, Congress has been asked to appropriate

millions of dollars to build highways and provide other services and assistance to stimulate the economy of this badly underdeveloped area. Certainly this program has been helpful. Thousands of jobs have been created, and the economy of this area has been started on the long road to equity with the rest of the country.

Mr. Dent also pointed out the importance of the textile industry in areas like New York City. Now, most of us think of New York City in terms of skyscrapers and executive offices. But it is also the largest manufacturing city in the Nation. And, more than one-third of its manufacturing employment is in the textile and apparel industry. Textile and apparel manufacturing provides jobs for 298,000 in New York City with an annual payroll of \$1.3 billion. Incidentally, I am told that the \$1.3 billion is just about equivalent to the welfare payments in that city, so New York's welfare payments could be double what they are today were it not for the tremendous payroll of the textile and apparel industries.

Now, Mr. Speaker, without belaboring the point any further, I think all of us can see that our textile industry is important. It is important to the people of the Ninth District of Georgia; to our entire State. But beyond that, its economic energy stimulates the economies of New York City, Texas, Arkansas, California, the entire New England area, the Midwest, and even Alaska.

In spite of the tremendous importance of this industry to our entire country, our Government is embarked on a course which is endangering the very existence of the textile industry as we know it today. These policies have cast a dark shadow over the future prospects of one of our oldest and most important industries.

I am referring, of course, to our reckless textile trade policies which are permitting an ever-increasing flood of imports to undermine and disrupt our domestic industry. Textile imports have reached an alarming level and the buildup is continuing. The time is long overdue for this country to reappraise and reevaluate its textile trade policies. That is what our Ways and Means Committee currently is doing, and I want all of my colleagues and the general public to be aware of some of the facts which have been brought up in our hearings.

First of all, just how acute is the textile import problem? How has it come about? What is the impact of imports on the domestic industry and the hundreds of thousands of people it employs?

The growth of textile imports has been unrelenting. During the past 6 years, imports of cotton textiles, including yarn, fabrics, made-up goods, and apparel have more than doubled. They have risen from 720 million equivalent square yards in 1961 to 1.485 million square yards in 1967. Woolen textile imports have nearly doubled, from 85 million square yards to 150 million square yards. While this growth has had a heavy impact on the domestic textile industry, the really devastating assault has been in the area of manmade fiber textiles where imports have increased nearly fivefold. In 1961, we imported only

149 million square yards of manmade fiber textiles, but the buildup has continued until it reached the level of 934 million square yards in 1967.

Now we are told by some that the textile import problem is letting up because there was some reduction in imports in 1967. It is true that imports fell slightly below the alltime record level of 2.8 billion square yards in 1966 to 2.6 billion square yards in 1967.

But they are moving right back up to

new record levels already. During the first quarter of this year, according to figures compiled by the U.S. Department of Commerce, imports of all textile products were 780.7 million square yards. This was the highest first quarter on record. Projected at an annual rate, we can reasonably expect that the 1968 level of imports will be in excess of 3 billion square yards. This is better than three times what they were in 1961.

Increases were recorded in all fiber

categories, but once again, the unregulated area of manmade fiber products presents a frightening picture. Our manmade fiber imports during the first quarter of 1968 were 22 percent above the first 3 months of 1967. In order to give a clear picture of how this buildup is taking place, I submit for the RECORD at this point a copy of a chart prepared by the U.S. Department of Commerce which shows imports during the first quarter from 1964 through 1968:

U.S. GENERAL IMPORTS OF COTTON, WOOL, AND MADEMADE FIBER TEXTILES, CALENDAR YEARS 1964-68, BY MONTH

[Total in million square yards]

	Cotton					Wool					Manmade fiber					Total				
	1964	1965	1966	1967	1968	1964	1965	1966	1967	1968	1964	1965	1966	1967	1968	1964	1965	1966	1967	1968
January.....	110.2	52.3	155.3	160.3	160.1	7.9	5.2	13.7	9.9	12.0	24.8	27.9	64.0	79.6	119.1	142.9	85.4	233.0	249.8	291.2
February.....	74.9	108.7	132.0	116.4	143.6	6.5	9.2	12.0	7.7	11.6	16.1	42.2	45.9	86.9	85.2	97.4	160.1	189.9	211.0	240.4
Cumulative... March.....	185.1	161.0	287.3	276.7	303.6	14.4	14.4	25.7	17.6	23.7	40.9	70.2	109.9	166.5	204.3	240.4	245.6	422.9	460.8	531.6
Cumulative... March.....	86.1	150.7	147.1	146.6	135.4	8.5	13.2	14.4	12.1	12.6	22.6	44.1	53.6	83.4	101.2	117.2	208.0	215.2	242.1	249.2
Cumulative... March.....	271.1	311.7	434.4	423.3	439.0	22.9	27.6	40.1	29.7	36.2	63.5	114.2	163.5	249.9	305.5	257.5	453.6	638.1	702.9	780.7

Source: Office of Textiles, U.S. Department of Commerce.

The chart clearly illustrates that the buildup is steady, it is unrelenting. It is happening with all of the fibers.

At the present rate, imports will double by 1974 unless something is done to reverse the trend.

The import problem is not going to go away unless Congress acts to give the President and his trade negotiators the incentive and the tools to bring about orderly trade. The answer to the problem lies in passage of legislation along lines of H.R. 11579, which I have introduced along with 195 of my colleagues. H.R. 11579 authorizes and directs the President of the United States to negotiate agreements providing for orderly trade in textile articles. The agreements would limit imports by product categories and provide for growth of imports when domestic market conditions permit.

It has been charged that my bill is restrictive and that it would invite retaliation from abroad. Mr. Speaker, I want to state categorically that H.R. 11579 is a most reasonable and generous approach to textile trade which provides importers with an opportunity to participate in a reasonable share of the growth of our domestic market. At the same time, however, it protects the interests of the millions of Americans who earn a living in the textile and related industries.

This legislation would not enjoy the widespread support it has in the Congress unless it were something which is in the best interest of all of the American people. The 196 sponsors of this legislation represent a broad segment of our country—certainly the textile-producing States, and also farm areas, the cities where the apparel and manmade fibers are produced, and organized labor. It might be well at this point to go into some of the background which led to the introduction of this legislation.

At the beginning of the current session of Congress, it became evident to those who represent textile-producing States that the textile industry was going to be faced with some critical problems. It was decided that the informal textile committee should be reconstituted. This group is comprised of Members of this

body who have substantial textile operations included in their district and whose constituents depend on the textile and related business for their livelihood. This group was activated in March of last year, and I was honored when my colleagues elected me to serve as their chairman.

When it became clear in March of 1967 that our trade negotiators in Geneva were about to agree to substantial tariff reductions on textile products, a meeting of the committee was called. Following the meeting, a number of us spoke out on the floor and warned that any tariff reductions would have a serious impact on textile employment. We hoped that while we still had time, we could impress upon our representatives in Geneva the serious nature of the textile import problem. But our warnings had only limited results. While we are told that some last-minute adjustments were made in our textile tariff offers, the United States still agreed to substantial reductions. We believed at that time, and still believe, that it was not in the best interest of this country to reduce tariffs when imports were moving toward the 3-billion-square-yard level and taking away some 10 percent of the domestic market.

Immediately after the new tariff agreements were reached in Geneva, we invited Secretary of State Rusk and our chief trade negotiator, Ambassador William Roth, to appear before our group and explain what the new tariffs would mean to the textile industry and its employees. Although they assured us that all was well and that the textile industry would not be hurt, we did not agree. We knew that a further liberalization of our textile trade could only result in more problems. The record level of imports during the first quarter of this year certainly proves that we were right.

Because the textile import situation is completely out of hand, and there seems to be little or no disposition on the part of our trade negotiators to do anything to correct the situation, it became clear that legislation was the only route left open to us.

