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PROCEEDINGS AND DEBATES OF THE 91st CONGRESS, FIRST SESSION

HOUSE OF REPRESENTATIVES—Thursday, November 6, 1969

The House met at 12 o'clock noon.
The Chaplain, Rev. Edward G. Latch, D.D., offered the following prayer:

Whatsoever ye would that men should do to you, do ye even so to them.—Matthew 7: 12.

Almighty God, who art the light and life of those who with true faith and hearty repentance turn unto Thee, have mercy upon us as we bow in this circle of prayer. Pardon and deliver us from all our sins, confirm and strengthen us in all goodness, and bring new life to us as we wait upon Thee.

With us is a deep weariness of body and within us is a disturbing unrest of spirit. We wonder what can be done, when we can do it, and who will help us do what ought to be done. Grant unto us the realization that with Thee all good things are possible and that we can be equal to every experience through the strength of Thy spirit living in our hearts.

Make us the kind of persons who can be trusted with Thy design for human brotherhood, with Thy determination for peace in our world, and with Thy desire for good will in the hearts of all people.

In Thy holy name we pray. 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 joint resolution of the House of the following title:

H.J. Res. 910. Joint resolution to declare a national day of prayer and concern for American servicemen being held prisoner in North Vietnam.

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 1072) entitled "An act to authorize funds to carry out the purposes of the Appalachian Regional Development Act of 1965, as amended, and titles I, III, IV, and V of the Public Works and Economic Development Act of 1965, as amended."

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 1857) entitled "An act to authorize appropriations for activities of the National

Science Foundation pursuant to Public Law 81-507, as amended."

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 10595) entitled "An act to amend the act of August 7, 1956 (70 Stat. 1115), as amended, providing for a Great Plains conservation program."

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

H.R. 12964. An act making appropriations for the Departments of State, Justice, and Commerce, the judiciary, and related agencies for the fiscal year ending June 30, 1970, and for other purposes.

The message also announced that the Senate insists upon its amendments to the bill (H.R. 12964) entitled "An act making appropriations for the Departments of State, Justice, and Commerce, the judiciary, and related agencies for the fiscal year ending June 30, 1970, and for other purposes," requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. McCLELLAN, Mr. ELLENDER, Mr. PASTORE, Mr. FULBRIGHT, Mrs. SMITH of Maine, Mr. HRUSKA, and Mr. CASE to be the conferees on the part of the Senate.

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. 118. An act to grant the consent of the Congress to the Tahoe regional planning compact, to authorize the Secretary of the Interior and others to cooperate with the planning agency thereby created, and for other purposes.

PROPOSED ADJOURNMENT UNTIL WEDNESDAY, NOVEMBER 12, 1969

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

Mr. ALBERT. Mr. Speaker, I am going to offer a concurrent resolution providing for the adjournment of the House from this evening until Wednesday noon. I did not do this without first consulting the leadership of the other body and also being advised that the continuing resolution would not be brought up in the other body this week.

Mr. Speaker, I offer a privileged concurrent resolution (H. Con. Res. 441) and ask for its immediate consideration.

The Clerk read the concurrent resolution, as follows:

H. CON. RES. 441

Resolved by the House of Representatives (the Senate concurring). That when the House adjourns on Thursday, November 6, 1969, it stand adjourned until 12:00 meridian, Wednesday, November 12, 1969.

The SPEAKER. The question is on the concurrent resolution.

The question was taken; and the Speaker announced that the ayes appeared to have it.

Mr. HALL. 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. The gentleman from Missouri objects to the vote on the ground that a quorum is not present and makes the point of order that a quorum is not present.

Mr. HALL. Mr. Speaker, I ask unanimous consent to withdraw the point of order, provided the other request is withdrawn, until other arrangements can be made.

The SPEAKER. The gentleman can withdraw his point of order.

Mr. ALBERT. Mr. Speaker, I ask unanimous consent to withdraw the concurrent resolution temporarily.

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

There was no objection.

ANNOUNCEMENT OF INTENTION TO OFFER MOTION TO INSTRUCT CONFEREES ON H.R. 12829

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

Mr. DINGELL. Mr. Speaker, I take this opportunity to announce to my colleagues that on behalf of a number of my colleagues and myself there will be a motion offered today or at the time when the interest equalization tax legislation, H.R. 12829, comes before the House for the appointment of conferees. At that time I or one of my colleagues on behalf of us will offer a motion to instruct the conferees on the part of the House to accept the Senate language in amendment No. 7 which would eliminate the requirement for recordkeeping with regard to sales of rifle and shotgun ammunition and components therefor. This recordkeeping requirement has been found to be by the sportsmen one of the most obnoxious and objectionable sections of the recently passed firearms legislation.

In addition to this, it has been found to be by the Department of the Treasury and the Attorney General during this administration completely unworkable for the purpose of preventing crime and totally useless in terms of eliminating criminal misuse of firearms. It has been found equally useless and obnoxious by previous administrations.

Our motion to instruct House conferees will give our conferees opportunity to return the law to something more closely representing language of the House-passed legislation on this subject in the last Congress.

PERMISSION FOR SUBCOMMITTEE ON MINES AND MINING TO SIT DURING GENERAL DEBATE TODAY

Mr. BARING. Mr. Speaker, I ask unanimous consent that the Subcommittee on Mines and Mining be allowed to sit during general debate this afternoon.

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

There was no objection.

GUN REGISTRATION

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

Mr. MADDEN. Mr. Speaker, I wish to join with my colleagues, Congressman DINGELL, of Michigan, and Congressman MACGREGOR, of Minnesota, and others, to repeal and eliminate the deplorable registration provisions in the gun control law—H.R. 9618—enacted by the House last year—1968.

The conference report on this legislation will be programed for consideration by the House possibly next week. I do hope that all the Members will be on notice to support the instructions which will be submitted for the conferees to delete and abandon the complicated and undesirable impediment it places upon millions of Americans who enjoy hunting, trapshooting, and all sports pertaining thereto, in making the necessary purchases of guns, ammunition, and so forth, without registration.

In certain localities it is practically impossible for a citizen to purchase guns, ammunition, and so forth, without looking up locations set aside for registration and other complicated redtape which the law imposes upon the public.

When the conferees comply with this instruction, which I hope the House enacts, the taxpayers will be relieved of the added expense of providing office space and additional manpower necessary to carry on this silly gun and ammunition registration process to the inconvenience and added expense of everybody concerned.

TRIBUTE TO HOWARD BERTSCH

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

Mr. POAGE. Mr. Speaker, for a great many years I have been, as many of you have been, deeply interested in the work of the Farmers Home Administration. During many of its early days this agency and its predecessors were plagued with recurrent charges of maladministration. There are still those who disagree with the whole concept of Farmers Home, but for the last 9 years I have heard very few suggestions of any improprieties. The Farmers Home Administration has become and continues to be one of the most vital action agencies of the Department of Agriculture.

This great change for the better can be largely attributed to the outstanding work, understanding and dedication of Howard Bertsch. An unpretentious man who might well go unnoticed in a crowd, Howard Bertsch moved the Farmers Home Administration from a kind of domestic missionary society into one of the great business institutions of the Nation, handling vast sums of money, doing complicated business with bankers and investment firms on the one hand and with penniless young farm families and the victims of drought, flood, and depression on the other hand. He was the friend both of the sharecropper and of the investment banker and he understood the problems of both.