It was against this background that

the Mills-Landrum-Dorn bill was introduced, and as my colleagues know, the measure is being discussed in connection with the broad international trade hearings being conducted now by the Ways and Means Committee. I hope the bill will be reported and I am urging this action by the House Committee on Ways and Means.

Last week, during our trade hearings, the committee heard foreign importing interests claim that the textile industry was just "crying wolf"—that there was no real threat being posed by imports. They said the American textile industry should not be afraid of competition from countries which pay their workers as little as 8 cents an hour because the American textile industry is the most efficient in the world. I would agree that the American textile industry is the most efficient in the world. During the past 10 years, textile manufacturers in this country have invested nearly \$7 billion for new plants and equipment to make certain that they remain the most efficient in the world.

No textile industry in the world spends as much money on modernization and research. The low-wage manufacturing countries cannot hold a candle to the American textile industry when it comes to product innovations and new processing techniques. However, these new developments do not remain the property of the United States for very long. Technology spreads with lightning speed in the world's textile industries. The markets developed by American manufacturers soon become vulnerable to countries which have little to offer but cheaper products made under working conditions which would be illegal in this country.

How in the world can an American manufacturer using the same raw materials, the same machinery, and similar processing techniques and paying \$2.27 an hour expect to compete with products made by people earning 8, 25, or 36 cents an hour as is the case with Korea, Hong Kong, and Japan, respectively? The answer is that all the technological know-how and modern machinery cannot in-

definitely compete with sweatshop wage scales. The textile wage increases in this country since 1966 are more than the entire hourly wage paid a textile worker in Japan.

Even with this tremendous wage differential, American textile manufacturers do manage to remain competitive in some product categories and under certain market conditions. So, our foreign friends go one step further and offer subsidies to their exporters to help them undercut our manufacturers. Let me cite just two examples of how widespread this practice is.

The Japanese Government provides exporters with special forms of export insurance. Exporters are permitted to reserve up to 5 percent of their income from exports for foreign market development, and this is tax deductible even if it is not spent. In addition, special depreciation rates for plant and equipment are given to those companies engaged in exporting.

In Mexico, the Government provides subsidies, sales tax rebates, and special financing assistance to companies in the export business. Because of proximity to the market, Mexico's heavily subsidized exports are enjoying a field day in the United States. Those who advocate free trade should ask themselves if there should not be some element of fair trade in free trade.

The textile importing interest who appeared before our committee admitted that these subsidies exist and suggested that if and when the American textile industry is hurt by imports, it can seek some sort of help.

At the very moment these importing interests were appearing before our committee, the American Apparel Manufacturers Association was holding its annual meeting in Atlantic City. A panel discussion was being held on the subject of moving production facilities overseas. According to a news account of the meeting in the June 20 New York Times, Mr. Thomas N. Roboz, president of the Apparel Corp. of America, said, and I quote:

We have no choice in publicly owned companies but to go offshore (overseas) sooner or later. We are, whether we like it or not, regarded by our government as an expendable industry. Mr. Stuart H. Green, vice president of the Phillips-Van Heusen Corporation, was quoted as saying: "My company will not build any more expansion plants for shirts and sportswear until we get some clarification."

This is no idle threat. This is not something which might happen down the road 10 or 15 years from now. It is happening today. These are responsible executives of major American businesses, employing thousands of people in this country, stating pointblank that they and their employees are being forced out of their own country. Mr. Speaker, I include the entire story in the June 20 New York Times to be printed in the RECORD at this point:

APPAREL MAKERS TO BUILD ABROAD

(By Leonard Sloane)

ATLANTIC CITY, June 19.—The nation's apparel industry is preparing to establish its own production facilities overseas and reduce

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its domestic capital expenditures if no government action is taken to limit imports of textile articles.

At the annual meeting here of the American Apparel Manufacturers Association—the trade group whose members sell over \$6-billion worth of clothing each year—producers strongly denounced the delays in taking either multilateral, bilateral or unilateral action to cut down the flow of garments from abroad, particularly those made with synthetic fibers which are not covered by the Long-Term Arrangement for Cottons.

"We have no choice in publicly owned companies but to go offshore [overseas] sooner or later," said Thomas N. Roboz, president of the Apparel Corporation of America. "We are, whether we like it or not, regarded by our government as an expendable industry."

EXPANSION IS CURBED

"My company will not build any more expansion plants for shirts and sportshirts until we get some clarification," added Stuart H. Green, vice president and secretary of Phillips-Van Heusen Corporation. "We are going overseas for contract production and I think other branded people are going to go."

Ironically, while these statements were being made during a seminar at Convention Hall, Lawrence S. Phillips—the president of Phillips-Van Heusen who was scheduled to be a panelist—was presenting the industry's point of view at a House Ways and Means Committee hearing in Washington.

This threat by American producers to build their own plants in foreign countries in order to compete effectively with overseas manufacturers of such merchandise as shirts and lingerie comes at a time when imports of apparel made with synthetic fibers has soared drastically.

For example, American imports of man-made fiber apparel advanced over 700 percent in the seven years through 1968. Imports of synthetic dress and sport shirts jumped more than 2,000 percent in the five years through 1968.

"We have been forced in our industry to leave the low-priced items like \$2.99 and \$3.99 shirts," said Mr. Green. "What's going to happen is we're going to have a 25 percent share of the market in imports, covering the shirts sold by the mass marketers and discount houses."

Stanley Nehmer, Deputy Assistant Secretary of Commerce for Resources, walked in this lions' den of angry manufacturers to explain the Administration's position. He noted that while "overseas manufacture and procurement of apparel are not entirely new phenomena in the American market . . . the implication of a substantial overseas movement are serious both for your industry and for the country."

Asserting that any such movement would adversely affect America's balance of payments, employment levels, national security and other industries, Mr. Nehmer pointed out a number of favorable situations that apparel makers currently enjoy. After citing the high employment in apparel plants and the companies' 15.5 per cent return on invested capital in the last quarter of 1967, he said, "these are not the signs of a sick industry."

The apparel manufacturers do not want to move overseas. They know how important it is to maintain a strong, growing work force in this country. But the trade policies of our Government are forcing them into a untenable position. It does not require much imagination to see what the next move will be. It will be a mass exodus of apparel manufacturers, and they will be followed by textile manufacturers who will find that this is the only way they can compete.

If the current trend is not reversed, I am afraid no other course will be open to our domestic industry.

The shirt industry is a prime example of how our outmoded, piecemeal approach to textile trade simply is not working. I am told that in 1960, 92 percent of the men's dress shirts used in this country were all cotton and 8 percent blends of cotton with manmade fiber. Therefore, it would seem logical that the quotas on cotton textiles negotiated under the long-term arrangement would provide some restraint when imports of men's shirts become excessive. However, because of a change in the types of shirts used by the American consumer, today we find that only 8 percent of the men's shirts are cotton and 92 percent are blends. The limitations of the long-term arrangement apply only to those items which are at least 50 percent cotton by value, and so most of the blend shirts fall outside the controls. The same story is repeated over and over again with other products. We simply do not have meaningful controls over textile imports.

Our current approach to textile trade cannot be condoned or tolerated any longer. The Mills-Landrum-Dorn bill will bring about orderly trade. In the time that this bill has been pending in the Congress it has been charged repeatedly that it is overly restrictive and protectionist. It is anything but overly restrictive, but you might say it is protectionist—in the best sense of the word.

It is protectionist in that it will protect the interests of the exporting nations by making available to them a fair share of our market as it grows. It is protectionist in that it will, at the same time enable our domestic industry and its workers to participate in the future growth of our market, too. It is protectionist in that it preserves the time-honored principle of bilateral negotiations. What could be more reasonable? What could be more equitable? How can we better restore a true spirit of reciprocity in international textile trade?

Since this legislation was first introduced, we also have heard a great deal of comment that its passage would invite retaliation from other nations against our products.

Certainly, they are not talking about any retaliation where textile products are concerned. There is very little for anyone to retaliate against. Countries throughout the world have erected so many trade barriers against American textile products that this country has not had a favorable trade position with textiles since 1957. The current deficit—our imports over our exports—amounts to some \$766 million, and this deficit is growing all the time.

Try as they might—and some textile firms are working aggressively in this area—it is a frustrating experience to try to develop an export market for textiles. Countries throughout the world have erected an impenetrable wall around their textile markets through a rash of border taxes, licensing requirements, quotas, tariffs, and special financing requirements.

These countries certainly are not talking retaliation against our exports of raw cotton. It can be documented that the

textile-producing countries of the world buy their raw cotton where and when they can get the best prices without regard for whether or not the cotton-producing country buys any of their textiles. We have seen our raw cotton market in Japan decline in recent years, because she is buying cotton all over the world. But at the same time her purchases of our cotton have declined, Japan's share of our textile import market has grown steadily.

Instead of shaking in our boots every time a foreign country mentions "retaliation," the United States should be asking why our own Government does not use some form of retaliation against those countries which are discriminating against our textile products.

There is no reciprocity in our textile trade today. Reciprocity is a word which has slipped from the vocabulary of our trade negotiators. They are so imbued with the idea of "free trade" that they have lost sight of the fact that free trade must also be free and fair for all involved. Other countries are not being fair with the United States, and the U.S. Government is not being fair to its hundreds of thousands of textile employees as long as it continues on its current course.

But, Mr. Speaker, lest I sound entirely negative on this subject, permit me to take just a moment to look at the positive contribution this great textile industry of ours can make to the future economic well-being of our economy if given a chance. This, after all, is the reason for my great concern. A great opportunity is before us and we must not permit it to slip from our grasp.

I have already touched on the economic importance of this industry to the underdeveloped area of Appalachia.

The textile industry offers a variety of job opportunities. The mill doors are open to those with limited skills. The mills also are seeking more and more semiskilled and skilled workers. The research facilities of the industry offer an opportunity for scientists, chemists, engineers, and marketing experts to put their special skills to work in a highly competitive and progressive industry. The doors of the mills are open to women and to Negroes. Negro employment in the textile industry has increased by 270 percent since 1960, creating 52,000 new jobs at a time when overall employment in the industry increased by only 2.8 percent.

The opportunity to continue providing large numbers of jobs throughout the textile-fiber-apparel industrial complex will be nullified unless textile imports are brought under reasonable control.

The time for action is now; not next session; not next year, but right now! And the way to act now is to report and enact into law the bill H.R. 11758 introduced by Chairman MILLS—myself—Congressman DORN and 195 other Members of this House.

MISSIONARIES FROM ABROAD

Mr. MORSE of Massachusetts. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter. The SPEAKER. Is there objection

to the request of the gentleman from Massachusetts?

There was no objection.

Mr. MORSE of Massachusetts. Mr. Speaker, in two deeply troubled lands at the southern end of Africa, missionaries from abroad, as well as local churchmen, strive to carry the message of the Christian gospel and do what they can to alleviate the suffering of the African peoples. But ministering to these unfortunate Africans has become increasingly difficult under apartheid. That cruel system governs all human life in the Republic of South Africa and in the international Mandated Territory of South West Africa which South Africa rules and refuses to turn over to the jurisdiction of the United Nations. In recent years, foreign missions find it steadily more difficult to work in South West Africa as well as in South Africa. In particular, churchman after churchman has been required by the South African Government to leave South Africa and South West Africa.

The month of June 1968 marks the termination of one more fine and selfless mission to South West Africa. For the South African Government has ordered the departure of a distinguished American humanitarian, churchman, and missionary, Bishop Robert H. Mize.

Bishop of Damaraland since 1960, Mr. Mize is a graduate of the University of Kansas and of the Union Theological Seminary. He served his home State of Kansas for many years before entering upon his work in Africa. The St. Francis Boys' Home, which he founded in Salina, Kans., stands as a continuing monument to this good man who has been so brusquely forced out of the international Mandated Territory he had come to think of as "home". In South Africa, as well as South West Africa, both church and press have protested the Bishop's ouster for which no reason has been given. All to no avail. So the peoples of South West Africa must lose a beloved counselor and pastor, and a fine career must be prematurely terminated, or at the least directed at this late date into other paths.

I read into the RECORD three examples of reactions in South Africa and South West Africa to the Bishop's ouster. First a letter to the Cathedral parish by the Very Reverend C. Winter, Dean of St. George's Cathedral in Windhoek, the capital of South West Africa; second, a letter to the editor of the Cape Argus of Cape Town, Republic of South Africa; and third an editorial, entitled "Bishop Mize," published by the Cape Times, also of Cape Town, South Africa, as follows:

BISHOP'S APPLICATION FOR PERMANENT RESIDENCE REFUSED

In a letter from the Secretary of the Interior our Bishop has been informed that he may not stay in South West Africa or the Republic beyond the 26th July, and that he must make arrangements to leave the Territory on or before that date. After the shock comes the question—Why?

NO REASONS GIVEN

No reasons have been given him. No reason was given in the case of Father Garrison, head of the seminary in Ovamboland which trained African priests. And yet this is done in a country which claims to uphold Western standards of Christian civilization. As has been pointed out time and time again by

legal experts in this country and elsewhere, the basic Western standard of law rests on the right of the individual to know what he is accused of, to be tried in open court, and then to be given the chance to defend himself of the charges laid against him. In the case of a Christian Bishop, one would have thought that this would have been the least that could be granted to him. Experience today teaches us that Bishops are not men who go about plotting the overthrow of states or planning bloody insurrection. To dismiss a Bishop is no trivial thing. It means that the whole Church is under attack, because the Bishop represents and speaks on behalf of the whole Church. How else can one construe this but as an attempt to intimidate and frighten the Anglican Church in South West Africa?

APPLAUSE OR HEARTBREAK?

There will be those in Windhoek, and some of them will be Anglicans, who will applaud the Government's action and will wholeheartedly support the policy that anyone who in any way differs or disagrees with National Party Politics should be treated in the same way. But there will also be many—and let it be known—these will include many who are not of our Church, who will be shocked and who will grieve over the expulsion from this country of a man who was totally committed to the gospel of love, and who served humbly and faithfully all men in need in this great land. When one takes the trouble to know the man, the whole action assumes the aspect of folly, calculated in the long run to damage the name and reputation of this country in the eyes of all people in the world who value the basic rights of man and human freedom.

THE MAN

Bishop Mize brought many great gifts to his work as Bishop. The son of a Bishop himself he grew up with a deep feeling of compassion for lonely and suffering people. His work as the founder and head of the St. Francis Boys' Home in America was enough for him to win acclaim in his native land. Here was a priest who offered all that he had in love to those who were cast-off by modern society. Hundreds of delinquent boys have a future today because of him. He worked wonders of healing with these lads and restored them to good citizenship because he loved them and went all out to take care of them. There is no other single Bishop in the Church of the Province today who has a greater detailed knowledge of the names, condition and problems of all his people than does our own Bishop.

HIS CARE FOR OTHERS

Many is the Anglican farmer who has been amazed and deeply touched to see the Bishop arriving at his lonely farm, having gone two hundred or so miles out of his way to pay him a visit and to bring the Sacraments to him. A Roman Catholic nun in a local hospital was staggered when she saw the Bishop leaving the hospital after visiting a patient from out of town. She kept on repeating: "But he is a Bishop!" Yes, a Bishop indeed—knowing, loving and caring for all God's children whatever their need, whatever their colour!