Howard Bertsch did much to make rural America a better place in which to live. Although he had retired from his position of active management, the Nation in his death has lost an outstanding public servant and American agriculture has lost a true friend.

Mr. ALBERT. Mr. Speaker, I was shocked to learn this morning of the sudden death of Howard Bertsch, former Administrator of the Farmers Home Administration.

As Administrator of the Farmers Home Administration, Howard Bertsch was one of the leaders in the field of rural development. Thousands of people in Oklahoma and indeed throughout the Nation who probably never heard of Howard Bertsch owe him a great deal of thanks because it was through his leadership in the Farmers Home Administration that the water and sewer facility programs of that agency were developed to meet the great needs of the people of rural areas.

I had occasion to work with Mr. Bertsch closely in several instances on Farmers Home Administration programs under consideration by Congress. Not only was he an outstanding civil servant with a long record of distinguished public service, he was also a fine gentleman.

Mrs. Albert joins me in expressing to his wife and loved ones our deepest sympathy on this sad occasion.

INSTRUCTING CONFEREES ON THE SO-CALLED FIREARMS AND AMMUNITION AMENDMENT

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

Mr. ROBERTS. Mr. Speaker, I take this time to say that I am joining my colleagues with reference to instructing

the conferees on the so-called firearms and ammunition amendment.

I might say that for those of you who have not tried it, take your congressional identification and your hunting license and anything else you want to take down with you and try to buy a box of shotgun shells in the city of Washington. I did last week and found out that there is no way you can buy them.

Mr. Speaker, the legislation does not say this, but regulations do. So I am going to join with my people and I hope all of you will join with us to repeal this ridiculous situation. If you think I am joking, just try to buy a box of shotgun shells in the city of Washington.

REPUBLICANS TO HOLD BIG POWWOW IN DES MOINES, IOWA, ON NOVEMBER 13

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

Mr. SMITH of Iowa. Mr. Speaker, I notice in the news media where the Republicans are going to have a big powwow out in Des Moines on November 13. Des Moines is in the district I represent. In attendance will be the minority leader of the House and the Republican national chairman as well as some other smaller fry. They might even let my colleague from Waterloo, Mr. GROSS, attend that party as a senior member of the President's party out in that area of the country.

I want at this time to extend a welcome to them because I may miss the motorcade as it comes screeching through Des Moines. I notice that the purpose of the meeting is to try to figure out a way to elect more Members to the Republican Party in the House, especially those people who will support the President, and of course that means, I suppose, supporting the President's foreign aid program.

And this is a timely meeting because we are going to have a primary next spring, and they will need to run some people in the Republican primary—if they are really seeking support for all of the President's programs.

I also extend a special welcome, Mr. Speaker, to our Vice President, SPIRO "Get Us Together Again" AGNEW. I would be willing to help arrange some meetings there where he can receive maximum exposure.

Mr. ARENDS. Mr. Speaker, if the gentleman will yield, will the gentleman likewise extend me an invitation? I might also like to be there.

Mr. SMITH of Iowa. I certainly will. I would like to welcome the minority whip to Iowa.

Mr. GROSS. Mr. Speaker, will the gentleman also extend me a special invitation?

Mr. SMITH of Iowa. I want you to come especially, but I think the minority leader by all means should invite you to come.

Mr. GROSS. Mr. Speaker, I thank the gentleman for his interest.

Mr. SMITH of Iowa. You may need to be there to defend yourself, because they

may seeking candidates to oppose those Members who do not support the President's programs, like the foreign aid program.

Mr. GROSS. Yes, and I thank the gentleman again for his interest.

PERMISSION FOR COMMITTEE ON EDUCATION AND LABOR TO SIT DURING GENERAL DEBATE TODAY

Mr. PERKINS. Mr. Speaker, I ask unanimous consent that the Committee on Education and Labor may be permitted to sit this afternoon during general debate to hear a witness.

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

There was no objection.

PERMISSION FOR SELECT SUBCOMMITTEE ON LABOR TO SIT DURING GENERAL DEBATE TODAY

Mr. PERKINS. Mr. Speaker, I ask unanimous consent that the Select Subcommittee on Labor, under the chairmanship of the gentleman from New Jersey (Mr. DANIELS), be permitted to sit this afternoon to hear witnesses during general debate.

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

There was no objection.

A SALUTE TO ERNIE PETINAUD

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

Mr. MARTIN. Mr. Speaker, I have the pleasure this morning of announcing that Governor Tiemann, of the great State of Nebraska, has commissioned Ernie Petinaud, our maitre d' in the House Restaurant who has served us all so well for so many years, as an admiral in the Great Navy of the State of Nebraska.

Ernie Petinaud started working in the House Restaurant in 1924 as a busboy. He subsequently served in the merchant marine for 8 years, and then returned to the House Restaurant where he has served all the Members of the House so diligently, so efficiently and so kindly for many, many years.

Mr. Speaker, I would like to read from this commission as issued by Governor Tiemann:

THE GREAT NAVY OF
THE STATE OF NEBRASKA.

To All Who Shall See These Presents:

GREETINGS: Know ye, that reposing special trust and confidence in the Patriotism valor, fidelity and abilities of Ernest Petinaud, and knowing him to be a good fellow and a loyal friend and counselor I have nominated and do appoint him an Admiral in the Great Navy of the State of Nebraska. He is therefore called to diligently discharge the duties of Admiral by doing and performing all manner of things thereto belonging. And I do strictly charge and require all officers, seamen, tadpoles and goldfish under his command to be obedient to his orders as Admiral—and he is to observe and follow, from time to time, such directions as he shall receive, according to the rules and discipline of the Great Navy of the State of Nebraska. This commission to

continue in force during the period of his good behavior, and the pleasure of the Chief Admiral of the Great Navy of the State of Nebraska.

Given under my hand in the City of Lincoln, State of Nebraska this 8th day of October 1969 in the year of our Lord.

NOBERT T. TIEMANN,
Governor.

Mr. GERALD R. FORD. Mr. Speaker, will the gentleman yield?

Mr. MARTIN. I yield to the minority leader.

Mr. GERALD R. FORD. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker, today we salute Ernie Petinaud on the occasion of his commissioning as an admiral in the Great Navy of the State of Nebraska. I am happy to join in this tribute to Ernie. I simply cannot imagine the Members' dining room in the House restaurant functioning without him. Ernie is a kind, gracious, polished, warm human being, and an excellent maitre d' in the bargain. I must confess I thought DAVE MARTIN was joshing a bit when he talked about the Great Navy of the State of Nebraska. But then I recalled that the Missouri River forms the eastern boundary of Nebraska, and that it was the Missouri that the French fur traders used to reach Nebraska territory in the early 18th century. As for Ernie Petinaud's new rank, it is most fitting and proper that he should be given a title reminiscent of the French who first sailed the Missouri in intrepid fashion. His commissioning as an admiral in the Navy of Nebraska is most fitting, too, because Omaha annually distributes more than \$1 billion worth of foodstuffs to the world. And, so, to Ernie Petinaud, the finest of maitre d's, a salute. The Members of this House of Representatives are lucky to have him.