[From the Cape Argus, May 13, 1968]

FRIENDS CALL HIM A SAINT: THE BISHOP WHO HAS BEEN TOLD TO GO

To the EDITOR, THE ARGUS

SIR: Those of us so greatly privileged to be among the friends of Bishop Mize, and to know and love him for his tremendous personality and his unselfish work in the face of persistent ill-health, will remain convinced for ever that he lives—and has, for most of his life of service—as closely to the life of Jesus as an ordinary mortal can.

I wonder how many people have any knowledge of the Bishop's life in America before he came to spread the Gospel in South West Africa?

They should read "Father Bob and His Boys" by Emily Gardiner Neal which tells the remarkable story of a remarkable man.

Even as a very young child he gave away all his possessions and clothes, and this he still does today except for the bare—and often very threadbare—essentials needed to live and carry out his work.

After he became a priest he created the dream of his heart—a home for adolescent boys in trouble with the law; juvenile delinquents whom nobody wanted and for whom there was no place to go except jails or corrective institutions.

He had no money, but as always his faith was rewarded and "the Lord provided."

REHABILITATION

His home for embryonic or fully-fledged criminals had no fences, nor was it segregated in any way from the community or the schools where it was situated.

It was a real "home" where he lived with the youngsters as head of the "family" and he was, by title and image, "Father" to each one in his care.

His method of rehabilitation was simply "therapy in Christ"—his home's contribution to each child was to give them Christ as their closest friend and constant companion, and thus his erring boys learned to be youngsters responsible to themselves, to others and to the community.

"Father Bob" was heartbreakingly alone pioneering a great Christian experiment, but he persisted in the face of others' doubts and scoffing, and frequent setbacks with his "children," and in the end had almost 100 per cent rehabilitation.

And so there came to be founded the St. Francis Boys' Homes in western Kansas—a unique programme of Christ-centered therapy and a living demonstration of the perseverance, vision, infinite patience, forgiveness and understanding, and the great faith of one man devoted to God.

He has always practiced as he preached and so he lives the life of a saint.

No person in trouble has ever been refused; his revulsion from any form of violence is deep and genuine; his deep dislike of every form of injustice has only served to make him more saintly.

THE OTHER CHEEK

His advice has always been to turn the other cheek, to persuade all those with whom he came into contact—and this is an experience dynamically awakening and rewarding—never to allow themselves to be degraded by the sins of bitterness or hatred but to pray hard for those who suffer from injustice that they should remain calm, steadfast and peaceful, trusting only in God and prayer, and to pray even harder for those who perpetrate injustice so they will not feel so bad when their time comes to face the tribunal of the only real judge—Christ.

I shall continue to believe utterly in Bishop Mize's innocence and the Gospel he teaches and lives, and I ask the 43,000 Anglicans in Damaraland and every other Christian to pray harder for those who have thought fit to prevent a saintly man from continuing, in the land of his choice, the work of God.

I know there will be no bitterness or hatred in the heart of Bishop Mize, only a deep distress at the interruption of his work, and I know his prayer will be to forgive them.

Let all of us who profess Christianity make this our constant prayer, too, so that he can leave this country assured that his teachings of tolerance and forgiveness will never die.

(Mrs.) BARBARA D. WILLIS.

Simonstown.

[From the Cape Times, May 7, 1968]

BISHOP MIZE

Kicking out clerics is a crude sport usually reserved for hard-line communist countries and young statelets with less sense than sen-

sitivity. But South Africa is fairly active in the league. Last year it deported Bishop Edward Crowther; now comes the refusal to renew the visa of Bishop Robert Mize. Exactly why this American has to be denied his bishopric in South West Africa after eight years is unclear. The highly respected Archbishop of Cape Town has found it necessary to condemn the move as one which "offends the conscience of Christians both here and oversea". And we have it from Bishop Mize that, though opposed to *apartheid*, he has tried to move in purely religious channels and avoid making an issue of *apartheid*, and that any contacts with persons who left SWA without passports have been pastoral. He describes himself as being anti-violence, anti-terrorist—an out-and-out pacifist. What more could a Government want, short of a PRO for *apartheid* under a mitre.

So we have one side of the story, convincingly advanced. But what is the Government's, if any? Surely it knows an unexplained ejection would seriously damage the country's reputation abroad, particularly in the United States. This is a time when the Government is supposedly keen to convince the world that the loose "police state" tag does not fit the *verligte* Republic. Yet with actions of this sort it undermines its own diplomacy.

If Bishop Mize is suspected of some serious offence, he should be charged. That's what courts are for. If he is "undesirable" for reasons that the Government fears will not stand up in court, it should at least reveal them. And in a country professing Christianity, the elementary justice of a right to reply should surely be extended to Bishop Mize.

THOMAS HALL COLLINSON

Mr. RANDALL. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

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

There was no objection.

Mr. RANDALL. Mr. Speaker, it is with a heavy heart that I announce the passing of Thomas Hall Collinson, the editor and general manager of the Examiner, the old and respected newspaper in my home city of Independence, Mo.

By no standard was Hall Collinson an old man. Yet at the age of 54 he had already lived a long and most productive life. He came into the newspaper field after he had established three broadcasting stations for the Stauffer publications, a Kansas-based chain of newspapers, magazines, and broadcasting stations.

Our departed friend came to the Examiner in 1951. He came to the paper with a wide and rich background of experience not only in the newspaper and broadcasting field but as a member of the Oklahoma and Missouri bar. He had at one time served as general attorney for the Federal Land Bank at Wichita, Kans. He could point with pride to an outstanding career in World War II as the commanding officer of a submarine chaser in the South Pacific.

In the 17 years he was a resident of Independence, Mo., he made many substantial contributions to the civic affairs and the business community not only of Independence but Metropolitan Kansas City, Mo. He served as president of the Rotary Club. He was vice president of the chamber of commerce. He was a member of the board of governors of the American Royal. He was on the

board of directors of the Kansas City Chiefs. He had served as a trustee on the Kansas City Council on Alcoholism. He was director of the World Trade Information Center. He was on the board of directors of the Kansas City Osteopathic Hospital. He was a participant and a leader in several other civic enterprises. In fact he was identified with just about every major civic activity of the area in which he lived which includes Kansas City and Metropolitan Jackson County, Mo.

In his chosen profession of journalism he had served as president of the Associated Daily Newspapers. He was a member of the Missouri Press Association and of the American Newspaper Publishers Association.

Our friend may not have been known nationally but he was well and most favorably acclaimed throughout the midlands of Missouri, Kansas, and Oklahoma because there he had achieved a stature which earned for him the great respect, and high regard by his fellow man not only in the field of journalism and law but by the general public because of his many contributions in wide and varied fields to the betterment of the way of life of his citizens.

He was more than just another lawyer or another journalist. Mr. Collinson was a tireless, unselfish worker in the vineyard of all of those civic enterprises which would improve the well-being of the less fortunate or the underprivileged. With his editorial pen he stood fast for those causes which he believed were in the best interest of the entire area and against those things which he determined were against the general welfare and for the benefit of only a special few.

He seemed to have the knack for distributing his time and efforts in a wide variety of enterprises. These included city improvement through urban renewal, hospital construction, new recreation projects, low-cost housing, new college construction, veterans' affairs, and support of a strengthened chamber of commerce. He was a busy man. Yet in his busy life he always seemed to have time to befriend the friendless and to crusade for just causes. West-central Missouri has lost an outspoken advocate. Journalism in the Middle West has lost a courageous crusader. Metropolitan Jackson County has lost a civic-spirited citizen. Independence has lost a great leader.

CHANGING WAR REPORTS

Mr. EDWARDS of Alabama. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

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

There was no objection.

Mr. EDWARDS of Alabama. Mr. Speaker, it is mighty hard for anyone to know what is really going on.

A few days ago there were reports from the demilitarized zone that our men had sighted North Vietnamese helicopters. If this were true it would be important because the Communists have not had helicopters before.

If they have them now the character of the war can be changed very greatly.

But the official word came down that there was no solid evidence of any Communist helicopters. The reports were said to be due to mistakes in reading the radar signals. Maybe they were boats, or just somebody's imagination.

However, at least one American GI was later quoted as saying that he definitely had seen Communist helicopters; not on radar, but the real thing, and not once, but many times recently.

And then there is the situation in Paris where our diplomats and the North Vietnamese are supposed to be settling the war. They have been at it since May 10, and it is really hard to know what they are doing.

The official U.S. line is that signs are encouraging because the North Vietnamese have agreed to longer coffeebreaks. But the Communist boss at the talks says this does not mean anything. He said all they talk about at the coffeebreaks is the weather and the noise in Paris streets.

One of President Johnson's Cabinet officials says the talks are making progress and then another says no; no progress is in sight. I would guess that we do not have much to be happy about if the best signs are longer coffeebreaks.

Meanwhile, a North Vietnamese delegation has just gone to Moscow to ask for more military and economic help from the Russians and other Communist nations.

They already are getting more than a billion dollars worth annually of Russian airplanes, antiaircraft guns, artillery, and other vital help.

With all this going on Senator EUGENE MCCARTHY, who is seeking the Democratic presidential nomination, says he is going to Paris to talk with the North Vietnamese Communists. It is awfully hard to know how this is going to help things any.

And while the Vietcong is firing rockets into Saigon and killing civilians elsewhere around South Vietnam the cities of North Vietnam are immune from U.S. planes because of the President's decision announced last March 31 to halt the bombing of Hanoi.

In my opinion, Mr. Speaker, we cannot indefinitely tolerate the buildup of Vietcong strength in South Vietnam while we limit bombing in the north. We are only giving Ho Chi Minh a big military advantage in the war and greater leverage in Paris.

President Johnson should take affirmative action. He should announce a date a short time in the future—a date on which major Vietcong attacks in South Vietnam will bring an American response.

After that date, for every Vietcong rocket fired into Saigon, U.S. planes would drop a bomb on a military target in the Hanoi-Haiphong area. For every attack on United States or South Vietnamese troops in South Vietnam, U.S. planes would go after key airfield and transportation targets in the north.

Continued U.S. restraint plays right straight into the hands of the Communists. But firm U.S. action, with adequate explanation to the world, would go far to give us the negotiating strength at Paris which is essential if any sense at all is to be made of the talks going on there.

Let us say the longer coffeebreaks at

Paris are really a good sign for ending the bombing limitation, and I will bet we will see the coffeebreaks getting longer and longer.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. ROONEY of New York (at the request of Mr. CELLER), for Wednesday, July 3, to 4 o'clock p.m., on account of attending a funeral.

Mr. BURKE of Florida (at the request of Mr. ARENDS), for the week of July 1, 1968, on account of official business.

Mr. NICHOLS (at the request of Mr. ALBERT), for the week of July 1, on account of official 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. HOLIFIELD, for 15 minutes, today; and to include extraneous material.

(The following Members (at the request of Mr. PATTEN) to revise and extend their remarks and include extraneous matter:)

Mr. STAGGERS, for 5 minutes, today.

Mr. DENT, for 30 minutes, July 8, 1968.

Mrs. BOLTON (at the request of Mr. BUSH), for 5 minutes, today; to revise and extend her remarks and to include extraneous matter.

EXTENSIONS OF REMARKS

By unanimous consent, permission to extend remarks was granted to:

Mr. FARBERSTEIN and to include extraneous matter.

Mr. CORBETT and to include extraneous matter.

Mr. DULSKI in two instances and to include extraneous matter.

Mr. HOLIFIELD to extend his remarks and to include extraneous material on the McCarthy amendment to S. 1166.

Mr. HECHLER of West Virginia during general debate on H.R. 18188 and to include extraneous matter.

(The following Members (at the request of Mr. BUSH), and to include extraneous matter:)

Mr. CONTE.

Mr. BELL in two instances.

Mr. BERRY.

Mr. SCHERLE.

Mr. CURTIS in two instances.

Mr. THOMPSON of Georgia.

Mr. BROWN of Ohio.

Mr. ASHBROOK in two instances.

Mr. MORSE of Massachusetts in three instances.

Mr. ARENDS.

Mr. MINSHALL.

Mr. DUNCAN in two instances.

Mr. LIPSCOMB.

Mr. MCCLORY.

Mr. ESCH.

Mr. KING of New York in three instances.

Mr. BATTIN.

Mr. McDONALD of Michigan.

Mr. BLACKBURN in two instances.

Mr. McCLURE in four instances.

Mr. WYMAN.

(The following Members (at the request of Mr. PATTEN) and to include extraneous matter:)

Mr. COLMER in two instances.

Mr. HOWARD.

Mr. BOLLING in two instances.

Mr. WILLIAM D. FORD in two instances.

Mr. NIX.

Mr. ANDREWS of Alabama.

Mr. ANNUNZIO in two instances.

Mr. KING of California.

Mr. PATTEN.

Mr. FRASER in three instances.

Mr. STAGGERS.

Mr. RODINO.

Mr. FASCELL in two instances.

Mr. RIVERS in three instances.

Mr. REES.

Mr. BOGGS in three instances.

Mr. JONES of North Carolina in two instances.

Mr. GONZALEZ in three instances.

Mr. DOW.

Mr. BRADEMANS in six instances.

Mr. RARICK in six instances.

Mr. CONYERS in three instances.

Mr. BURTON of California.

Mr. ST. ONGE in two instances.

Mr. BRASCO.

Mr. PURCELL in two instances.

Mr. KORNEGAY in two instances.

Mr. EVINS of Tennessee in two instances.

Mr. WAGGONNER.

Mr. TIERNAN.

Mr. GATHINGS.

Mr. GRIFFIN.

SENATE BILLS REFERRED

A bill of the Senate of the following title was taken from the Speaker's table and, under the rule, referred as follows:

S. 3710. An act authorizing the construction, repair, and preservation of certain public works on rivers and harbors for navigation, flood control, and for other purposes; to the Committee on Public Works.

ENROLLED BILLS SIGNED

Mr. BURLESON, from the Committee on House Administration, reported that the committee had examined and found truly enrolled bills of the House of the following titles, which were thereupon signed by the Speaker:

H.R. 3639. An act to protect the public health by amending the Federal Food, Drug, and Cosmetic Act to consolidate certain provisions assuring the safety and effectiveness of new animal drugs, and for other purposes; and

H.R. 17734. An act making supplemental appropriations for the fiscal year ending June 30, 1968, and for other purposes.

SENATE ENROLLED BILLS SIGNED

The Speaker announced his signature to enrolled bills of the Senate of the following titles:

S. 322. An act to restrict the disposition of lands acquired as part of the National Wildlife Refuge System; and

S. 1251. An act to make certain reclamation project expenses nonreimbursable.

ADJOURNMENT

Mr. PATTEN. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to.

The SPEAKER. In accordance with House Concurrent Resolution 792, 90th Congress, the Chair declares the House adjourned until 12 o'clock noon on Monday, July 8, 1968.

Thereupon (at 7 o'clock and 32 minutes p.m.), pursuant to House Concurrent Resolution 792, the House adjourned until Monday, July 8, 1968, 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:

2009. A communication from the President of the United States, transmitting a proposal to amend the 1969 budget for the District of Columbia (H. Doc. No. 346); to the Committee on Appropriations and ordered to be printed.

2010. A communication from the President of the United States, transmitting proposals to increase public safety in the District of Columbia (H. Doc. No. 347); to the Committee on the District of Columbia and ordered to be printed.