Mr. MARTIN. Mr. Speaker, I thank the gentleman.

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

Mr. MARTIN. I yield to the distinguished majority leader.

Mr. ALBERT. Mr. Speaker, I am pleased to join the gentleman from Nebraska, in congratulating Mr. Ernest Petinaud upon his commissioning as an admiral in the Great Navy of the State of Nebraska. I know Ernest will carry his high honorary rank with the same dignity and grace for which we have come to know him during his many years of service to House Members. Ernie runs a good ship; he is always on course and certainly has made smoother sailing for us by the fine manner in which he handles his responsibilities. I am happy that this compliment has been paid one of our employees for whom we hold great affection.

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

Mr. MARTIN. I yield to the gentleman from Ohio.

Mr. HAYS. Mr. Speaker, I am delighted to hear that Ernest Petinaud has been made an admiral of the Nebraska navy. I know of his talents. I know that he is a polished individual and a cultured individual and that he speaks several languages.

As many of you know, I took him as a member of the staff to the North Atlantic Assembly—formerly the NATO Parliamentary Conference—a few years ago and I was criticized in the press for taking the head waiter—and that kept me awake one night for about 3 seconds, worrying about it.

I want to say to you, that if I decide to take him again, certainly the press cannot criticize me for having an admiral on my staff.

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

Mr. MARTIN. I yield to the distinguished gentleman from Mississippi.

Mr. ABERNETHY. Mr. Speaker, I wish to speak as a longtime admiral in the navy of the State of Nebraska, of which I am very proud.

In view of the fact that the great State of Nebraska only lately recognized the character and fine traits of Ernest Petinaud, I wish to say that Ernie will continue to be known as Colonel Petinaud because it was early last year that the distinguished Governor of my State, our former colleague the Honorable John Bell Williams, made Ernest Petinaud a colonel on his staff.

APPROACH TO THE AGRICULTURE PROBLEM

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

Mr. BROWN of Ohio. Mr. Speaker, today I am happy to introduce, along with my colleagues in the Ohio delegation, an approach to the agriculture problem which I believe will reform a program which has been unsuccessful in resolving a recurrent problem of great proportions for the farmer, the consumer, the taxpayer, and the Federal Government. I believe that this proposal to reform our Federal agriculture program offers a comprehensive long-range solution to the problem which is economically and socially sound. Recognizing the current imbalance of supply and demand under a program of Federal controls designed to try to achieve that balance, it relieves the farmers from relying on the Federal Government and takes the Federal Government out of agriculture. It is aimed at removing sufficient land from production to achieve that balance and to encourage economic efficiency of remaining productive acres. I hope that this approach provides a permanent reform—not just further perpetuation of the unsuccessful policy of the past.

Mr. Speaker, I have taken this time to call the attention of my colleagues to my remarks in the body of the RECORD.

THE PHILOSOPHY OF ERNEST FITZGERALD, EMPLOYEE IN THE DEFENSE DEPARTMENT

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

Mr. KYL. Mr. Speaker, a number of individuals have expressed righteous indignation in the last couple of days rela-

to the release of one Mr. Ernest Fitzgerald from the Defense Department. I join them in feeling sorry that this gentleman is no longer with the Government, but I think those who have known Mr. Fitzgerald only because of his connection with the C-5A investigation should know at least this one other factor as they proceed.

One of the things to which Mr. Fitzgerald objected quite strenuously was the up to 30-percent inefficiency which is allowed by the Defense Department in a number of contracts to achieve so-called social goals. A lot of the people who have been decrying expenditures in the Defense Department most loudly have never stopped to realize that some of the inefficiency has come about because of the built-in social goals—the employment of the handicapped, the employment of previously unemployable people. Mr. Fitzgerald is one who has objected to this kind of inefficiency too.

I thought it might be interesting to some of the Members to remember another aspect of Mr. Fitzgerald's philosophy.

RELAXING CERTAIN AMMUNITION CONTROLS

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

Mr. MACGREGOR. Mr. Speaker, earlier today the gentleman from Michigan (Mr. DINGELL) and the gentleman from Texas (Mr. ROBERTS) referred to an effort soon to be made by some of us to instruct the conferees on the part of the House on the bill to extend the interest equalization tax. Our aim is to persuade the House to accept the Senate amendment offered by the gentleman from Utah, Senator BENNETT, with respect to modifying certain ammunition control regulations.

I know many Members are very reluctant to instruct House conferees to adopt a nongermane Senate amendment, but let me assure Members that in this case all the Senate amendment does is to reinstate a portion of the language the House adopted by rollcall vote in July 1968. At that time, when we considered the Gun Control Act of 1968, the House adopted my amendment to exempt from the coverage of the bill shotgun shells and ammunition designed and used for target shooting and the hunting of rats and other vermin and predators and game.

It was the purpose of the House to distinguish between ammunition most frequently used in criminal activities and that lawfully used by hunters and sportsmen.

If the Members will support the effort to be made by a group of us today, or whenever the question comes up on interest equalization tax extension, they can be assured all we are seeking to do is to reinstate a portion of the position taken by the House last year, a position which unfortunately most of the House conferees did not endeavor to support in conference on the Gun Control Act of 1968.

I urge Members to support our motion this afternoon, or at such time as it may arise, to instruct the conferees to accept the Bennett of Utah amendment.

FITZGERALD'S FIRING IS DEPLORABLE

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

Mr. DICKINSON. Mr. Speaker, the action of the Department of Defense in firing A. Ernest Fitzgerald is deplorable.

Mr. Fitzgerald's dismissal has been explained as an "economy move"—part of a reorganization. Everyone knows, however, that he was fired because of his disclosures of waste and inefficiency in the Department of Defense. No matter how much DOD spokesmen deny this allegation, I—and I know other Members of the House feel likewise—know the real reason for his dismissal.

The word has gone out to Government employees, Mr. Speaker. If you see waste and inefficiency, look the other way. If you see overruns on Government contracts, say nothing, or you will be transferred to a position overseeing a bowling alley in Thailand. If you think you can save the hard-pressed American taxpayer money, do not stick your neck out, or you will find yourself facing Ernest Fitzgerald's fate.

Mr. Speaker, this matter is far from closed. Mr. Fitzgerald's dismissal is going to haunt some Defense Department officials in the near future.

PERMISSION TO FILE REPORT ON H.R. 14705, FEDERAL-STATE UNEMPLOYMENT COMPENSATION PROGRAM, UNTIL MIDNIGHT NOVEMBER 10

Mr. MILLS. Mr. Speaker, I ask unanimous consent that the Committee on Ways and Means may have until midnight Monday, November 10, 1969, to file a report on the bill, H.R. 14705 to extend and improve the Federal-State unemployment compensation program, along with any separate and/or supplemental views.

Mr. Speaker, if there are any separate views, they would also be filed at the same time.

Mr. DINGELL. Mr. Speaker, reserving the right to object, I would like to ask my good friend, the gentleman from Arkansas, a question on the interest equalization tax legislation, as to what the gentleman proposes to do with respect to that and a conference with the Senate, particularly dealing with when the gentleman intends to ask for a conference and for appointment of conferees.