2011. A letter from the Secretary of the Army, transmitting a letter from the Chief of Engineers, Department of the Army, dated June 3, 1968, submitting a report, together with accompanying papers and illustrations, on an interim report on the Mississippi River from Cassville, Wis., to mile 300, in partial response to two resolutions of the Committee on Flood Control, House of Representatives, both adopted September 18, 1944, and also in full response to a resolution of the Committee on Public Works, U.S. Senate, adopted June 23, 1965 (H. Doc. No. 348); to the Committee on Public Works and ordered to be printed with illustrations.

2012. A letter from the Secretary of the Army, transmitting a letter from the Chief of Engineers, Department of the Army, dated March 19, 1968, submitting a report, together with accompanying papers and illustrations, on a review of the report on Papillion Creek and tributaries, Nebraska, requested by resolutions of the Committees on Public Works, U.S. Senate and House of Representatives, adopted June 22, 1964, and September 3, 1964 (H. Doc. No. 349); to the Committee on Public Works and ordered to be printed with illustrations.

2013. A letter from the Comptroller General of the United States, transmitting a report on the opportunity for savings in space programs by reevaluating needs before buying facilities, Department of the Air Force; to the Committee on Government Operations.

2014. A letter from the Secretary of the Interior, transmitting notification of a delay in the transmission of the report due on or before July 1, 1968, concerning a model code to govern the administration of justice by courts of Indian offenses on Indian reservations, pursuant to 82 Stat. 73; to the Committee on the Judiciary.

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. TAYLOR: Committee on Interior and Insular Affairs. H.R. 18260. A bill to provide for a national scenic rivers system, and for other purposes (Report No. 1623). Referred to the Committee of the Whole House on the State of the Union.

Mr. FASCELL: Committee on Foreign Affairs. S. 1260. An act to amend the Northwest

Atlantic Fisheries Act of 1950 (Public Law 81-845) (Rept. No. 1624). Referred to the Committee of the Whole House on the State of the Union.

Mr. WILLIS: Committee on Un-American Activities. H.R. 15626. A bill to amend the Subversive Activities Control Act of 1950 to authorize the Federal Government to deny employment in defense facilities to certain individuals, to protect classified information released to U.S. industry, and for other purposes; with amendment (Rept. No. 1625). Referred to the Committee of the Whole House on the State of the Union.

Mr. PEPPER: Committee on Rules. House Resolution 1244. Resolution providing for the consideration of H.R. 11618, a bill to prevent the importation of endangered species of fish or wildlife into the United States, to prevent the interstate shipment of reptiles, amphibians, and other wildlife taken contrary to State law, and for other purposes (Rept. No. 1626). Referred to the House Calendar.

Mr. MATSUNAGA: Committee on Rules. House Resolution 1245. Resolution providing for the consideration of H.R. 16024, a bill to extend for 1 year the act of September 30, 1965, relating to high-speed ground transportation (Rept. No. 1627). Referred to the House Calendar.

Mr. MATSUNAGA: Committee on Rules. House Resolution 1246. Resolution providing for the consideration of H.R. 16824, a bill to extend for an additional year the authorization of appropriations under the State Technical Services Act of 1965 (Rept. No. 1628). Referred to the House Calendar.

Mr. ROGERS of Colorado: Committee on the Judiciary. S. 945, an act to abolish the office of U.S. commissioner, to establish in place thereof within the judicial branch of the Government the office of U.S. magistrate, and for other purposes; with amendment (Rept. No. 1629). Referred to the Committee of the Whole House on the State of the Union.

Mr. ASPINALL: Committee on Interior and Insular Affairs. S. 2515. An act to authorize the establishment of the Redwood National Park in the State of California, and for other purposes; with amendment (Rept. No. 1630). Referred to the Committee of the Whole House on the State of the Union.

Mr. TAYLOR: Committee on Interior and Insular Affairs. H.R. 4865. A bill to establish a nationwide system of trails, and for other purposes; with amendment (Rept. No. 1631). Referred to the Committee of the Whole House on the State of the Union.

Mr. HAYS: Committee on Foreign Affairs. S. 633. An act to promote the foreign policy of the United States by strengthening and improving the Foreign Service personnel system of the U.S. Information Agency through establishment of a Foreign Service Information Officer Corps; with amendment (Rept. No. 1632). Referred to the Committee of the Whole House on the State of the Union.

Mr. HAYS: Committee on Foreign Affairs. S. 1418. An act to make several changes in the passport laws presently in force; with amendment (Rept. No. 1633). Referred to the Committee of the Whole House on the State of the Union.

Mr. STAGGERS: Committee on Interstate and Foreign Commerce. H.R. 15757. A bill to amend the Public Health Service Act to extend and improve the programs relating to the training of nursing and other health professions and allied health professions personnel, the programs relating to student aid for such personnel, and the program relating to health research facilities, and for other purposes; with amendment (Rept. No. 1634). Referred to the Committee of the Whole House on the State of the Union.

Mr. POAGE: Committee on Agriculture. H.R. 18209. A bill to amend the Consolidated Farmers Home Administration Act of 1961, as amended, to provide for loans to supplement farm income and to provide for additional recreation loans, extend the period for water and sewer grants prior to completion of a

comprehensive plan, increase the amount of unsold insured loans that may be made out of the fund, raise the aggregate annual limits on grants, remove the annual ceiling on insured loans, and for other purposes; with amendment (Rept. No. 1635). Referred to the Committee of the Whole House on the State of the Union.

Mr. FALLON: Committee on Public Works. S. 2658. An act to amend section 127 of title 23 of the United States Code relating to vehicle weight and width limitations on the Interstate System, in order to make certain increases in such limitations; with amendment (Rept. No. 1636). Referred to the Committee of the Whole House on the State of the Union.

Mr. TEAGUE of Texas: Committee on Veterans' Affairs. H.R. 12801. A bill to amend title 38 of the United States Code in order to establish in the Veterans' Administration a national cemetery system consisting of all cemeteries of the United States in which veterans of any war or conflict or of service in the Armed Forces are or may be buried, and for other purposes; with amendment (Rept. No. 1637). Referred to the Committee of the Whole House on the State of the Union.

Mr. GARMATZ: Committee on Merchant Marine and Fisheries. S. 1752. An act to amend the act prohibiting fishing in the territorial water of the United States and in certain other areas by vessels other than vessels of the United States and by persons in charge of such vessels (Rept. No. 1638). Referred to the House Calendar.

Mr. STAGGERS: Committee on Interstate and Foreign Commerce. H.R. 17685. A bill to amend the Federal Aviation Act of 1958 with respect to the definition of "supplemental air transportation," and for other purposes; with amendment (Rept. No. 1639). Referred to the Committee of the Whole House on the State of the Union.

Mr. ZABLOCKI: Committee on Foreign Affairs. S. 660. An act granting the consent of Congress to a Great Lakes Basin compact, and for other purposes (Rept. No. 1640). Referred to the Committee of the Whole House on the State of the Union.

Mr. MORGAN: Committee on Foreign Affairs. H.R. 15681. A bill to consolidate and revise foreign assistance legislation relating to reimbursable military exports (Rept. No. 1641). Referred to the Committee of the Whole House on the State of the Union.

Mr. POAGE: Committee of conference. S. 2986. An act to extend Public Law 480, 83d Congress, for 3 years, and for other purposes (Rept. No. 1642). Ordered to be printed.

Mr. STAGGERS: Committee on Interstate and Foreign Commerce. H.R. 12698. A bill to amend part I of the Federal Power Act to clarify the manner in which the licensing authority of the Commission and the right of the United States to take over a project or projects upon or after the expiration of any license shall be exercised; with amendment (Rept. No. 1643). Referred to the Committee of the Whole House on the State of the Union.