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

Mr. DINGELL. I yield to the gentleman from Arkansas.

Mr. MILLS. Mr. Speaker, it had been my intention to ask today to send that bill to conference, but I was advised earlier that if I make that request there would be further objections.

There are two alternatives open. We have not decided which alternative we

will pursue now, in the light of this situation.

One would be to ask unanimous consent, and if that failed, to then move to send the bill to conference.

The other would be to go to the Rules Committee and ask for a rule sending the bill to conference.

As my friend from Michigan knows, there is evidently no objection to the interest equalization tax itself going to conference, plus the Senate technical amendments thereto. The objection is with respect to an amendment that was added in the Finance Committee and later modified on the Senate floor, dealing with a subject matter extraneous to the interest equalization tax; namely, the ammunition provision sponsored by the distinguished Senator from Utah, Mr. BENNETT, which is, I understand, very comparable to if not identical with an amendment offered by the gentleman from Minnesota (Mr. MACGREGOR) when this matter was being considered by the House.

As I recall, the House adopted the amendment, but it was eliminated in conference.

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

Mr. DINGELL. I am delighted to yield to my friend from Minnesota.

Mr. MACGREGOR. The statement of the distinguished gentleman from Arkansas is substantially correct.

The rollcall vote of the House on July 24, 1968, adopting the amendment to which the gentleman referred, was 218 to 205. The House position was lost in conference.

The nongermane amendment here at issue was adopted by the Senate a few weeks ago by rollcall vote of approximately 2 to 1; its author is the Senator from Utah, Mr. BENNETT. It is a less extensive recognition of the rights of hunters, sportsmen, and small storekeepers than that which the House registered last year by the rollcall vote to which I referred.

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

Mr. DINGELL. Mr. Speaker, I continue to reserve the right to object because I wish to discuss this matter a little further with my friend from Arkansas.

I should like to ask my good friend from Arkansas that he do keep the House fully informed of his plans with regard to this matter, because when the conference is requested, as announced by a number of my friends, and colleagues, my good friend from Minnesota (Mr. MACGREGOR), my good friend from Florida (Mr. SIKES), my good friend from Texas (Mr. ROBERTS), and our colleague and friend from Oregon (Mr. ULLMAN)—we propose to try to instruct, and bring before the House a motion to that end, the conferees on the part of this body that they do accept Senate Amendment No. 7 dealing with the question of record keeping, to remove this most obnoxious section from the law.

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

Mr. DINGELL. I am happy to yield to the gentleman from Arkansas.

Mr. MILLS. It would be my intention, whether we proceed by the route of the Rules Committee or by a direct motion to take from the Speaker's desk and send the bill to conference, to so advise my friend from Michigan and also to advise the chairman of the Judiciary Committee, the committee which has jurisdiction, presumably, over this type of amendment.

Mr. DINGELL. I thank the gentleman.

Mr. Speaker, I withdraw my reservation of objection.

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

There was no objection.

ALOHA TO BILL BELCHER

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

Mr. MATSUNAGA. Mr. Speaker, I know my colleagues would wish to join me in paying tribute to one of the most gracious and beloved figures ever to serve on Capitol Hill, our chief House doorman, William Belcher. Bill Belcher retired only a few days ago at the venerable and—in view of his excellent health and vitality—most surprising age, according to reliable sources, of 90 years.

Bill is a courtly gentleman of the old school, and we are unlikely to have our Halls again graced by any finer public servant than he.

He first came to the Hill as a private on the Capitol Hill Police force in 1947, and from 1953 until his retirement he served with unflinching courtesy and distinction as a doorman in the House of Representatives.

I am sure that my colleagues who were in Congress on March 1, 1954, will recall the assassination attempt by four Puerto Rican nationalists. It was precisely at 2:32 p.m. that pistol shots rang out from House spectators' gallery No. 11 on that otherwise uneventful day. As an incredible consequence five of the 243 Members of this body who had just answered a quorum call were struck by bullets and lay wounded on the floor. Other bullets fired wildly and at random splintered desks and chairs and even chipped plaster from the Chamber's ceiling. Three of them left holes in the rear wall near the Democratic pages' corner, one of which is still uncovered. Members then present may also recall that Bill Belcher was the first person who rushed to gallery No. 11 and there seized and disarmed the would-be assassins.

Bill Belcher has gained a host of friends in the Nation's Capital, and he has been wonderfully helpful to me and to my staff in greeting the thousands of visitors from the Island State who have toured the Capitol Building.

Bill has reminisced with me from time to time about his vacation trip to Hawaii, and I truly think he brought back with him Hawaii's spirit of Aloha, which is so evident in his associations with visitors from all over the Nation who have been fortunate enough to encounter him while visiting in the House Gallery.

Mr. Speaker, I know my colleagues would also wish to join with me in ex-

tending to Bill and his dear wife personal best wishes for a long and happy retirement.

I think we can all vicariously share the pleasure that Bill will now have as he devotes more time to his apple orchard and honey farm in the beautiful hills of West Virginia. It is a pleasure we would like to share in the same spirit that he has shared with some of us the delicious honey and bright red apples from his bountiful orchard over the years.

The words of the poet Browning come to mind as I bid this fond Aloha to Bill Belcher—

"Grow old along with me!
The best is yet to be,
The last of life, for which the first was
made . . ."

TRIBUTE TO MR. WILLIAM BELCHER, FORMER CHIEF DOORMAN, HOUSE OF REPRESENTATIVES

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

Mr. ALBERT. Mr. Speaker, I join my distinguished colleague in paying tribute to Mr. William Belcher, who recently retired as our chief doorman. He has been a fine, courageous, and courteous servant of the House and all its Members. I wish him a long and happy retirement.

Mr. SIKES. Mr. Speaker, I am gratified that my good friend, the distinguished gentleman from Hawaii (Mr. MATSUNAGA), has called to the attention of the House the retirement of William Belcher, a doorman in the House of Representatives for many years. I concur in all the good things that have been said about William Belcher. He was indeed an outstanding gentleman. Always courteous and gracious in the conduct of his duties, he added significantly to the luster of the House and its traditions. We would be fortunate indeed if we could retain his services for the purpose of schooling other House employees in these most important qualities.

I am proud that he is my friend, and I wish that I could claim him as a constituent. I think that is true of every Member of the House who has been privileged to know him. Certainly he has been helpful to each of us and to all of those whom we have referred to the galleries. We shall indeed miss him from the Halls of Congress, but we can reflect with him on pleasant memories of the years of distinguished and effective service which he gave and the friendships which he shared with so many of us.

I wish to Mr. and Mrs. Belcher a long and happy retirement—pleasant years together which they so richly deserve.

GENERAL LEAVE TO EXTEND

Mr. MATSUNAGA. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks on Mr. William Belcher.

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

There was no objection.

DEMONSTRATIONS AGAINST VIETNAM WAR

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

Mr. DE LA GARZA. Mr. Speaker, an end to American involvement in Vietnam will not be brought one bit closer by the outpouring of people into the streets of our cities next weekend.

So far as the professed end sought by the demonstrators is concerned the event can be but an exercise in futility. But so far as the American people generally are concerned it is more than that and worse.