Mr. STAGGERS: Committee on Interstate and Foreign Commerce. H.R. 12843. A bill to amend the Public Health Service Act to provide for the establishment of a National Eye Institute in the National Institutes of Health; with amendment (Rept. No. 1644). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. ADDABBO:
H.R. 18326. A bill to amend the Immigration and Nationality Act to make additional immigrant visas available for immigrants from certain foreign countries, and for other purposes; to the Committee on the Judiciary.

By Mr. CURTIS:

H.R. 18327. A bill to amend the Internal Revenue Code of 1954 to increase the credit against tax for retirement income; to the Committee on Ways and Means.

By Mr. DINGELL:

H.R. 18328. A bill to require that any recording of any song or other verbal material set to music which is sold in interstate commerce be accompanied by a printed copy of the words thereto; to the Committee on Interstate and Foreign Commerce.

By Mr. FASCELL:

H.R. 18329. A bill to amend the act of October 3, 1965; to the Committee on the Judiciary.

By Mr. FULTON of Pennsylvania:

H.R. 18330. A bill to incorporate the Catholic War Veterans of the United States of America; to the Committee on the Judiciary.

By Mr. FUQUA:

H.R. 18331. A bill to amend section 4356 of title 39, United States Code, relating to certain mailings of State departments of agriculture; to the Committee on Post Office and Civil Service.

By Mr. GURNEY:

H.R. 18332. A bill to amend title 18, United States Code, to prohibit the use in commission of certain crimes of firearms transported in interstate commerce; to the Committee on the Judiciary.

By Mr. KYL:

H.R. 18333. A bill to authorize the Secretary of the Interior to study the feasibility and desirability of establishing an Upper Mississippi Valley National Recreation Area between Wood River, Ill., and Minneapolis, Minn., and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. ST. ONGE:

H.R. 18334. A bill to amend the Immigration and Nationality Act; to the Committee on the Judiciary.

By Mr. SAYLOR:

H.R. 18335. A bill to amend title 38 of the United States Code in order to establish a national cemetery system within the Veterans' Administration, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. SKUBITZ:

H.R. 18336. A bill to amend section 13a of the Interstate Commerce Act, to authorize a study of essential railroad passenger service by the Secretary of Transportation, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. TALCOTT:

H.R. 18337. A bill to amend subsection (c) of section 406 of the Omnibus Crime Control and Safe Streets Act of 1968 to aid law-enforcement officers taking courses through correspondence schools; to the Committee on the Judiciary.

By Mr. EVANS of Colorado:

H.R. 18338. A bill to amend title VI of the Public Health Service Act to improve the existing program for assistance for construction and modernization of hospitals and other medical facilities and to provide for the making of loans for such modernization; to the Committee on Interstate and Foreign Commerce.

By Mr. FRASER (for himself, and Mr. KARTH):

H.R. 18339. A bill to permit a State to continue in effect the earnings tests presently being applied under certain other programs for purposes of aid to families with dependent children under title IV of the Social Security Act until it has placed in effect the new earnings exemption provisions required by the Social Security Amendments of 1967; to the Committee on Ways and Means.

By Mr. GARMATZ:

H.R. 18340. A bill to amend section 212(B) of the Merchant Marine Act, 1936, as amended, to provide for the continuation of authority to develop American-flag carriers and promote the foreign commerce of the

United States through the use of mobile trade fairs; to the Committee on Merchant Marine and Fisheries.

By Mr. HERLONG (for himself, Mr. ASHMORE, Mr. BERRY, Mr. BETTS, Mr. BRAY, Mr. BROYHILL of North Carolina, Mr. BURLESON, Mr. DENT, Mr. FISHER, Mr. HALEY, Mr. HECHLER of West Virginia, Mr. KORNEGAY, Mr. LENNON, Mr. MOORE, Mr. O'KONSKI, Mr. PELLY, Mr. RHODES of Pennsylvania, Mr. RIVERS, Mr. SAYLOR, Mr. THOMSON of Wisconsin, Mr. UTT, Mr. WALKER, Mr. WATSON, Mr. WHALLEY, and Mr. WHITTNER):

H.R. 18341. A bill to encourage the growth of international trade on a fair and equitable basis; to the Committee on Ways and Means.

By Mr. McDONALD of Michigan:

H.R. 18342. A bill to amend section 2312 of title 18, United States Code, to permit a person enforcing that section to stop a motor vehicle to inspect the serial number of its body and motor if he has reason to suspect that the motor vehicle has been stolen; to the Committee on the Judiciary.

H.R. 18343. A bill to amend 3109 of title 18, United States Code, to permit an officer to execute certain search warrants without giving notice of his authority or purpose; to the Committee on the Judiciary.

H.R. 18344. A bill to amend the Sherman Act to prohibit the investment of certain income in any business enterprise affecting interstate or foreign commerce; to the Committee on the Judiciary.

H.R. 18345. A bill to prohibit the investment of income derived from certain criminal activities in any business enterprise affecting interstate or foreign commerce, and for other purposes; to the Committee on the Judiciary.

H.R. 18346. A bill to provide for the investigative detention and search of persons suspected of involvement in, or knowledge of, Federal crimes; to the Committee on the Judiciary.

H.R. 18347. A bill to establish a Joint Committee on Organized Crime; to the Committee on rules.

By Mr. PUCINSKI:

H.R. 18348. A bill to establish a commission to be known as the Commission on Air Traffic Control; to the Committee on Interstate and Foreign Commerce.

By Mr. SAYLOR:

H.R. 18349. A bill to amend section 723, title 38, United States Code, to provide for the payment of dividends on certain national service life insurance issued on the term plan between April 25, 1951, and December 31, 1956, or thereafter converted; to the Committee on Veterans' Affairs.

By Mr. ASPINALL (for himself, Mr. SAYLOR, Mr. HALEY, Mr. SKUBITZ, Mr. EDMONDSON, Mr. BURTON of Utah, Mr. TAYLOR, Mr. MORTON, Mr. JOHNSON of California, Mr. WYATT, Mr. UDALL, Mr. KUFFERMAN, Mr. FOLEY, Mr. KYL, Mr. WHITE, Mr. SPEIGER of Arizona, Mr. KAZEN, Mr. McCLURE, and Mr. KEE):

H.J. Res. 1384. Joint resolution relating to the administration of the national park system; to the Committee on Interior and Insular Affairs.

By FULTON of Tennessee:

H.J. Res. 1385. Joint resolution to direct the Federal Communications Commission to conduct a comprehensive study and investigation of the effects of the display of violence in television programs, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. THOMPSON of Georgia:

H.J. Res. 1386. Joint resolution proposing an amendment to the Constitution of the United States to provide qualifications of Associate Justices and Chief Justices of the Supreme Court of the United States and to provide that no person shall serve as a Justice of that Court after having attained the age

of 75 years; to the Committee on the Judiciary.

By Mr. GURNEY:

H. Con. Res. 793. Concurrent resolution expressing the sense of the Congress with respect to the nomination of Homer Thornberry and Abe Fortas; to the Committee on the Judiciary.

By Mr. PURCELL:

H. Con. Res. 794. Concurrent resolution to create a delegation to a convention of North Atlantic nations; to the Committee on Foreign Affairs.

By Mr. FALLON:

H. Res. 1247. Resolution to grant additional travel authority to the Committee on Public Works; to the Committee on Rules.

MEMORIALS

Under clause 4 of rule XXII, memorials were presented and referred as follows:

359. By the SPEAKER: Memorial of the House of Representatives of the Commonwealth of Massachusetts, relative to holding public hearings prior to enactment of legislation affecting the tax-exempt status of securities issued by State and local governments; to the Committee on Ways and Means.

360. Also, memorial of the House of Representatives of the Commonwealth of Massachusetts, relative to the Massachusetts Industrial Finance Authority Act concerning shipbuilding industries; to the Committee on Ways and Means.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BRASCO:

H.R. 18350. A bill for the relief of Vito Di Giovanni, Caterina Di Giovanni, and their children, Antonino and Vittorio Di Giovanni; to the Committee on the Judiciary.