Such organized demonstrations are an insult to our servicemen and their families. They show an appalling lack of faith in the democratic process. They are part and parcel of a continuing attempt to wreck the American Government and to bring anarchy to our country.

The good intentions of most of those who plan to participate may be conceded. But good intentions are worse than useless when they are perverted by poor judgment and in this case by leadership which is anything but well intentioned. This leadership is provided by men who have openly announced that their purpose is to tear down America.

Fortunately the sentiment of an overwhelming majority of Americans is reflected not in street demonstrations but in the thousands of solemn observances of Veterans Day during this same week. The true voice of our people speaks in the homage paid to all Americans who have fought and died in defense of our country and its ideals. And this voice will prevail over the raucous obscenities of those who seek only to destroy.

U.S. GOVERNMENT SUPERSPECIAL BOONDOGGLE

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

Mr. EDWARDS of Alabama. Mr. Speaker, I would like to draw my colleagues' attention to the fact that if they should want a spare pavilion for a summer home, a free one may be had from the U.S. Government. It seems that there are no takers for the massive structure at the site of the New York World's Fair. For the mere asking, even you can own a \$10 million U.S. Government, superspecial boondoggle.

It would be especially helpful if someone came forward and took the structure off the hands of Uncle Sam. Otherwise we here in Congress will have to appropriate a tidy sum of money—\$350,000 to be exact—just to tear the building down.

If any of my colleagues are thinking of how the building could be used as a recreational facility for disadvantaged children or as a cultural center for the poor or as a new office building for the State of New York, you might as well stop right now. The mayor of Fun City can find no use for the building. In fact, it was the goodly Mr. Lindsay who requested that the structure be cleared away.

I hope there is a lesson to be learned in such a wasteful expenditure of taxpayers' money. When the building was first constructed, plans should have been made for its easy conversion to a permanently useful structure. Four years ago children rode a miniature train through scenes from American history. Soon they will be able to watch a bulldozer doing its work in a scene that will be a very sad commentary on how some Americans value the money in the U.S. Treasury.

ADJOURNMENT FROM THURSDAY, NOVEMBER 6, TO WEDNESDAY, NOVEMBER 12, 1969

Mr. ALBERT. Mr. Speaker, I again offer the concurrent resolution (H. Con. Res. 441) and ask for its immediate consideration.

The Clerk read the concurrent resolution, as follows:

H. CON. RES. 441

Resolved by the House of Representatives (the Senate concurring), That when the House adjourns on Thursday, November 6, 1969, it stand adjourned until 12:00 meridian, Wednesday, November 12, 1969.

Mr. HALL. Mr. Speaker—

The SPEAKER. Does the gentleman from Missouri desire to be recognized for 1 minute?

Mr. HALL. I do, Mr. Speaker.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. HALL. Mr. Speaker, the majority leader has consulted with me since this joint resolution was first brought up today, but I do not yet understand why we adjourned at 12:26 on Monday and why we have had limited debate and bills programmed this week; and why we are not going to work tomorrow but plan to work into the late hours tonight in order to accomplish the completion of the aviation and airport bill under two separate rules, and then we do not plan to meet Monday. Now, surely no one can object to us going over on Armistice Day, but this is November 7, and we approach the yearend.

Our legislation is lagging. We have been called a Congress that is not producing much legislation, to put it kindly.

As I said yesterday about coming in early today to accomplish this, not knowing that there was a bar of some kind against meeting tomorrow; whether it is the Tuesday-to-Thursday club or what it is—I would like some explanation about the plans to wind up this session before Christmas, if we are going to complete all of the remaining and presumably essential authorization and appropriation bills yet to come to the floor of the House.

Mr. ALBERT. The gentleman from Missouri knows the position of this Member and that is to wind up this session just as soon as possible.

I have consulted with the leadership of the various committees and also with the leadership of the other body. There does not seem to be much hope of adjourning early in December, I would say to the gentleman, and I do not think the House taking off this time at this season will have anything to do with the date of

final adjournment. I think this House can get its work done in an orderly fashion in December.

Mr. HALL. Mr. Speaker, in view of the workload, I was sincerely opposed to such a short session on last Monday, and I am violently opposed to taking off this Friday and next Monday. I think we should work throughout the week and especially to work on Monday of next week. If we are to work around the calendar, we should certainly work throughout the weeks—especially on Mondays and Fridays.

Mr. GROSS. Mr. Speaker, I want to join with my friend from Missouri (Mr. HALL) in protesting this latest vacation for Members of Congress. Not in the more than 20 years that I have been a Member of the House has there been worse legislative foot-dragging than in this first session of the 91st Congress.

Not only will there be no session of the House until almost a week hence but in the meantime almost all committee activity will be halted and the flow of legislation to the House floor slowed to a crawl.

There is nothing the gentleman from Missouri or the gentleman from Iowa can do that would be effective for it is not within our power to schedule legislation. But we can protest and serve notice that not only for the remainder of this year and certainly at the beginning of next year we can insist that the legislative machinery operate as the citizens of this country expect it to be operated.

The concurrent resolution was agreed to.

A motion to reconsider was laid on the table.

CALL OF THE HOUSE

Mr. SCHERLE. 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. 262]

Anderson, Tenn.	Foley	Morton
Berry	Fulton, Tenn.	Nelsen
Betts	Goldwater	O'Hara
Blanton	Gray	Ottinger
Blatnik	Griffin	Passman
Boland	Hagan	Pirnie
Bolling	Halpern	Powell
Brasco	Hansen, Idaho	Pucinski
Brotzman	Hébert	Railsback
Brown, Calif.	Howard	Reid, Ill.
Byrne, Pa.	Jarman	Reifel
Cahill	Jones, Ala.	Rogers, Fla.
Celler	Jones, Tenn.	Rosenthal
Clay	Kirwan	Steiger, Ariz.
Culver	Lipscomb	Steiger, Wis.
Daddario	Lloyd	Symington
Dawson	Long, La.	Teague, Calif.
Derwinski	McClary	Teague, Tex.
Edmondson	McMillan	Utt
Erlenborn	Meeds	Whalley
Fascell	Miller, Calif.	Wilson, Bob
Flynt	Monagan	Wyatt
	Moorhead	Young

The SPEAKER pro tempore (Mr. ALBERT). On this rollcall 363 Members have answered to their names, a quorum.

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

PERMISSION TO FILE AND CONSIDER CONFERENCE REPORT ON H.R. 11271, NATIONAL AERONAUTICS AND SPACE AUTHORIZATIONS FOR 1970

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that it may be in order today to file and consider the conference report on the bill (H.R. 11271) National Aeronautics and Space Authorization for 1970.

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

Mr. SPRINGER. Mr. Speaker, reserving the right to object, I hope the majority leader does not intend to bring this up during consideration of the bill today.

Mr. ALBERT. Mr. Speaker, if the gentleman will yield, I would say to the gentleman, "No. I just want authority to do it today."

Mr. SPRINGER. And the work will go forward in order?

Mr. ALBERT. That is right.

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

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

Mr. FULTON of Pennsylvania. Mr. Speaker, we have no objection.

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

There was no objection.

AVIATION FACILITIES EXPANSION AND IMPROVEMENT

Mr. MADDEN. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 610 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 610

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 14465) to provide for the expansion and improvement of the Nation's airport and airway system, for the imposition of airport and airway user charges, and for other purposes. After general debate, which shall be confined to the bill and shall continue not to exceed four hours, two hours to be equally divided and controlled by the chairman and ranking minority member of the Committee on Interstate and Foreign Commerce, and two hours to be equally divided and controlled by the chairman and ranking minority member of the Committee on Ways and Means, title I of the bill shall be read for amendment under the five-minute rule. At the conclusion of the consideration of title I of the bill for amendment, title II of the bill shall be considered as having been read for amendment. No amendments shall be in order to title II of the bill except amendments offered by the direction of the Committee on Ways and Means, and said amendments shall be in order, any rule of the House to the contrary notwithstanding, but shall not be subject to amendment. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

The SPEAKER pro tempore (Mr. ALBERT). The gentleman from Indiana is recognized for 1 hour.

Mr. MADDEN. Mr. Speaker, House Resolution 610 provides a rule with 4 hours of general debate for consideration of H.R. 14465, the Aviation Facilities and Expansion Act. Two hours of general debate are allowed on title I of the bill, to be controlled by the chairman and ranking minority member of the Committee on Interstate and Foreign Commerce. Two hours of general debate are allowed on title II of the bill, to be controlled by the chairman and ranking minority member of the Committee on Ways and Means. Title I shall be read for amendment under the 5-minute rule. No amendments shall be in order to title II of the bill except amendments offered at the direction of the Committee on Ways and Means. H.R. 12374 was introduced at the request of the administration. The Interstate and Foreign Commerce Committee held 2½ months of hearings on this legislation during this summer.

The purpose of H.R. 14465 is to provide for the expansion and improvement of the Nation's airport and airway system. This is to be achieved, in substantial part, through the imposition and application of airport and airway user charges. All Government and non-Government segments of air transportation were heard in testimony before the committee.

Under title I of the act expenditures are authorized for airfield construction for fiscal years 1970, \$175 million; 1971, \$205 million; and 1972, \$265 million. For planning purposes, authorization is given for a 5-year period not to exceed \$10 million a year in addition to the strengthening of State aviation activities at a level not to exceed \$5 million per year.

In addition to these increased funding levels, title I would improve other facets of air development in a number of specific areas.

Under title II of the bill certain tax changes are provided.

The gasoline tax would increase on general aviation from the present effective rate of 2 cents a gallon to 7 cents a gallon and a new tax of 7 cents a gallon on other aviation fuel used in general aviation would be provided.

Passenger ticket tax for domestic flights will increase from 5 to 8 percent and a new \$3 "head tax" is provided on international commercial flights beginning in the United States.

There will be a new tax of 5 percent on air freight waybills.

A new annual aircraft registration tax of \$25 is provided plus 2 cents a pound for piston-powered aircraft and 3.5 cents a pound for turbine-powered aircraft.

General aviation will be subject to the fuel taxes and registration tax; commercial aviation will be subject to the passenger and cargo taxes and the registration tax.

Title II also makes certain other modifications in present air user taxes. All exemptions from the passenger ticket tax are removed except for transporta-

tion furnished to an international organization or the Red Cross. Special rules are provided for small aircraft not on established lines and for aircraft used by affiliated corporations.

Revenues derived from these taxes are to be placed in a new airport and airway trust fund, similar in nature to the existing Highway Trust Fund. In addition, receipts from taxes on tires and tubes used for aircraft are transferred by this title from the highway trust fund to the airway and airport trust fund. This title also provides that any general fund appropriations necessary to supplement the air user taxes are to be paid into the trust fund. Both the user tax revenues and the appropriations from general revenues will be paid out of the trust fund according to congressional appropriation acts.

To obtain and analyze data on the costs and use of the airway and airport system, the Department of Transportation is directed to make a study on the taxes to be used to insure an equitable distribution of the costs by the various users of the air transportation system.

Some of the exemptions from State taxing jurisdiction presently provided for Washington National Airport would be removed.

Generally, the amendments made by title II will be effective on January 1, 1970, except that the passenger and freight ticket taxes and the international flight departure tax will apply to transportation beginning after December 31, 1969, not when the ticket is purchased.

Mr. Speaker, I urge the adoption of House Resolution 610 in order that H.R. 14465 may be considered.

Mr. SMITH of California. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, when this proposal was suggested by the administration, I had several reservations about it. But I will say in all honesty that in my opinion the Committee on Interstate and Foreign Commerce and the Committee on Ways and Means have together worked out a most acceptable bill.

Mr. Speaker, the rule is a little bit different than we have had in the past inasmuch as we have a total of 4 hours of general debate, but we divide the rule up with 2 hours for title I, which is the aviation facilities expansion bill, and 2 hours on title II which has to do with fundraising. So the Committee on Interstate and Foreign Commerce controls 2 hours of the time and the Committee on Ways and Means controls 2 hours of the time on title II of the bill. It is a completely open rule insofar as title I of the bill is concerned but on title II it is closed insofar as amendments are concerned, except amendments offered by the committee itself. Points of order are not waived because in this instance the Ramseyer rule has been complied with.

The purpose of the bill is to provide for the expansion and improvement of our airports and airways system. This is promoted under the provisions of the bill by a program of Federal grants which are in a large part financed by user charges instituted by the bill. The pro-

gram has a 10-year life—through June 30, 1979.

The Nation's airspace is being used by many different groups today—commercial and general aviation in various forms. There is a continuous expansion of all types. Commercial air carriers over the past few years have converted to almost all jet carrier service, a fleet of over 2,500 aircraft. By 1980 it is estimated that the airlines will carry 420 million passengers—triple the 1969 figure. Operating revenues of all scheduled carriers in 1968 totaled over \$7,750,000,000, more than double the figure of 1963. These airlines employ over 300,000—a 200-percent increase over the 1963 level. Air cargo revenue ton-miles are increasing even more rapidly. By 1980, it is estimated that today's fleet of 124,272 general aircraft will have doubled and there will be some 1,400,000 pilots compared with today's 600,000.

Our facilities and safety equipment must keep pace with this rapid growth. The bill seeks to meet that declared purpose. Problems which must be faced include improving and enlarging runways for our new, faster and larger jets, and of installing in airport control towers the newest radars, flight control, communication, navigation, landing systems, and weather reporting facilities. Many large airports are lacking in such devices today.

Compounding the problem are two factors directly attributable to the Federal Government: First, over the years Federal support of our aviation system has not been sufficient to improve our current systems; second, the Department of Transportation has not recommended a national transportation policy. Both these problems are met by the bill; it requires a policy to be enunciated by the Department and reported to the Congress within 1 year. It is to cover all modes of transportation and a national policy which will integrate our several modes into one national system which will speed the movement of people and goods throughout our country. The grant program created by the bill aims at putting Federal financial assistance on a more regular and higher basis through June 30, 1979.

Through a system of user charges, supplemented by general revenue funds, the funding of our airports and airways system grows as the demand for use grows over the next decade. The bill provides that the annual authorization for the airways should be at least \$250 million and that the Federal share of airfield construction—but not terminal facilities, which are not included in the bill—should be \$2,500 million during the period 1970-79.