H.R. 18351. A bill for the relief of Loreto Mancino and Gennaro Mancino; to the Committee on the Judiciary.

H.R. 18352. A bill for the relief of Diego Melodia, Maria Mamschalchi Melodia, and Ignazio Melodia; to the Committee on the Judiciary.

By Mr. BURTON of California:

H.R. 18353. A bill for the relief of Claude Marc Moreau; to the Committee on the Judiciary.

H.R. 18354. A bill for the relief of Antonino Piazza; to the Committee on the Judiciary.

By Mr. HELSTOSKI:

H.R. 18355. A bill for the relief of Manuel Benzer; to the Committee on the Judiciary.

By Mr. PELLY:

H.R. 18356. A bill for the relief of Estrella B. Cleto; to the Committee on the Judiciary.

By Mr. PUCINSKI:

H.R. 18357. A bill for the relief of Mr. Ross Butterall Poore; to the Committee on the Judiciary.

By Mr. RESNICK:

H.R. 18358. A bill for the relief of Yuen Fo Wing; to the Committee on the Judiciary.

By Mr. RIEGLE:

H.R. 18359. A bill for the relief of Chi Ho An; to the Committee on the Judiciary.

By Mr. ROSENTHAL:

H.R. 18360. A bill for the relief of Mrs. Maria Gigante; to the Committee on the Judiciary.

By Mr. ROSTENKOWSKI:

H.R. 18361. A bill for the relief of Mr. and Mrs. Carlo Montello; to the Committee on the Judiciary.

By Mr. SCHWEIKER:

H.R. 18362. A bill for the relief of Kasumi Nakandakari; to the Committee on the Judiciary.

By Mr. TUNNEY:

H.R. 18363. A bill for the relief of Jaime G.

Avecilla, Jr.; to the Committee on the Judiciary.

By Mr. WHITTEN:

H.R. 18364. A bill for the relief of Prabhakar G. Chitnis; to the Committee on the Judiciary.

By Mr. WRIGHT:

H.R. 18365. A bill for the relief of Bernward

Karl Paulke and Winfried Paulke; 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:

366. The SPEAKER presented a petition of the board of supervisors, Contra Costa County, Calif., relative to legislation re-imposing or permitting imposition of residence requirements for welfare benefits, which was referred to the Committee on Ways and Means.

EXTENSIONS OF REMARKS

TRIBUTE TO TRINI LOPEZ

HON. THOMAS M. REES

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 3, 1968

Mr. REES. Mr. Speaker, in these troubled times it gives me pleasure to call to your attention, a man of most humble origin, who has traveled the world over making friends for the United States. This man is Trini Lopez, known to you as an actor and singer, but also known to the people of Asia, Africa, Australia, South America, and Europe as a friendly ambassador of good will.

One week he may be in Brussels making a charity appearance with Marlene Dietrich. The next week could find him in Austin, Tex., taking part in a program sponsored by the National Council for the Arts. But regardless of his schedule, he makes it a point to make new friends wherever he goes. In every concert he sings the song from "West Side Story" with the lyric "I like to be in America," and nothing pleases him so much as having the audience join in the singing. This frequently happens in countries where English is seldom spoken, but people learn the song from records.

On a recent tour he performed before an integrated audience in Rhodesia, the integration taking place only after he threatened to cancel the concert. Regardless of his schedule, he always makes it a point to find free time for worthy causes. He has been known to cancel commercial performances to appear at events such as the Red Cross gala in Monte Carlo. Regardless of what areas he visits, he has no trouble reaching across the language barriers. The one experience that has eluded him is playing behind the Iron Curtain, and he is anxiously waiting for the Cultural Exchange Committee to complete the arrangements.

Had these activities been the work of a person born with the advantages of our affluent society, the efforts on behalf of the less-fortunate people could be attributed to some need for self-justification and social consciousness. Mr. Lopez, however, was offered the very minimum of the material benefits during his formative years. Born in the Little Mexico district of Dallas, he and his family lived eight to a room as they struggled for survival. Only the music of his father's guitar brightened the dismal world around them. By the age of 11, the son knew that music was to be his life. By the age of 15, he had his own musical group and started the harsh one-night stands that are the training ground for

many musicians. Eventually the trail led him to California, where Frank Sinatra helped him break through to stardom. Now wealthy and famous, Mr. Lopez associates with the glamorous figures of the international set, but he has not overlooked his responsibility to the multitudes of less-fortunate people. Nothing pleases him more than the salute from the Mexican newspaper Novedades, which hailed him as "the greatest U.S. export since Coca-Cola."

Thank you.

QUESTIONNAIRE

HON. WILLIAM D. FORD

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 3, 1968

Mr. WILLIAM D. FORD. Mr. Speaker, earlier this year, I sent questionnaires to each of the more than 130,000 homes in my congressional district, seeking my constituents' viewpoints on some of the major issues facing this Congress and the Nation.

This was the fourth year that I had conducted such a poll, and the response was the largest ever. More than 15,000 persons responded, and many expanded their views in letters.

With the thought that many of my colleagues might be interested in the results of my survey, I, under unanimous consent, include them in the RECORD, as follows:

Following is a breakdown of the replies to each of the questions asked:

1. Do you favor a 10-percent surcharge (10 percent of the tax now paid) on individual and corporate income taxes to help combat inflation?

Total replies.....	14,697
Yes (34 percent).....	4,997
No (66 percent).....	9,700

2. Do you favor a tax on tourist travel abroad to help solve this nation's balance-of-payments problem?

Total replies.....	16,263
Yes (60 percent).....	9,757
No (40 percent).....	6,506

3. Do you favor stricter penalties for producing, selling, or possessing LSD, marijuana, and similar drugs?

Total replies.....	16,398
Yes (81 percent).....	13,283
No (19 percent).....	3,115

4. Do you favor increased use of Federal funds to help provide long-term loans for middle-income college students?

Total replies.....	14,868
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Yes (62 percent).....	9,218
No (38 percent).....	5,650

5. Do you favor stronger Federal action to help solve the problems of air and water pollution?

Total replies.....	14,834
Yes (93 percent).....	13,796
No (7 percent).....	1,038

6. Do you favor enactment of an all-out national program to train the hard-core unemployed and put them in jobs?

Total replies.....	14,570
Yes (64 percent).....	9,324
No (36 percent).....	5,246

7. Do you favor increased Federal aid to municipal, county and state police for salaries, equipment and training?

Total replies.....	14,683
Yes (58 percent).....	8,517
No (42 percent).....	6,166

7a. Would you favor a similar program for fire departments?

Total replies.....	14,267
Yes (48 percent).....	6,849
No (52 percent).....	7,418

8. Do you favor Federal legislation to regulate and control the sale of firearms?

Total replies.....	14,913
Yes (54 percent).....	8,053
No (46 percent).....	6,860

9. Do you approve of the present United States policy in Vietnam and Southeast Asia?

Total replies.....	14,152
Yes (28 percent).....	3,963
No (72 percent).....	10,189

Those who indicated that they did not favor the then apparent U.S. policy in Vietnam and Southeast Asia were asked what alternative course of action they would suggest. The replies show a broad spectrum of opinion. The most common suggestions are listed below, with the percentage of votes they received:

	Percent
a. Escalate the War.....	24
b. Withdraw from Vietnam.....	21
c. De-escalate the War.....	8
d. Either fight to win or get out.....	19
e. Make the Vietnamese do more.....	14

The final question in the poll asked, "What, in your opinion, are the most vital problems facing our nation today?" The most common replies are listed below in order of the number of people suggesting them:

1. Vietnam.

It should be noted that some persons answered the question before and some after President Johnson's March 31 speech and the subsequent Preliminary Peace talks.