On page 91 of the committee report, a projected estimate of total user fee income and outlays are set forth.

The bill creates a National Air System Guidelines Commission of nine members, appointed by the President, to formulate guidelines for the development of our airports and airways. Membership will represent all types of airways users, as well as aircraft manufacturers, State aviation agencies, and groups involved in conservation and regional planning. The Commission is also to assist the Secre-

tary of Transportation in his preparation of a national airport system plan.

The bill also seeks to insure that airport development will not damage the environment unnecessarily. While some conflicts are inevitable, they are to be minimized and consultation with the Departments of the Interior, Health, Education, and Welfare, and Agriculture are required to insure a minimum of environmental damage by airports.

The bill does not include Federal assistance for terminal facilities. Problems in this area are centered at high-density airports. The committee's report states its belief that such facilities, with their very heavy use, should generate their own renovation funds. Federal funds should be used for highest priority items—those directly related to safety.

Title II of the bill, which establishes new user taxes and increases several existing ones, was written by the Ways and Means Committee and then engrafted into the bill from the legislative committee, Interstate and Foreign Commerce.

The bill increases the gasoline tax on general aviation use—noncommercial—from 2 to 7 cents a gallon, and a new tax of 7 cents on other aviation fuels used in noncommercial flying is instituted. With respect to commercial aviation, the existing passenger ticket tax for domestic flights is increased from 5 to 8 percent and a new \$3 "head tax" on all international flights beginning in the United States is instituted. For air freight cargo lines, a 5 percent air freight tax is instituted. All aircraft will be required to pay an annual aircraft registration tax of \$25 plus 2 cents a pound for piston-powered and 3.5 cents a pound for turbine-powered aircraft.

All revenues collected from these user impositions will go into the newly created airport and airways trust fund, similar in nature to the current highway trust fund. All sums in the trust fund will be for the exclusive purposes of the bill. As user fees increase during the next decade, a higher percentage of the total Federal assistance under the legislation will be borne by the trust fund receipts, less from general fund revenues. Trust fund receipts are estimated at \$446,500,000 in fiscal 1970, rising to \$1,399,900,000 in 1979.

The bill was reported unanimously by the committee. It is supported by the administration, as evidenced by numerous agency letters contained in the report.

Eight members have filed separate views concerning the failure to include the terminal facilities assistance in the bill. They note that in many major facilities the problem of moving people and baggage is tremendous today—and that by 1979, when today's 170 million passengers become 400 million, the terminal congestion will be overwhelming. They believe assistance for terminal facilities construction must be made a part of the overall program at the Federal level.

Ten members have filed separate views concerning the need to insure long-term financing. They point out that the bill as reported fails to give local airport sponsors any assurance that the Federal commitment on any particular project

will run beyond a 1-year period. Long-term commitments on individual projects are needed, they believe, to insure continuing local effort to upgrade facilities—a most expensive undertaking.

Five members have filed separate views concerning the need to include in the legislation, language requiring the creation of Federal standards for air pollution by aircraft and to provide for its control.

Mr. Speaker, I urge adoption of the rule.

Mr. MADDEN. Mr. Speaker, I move the previous question on the resolution.

The previous question was ordered.

The resolution was agreed to.

A motion to reconsider was laid on the table.

Mr. STAGGERS. 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. 14465) to provide for the expansion and improvement of the Nation's airport and airway system, for the imposition of airport and airway user charges, and for other purposes.

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. 14465, with Mr. BURLESON of Texas 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 rule, general debate shall continue not to exceed 4 hours, 2 hours to be equally divided and controlled by the chairman and the ranking minority member of the Committee on Interstate and Foreign Commerce and 2 hours to be equally divided and controlled by the chairman and ranking minority member on the Committee on Ways and Means.

Under the rule, the gentleman from West Virginia (Mr. STAGGERS) will be recognized for 1 hour and the gentleman from Illinois (Mr. SPRINGER) will be recognized for 1 hour, controlling the time for general debate on behalf of the Committee on Interstate and Foreign Commerce.

The Chair recognizes the gentleman from West Virginia (Mr. STAGGERS).

Mr. STAGGERS. Mr. Chairman, I yield myself whatever time I might require.

To Members of the House who are here, I would say that the two members of the Committee on Rules who explained the rule to the House did a very excellent job in really explaining the fundamentals found in this bill. So I am not going to take up much time going over those same provisions.

This legislation provides for the expansion and improvement of the Nation's airport and airways system.

As you know, we have had a Federal Aid to Airports Act for some time. However, in most years it has been impossible to meet the needs of airport development because of strict appropriations limitations.

Currently, the airport part of the system is authorized at \$75 million a year

for matching grants, but it has an appropriation for this purpose of only \$30 million. The time has come to develop a more long-range program under which large sums of money will be generated. I feel that we have done this with this bill.

Title I of the bill is the work of the Committee on Interstate and Foreign Commerce. It deals with the needs of the system, the sums of money which will be authorized, and the application of the money to the various demands of the airport development part of the program.

Title II is the work of the Committee on Ways and Means. This deals with the manner in which user taxes will be established, and they will be placed in a trust fund solely for airport and airways expenditures.

The bill calls for the establishment of a national transportation policy.

Special attention was given to the need for increased planning, both in terms of aviation and in terms of a total transportation policy, taking into consideration all modes. A temporary Commission—the National Air System Guidelines Commission—consisting of nine members from the various aviation interests—will be named by the President. This Commission will make a report which the Secretary must follow in his preparation of a national airport system plan.

Construction grants will continue to be made on a matching fund basis with the Federal share limited to no more than 50 percent on most agreements.

A number of amendments were placed in the bill by the committee, which afford increased assurance that all possible steps be taken to assure that aviation does not increase our natural resources problems. We have tried to protect our national parks, forests, and other natural resources from adverse effects from aviation.

There is a new provision to increase the role of the States by providing for planning money at the State level.

The bill also includes a new provision which will be used to support airport developments at reliever airports. Such airports are urgently needed to take the pressure off of the hub airports such as Kennedy and O'Hare.

The committee also added a requirement for airport certification, the feeling being that airports which receive service from the certificated air carriers should meet safety requirements.

All airmen and aircraft must now meet Federal standards, and it would seem only logical that there should be standards for the airports. These are the basic parts of the program for airport development and expansion.

While this is a long-range program and the trust fund is a permanent one, the committee felt that it is desirable to limit the airport authorizations to the next 3 years so that the Department will have to come back for a renewal of the authorization and we can then have another intensive study of the subject.

The airways part of the program will continue as it is, but it must be sub-

stantially expanded in terms of both equipment, and as the growth continues, in personnel.

We feel that airways will require no less than \$250 million annually. All of the details on the money are in the second title of the bill which will be managed by Chairman MILLS.

I might say that we worked in close cooperation with the other committee, and I feel that we have brought a desirable and, in fact, an urgently needed bill to the floor. It deserves the support of all of the Members of this body, and I recommend its passage.

Mr. SPRINGER. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, first of all, I know that my colleagues in the House, those who are here and those who will read the RECORD tomorrow, want to know what is the need for such legislation, and I think a short review of what is happening in this country and what will happen in the next 10-year period is worthy of being said.

The Aviation Facilities Expansion Act of 1969, which we are considering here today, is an important piece of legislation which could be described as being not too little but certainly too late. The provisions of this bill to upgrade the airports of the United States and the airways control systems cannot now catch up with the situation. That, of course, is all the more reason to get the effort going in high gear.

It could be argued that there is nothing needed in our present system except more money. The main thrust of this bill is the new concept of user charges which are set aside for the specific purpose of carrying out the program. Just what those user charges are, what they will develop in the way of funds, will be described to you by members of the Ways and Means Committee.

You should not expect, however, to find that the citizens who use our airways either as airline passengers or pilots will be paying 100 percent of this program. The Federal Government makes many uses of the system for its own business, the most common of which is the use by military aircraft. These uses are made in behalf of all of the citizens of the United States and to that extent all should participate in the cost.

It is difficult to tell just what the breakdown ought to be of these governmental charges, and the bill provides for a cost allocation study to obtain the answers.

Although the bill speaks of a 10-year program and specifies sums which should be used in this effort during that period, the actual authorization in this bill is limited to 3 years so that the committee and the Congress will have an opportunity to check on progress and reevaluate the approach if that seems desirable.

The bill contemplates the expenditure of \$2.5 billion for airports and a similar sum to upgrade the airways. Nowhere in the bill will you find a breakdown for the expenditure of the airways funds. That is because airways and all of the operations which keep them safe are purely functions of the Federal Government.

When we speak of airways we are talking about all of the radars and other

gear used in the en route control system and the personnel who operate them. It extends to the control of aircraft around the airports and could be said to stop when the plane touches the ground and begin again when it lifts off.

The airport program has to do with all of those facilities for handling the aircraft on the ground. The bill goes into considerable detail about how this airport money will be spent because it is not spent by the Federal Government nor are airports run by the Federal Government. For this reason the airport program is one of grants to local governments or combinations of governments sponsoring and building airport facilities.

For the first 3-year period the bill authorizes a total of \$690 million. What does it do and where does the money go?

First of all, the building of an airport takes long and detailed planning. It is in the interests of all concerned that this effort be supported by Federal funds, and the bill speaks of \$50 million to be used over the next 5 years. Since no more than \$10 million is to be used in any 1 year the actual authorization will amount to \$30 million for the original 3-year period. The planning to be carried out with the help of this money would go to determine the extent, the type, the nature, location and timing of airport development needed in a specific area.

Once an airport has survived this elaborate planning process and has become a sponsored project, the Federal Government will then participate in that project to the extent of 50 percent for those items which are eligible under the act, and it may be easier to describe those things which are not eligible than those which are.

The bill as it comes from the committee does not provide that grant money may be used to support the building of airport terminals and the adjuncts thereto such as parking lots. In 1958 the Congress decided that it was better policy to withhold grant money from terminal buildings. There were very good reasons for this. Terminal buildings, by and large, house money-making commercial projects which bring substantial return to the operators of the airport. Some parts are leased out to concessionaires, some parts are leased out to the airlines. When the Federal Government stays out of this part of the business it gives the airport operator a free hand in the way he constructs and uses his terminal facilities.

The grants for airport construction over the 3-year period will amount to \$570 million. That money will be apportioned among the States in three different ways—one-third of the money will be parceled out on an area and population formula; one-third will go to communities on the basis of the number of enplanements; and the remaining one-third will be used at the discretion of the Secretary of Transportation.

An additional \$75 million will be used for reliever airports only. These airports will generally be used by general aviation which includes business aircraft, and these funds will be distributed two-thirds on an area-population basis and one-third discretionary.

There has been considerable discus-

sion while this bill has been under consideration of the so-called multiplier factor in the use of grant funds. Since the idea was originally proposed, it has gone through several stages. It first came as a proposal to take up the interest on municipal bonds. Eventually it became a proposal for long-range contracts between the Federal Government and airport sponsors for grant money to be paid in specific amounts for as much as 20 years. It is the argument of those who support these proposals that the grant money in any given year would then be able to support more projects and that many more airports could be built more rapidly. There are serious drawbacks to this plan above and beyond those having to do with fiscal policy. Tying up future grant funds to support the large projects which will call for substantial support could find us someday in the position of having all of our airport money obligated for continuing support of airports already in being and with no money to assist new airports.

In the past the problem of continuing needs has been met very satisfactorily. The airport plan set forth specific projects with their priorities and the community can make plans based upon this very informal commitment. It would work very much the same under the new act.

The bill contains one other provision for grants, and these are to State aeronautical agencies. Not all States have such agencies but most of them do. We can hope that the remaining States will create such agencies in the near future. Those States with active airport and airway agencies do long-range planning, not only for airports which will serve airlines but for the more comprehensive system of small airports to serve its citizens. As time goes by these State systems and these smaller airports will become important to the national system, and this kind of activity deserves some support from the Federal Government. The bill provides \$5 million a year for this purpose.

There are other features of this bill which do not necessarily go to the use of funds or the handling of specific airport projects but which deserve some mention as innovations in the field of air legislation. I have already mentioned the allocation of cost study which will help determine the share of total airport and airways expense which should be borne by the general public as opposed to that paid for by air travelers.

Although present law provides for evolving an airport plan, the bill before the House adds some valuable directions on how to create the plan. For instance, it requires the Secretary of Transportation to consult with all of the departments and agencies of the Federal Government and of local governments, as well as representatives of the air industry. In the course of such consultations he is directed to pay particular attention to the problems of environmental quality and resource conservation. He must, in fact, make very specific written findings before he can overrule objections or suggestions on an airport project, and they must be addressed to the environmental problems posed.

In addition to these precautions the bill sets up a National Air Guidelines Commission of nine members appointed by the President from private life to formulate guidelines on the important and often controversial problems of land uses near airports, ground access to airports as well as the general use and operation of airways, air service and aircraft in conjunction with the national plan. The members of this Commission will come from the air industry and groups concerned with conservator or regional planning. Once the guidelines are formulated and reported, the Commission will disappear.

Aside from the considerations on airport planning just discussed, there always arises the more specific and far more political considerations of airport location which bring on local civil wars and which can and have delayed airport development in some metropolitan areas for years while air service steadily deteriorated. This bill requires first of all that an opportunity for thorough hearing be given all elements to be affected by the building of a new airport. The committee also accepted an amendment aimed at cutting the Gordian knot when a region becomes hopelessly deadlocked on the question of location. If the bickering has gone on for 3 years and it looks as if the impasse is complete, the Secretary of Transportation will select a site and that will settle the matter as far as use of Federal funds is concerned.

In the case of airports not meant to serve metropolitan areas, a provision was added to protect the small local community from being overrun and even gobbled up in an airport project. For such a nonmetropolitan airport the local government at the proposed site may have an actual veto power to protect it against the pressures of the State and other echelons of government concerned.

All of this recognizes and highlights the great difficulty which is always encountered as soon as an airport gets close enough to reality to cross swords with the other economic and social interests of a community. An airport would be a wonderful thing nearly everywhere if only they would refrain from letting airplanes operate on it. Every citizen is for more and better airports located just far enough away from him to be convenient and not disturb his property in any way. No legislation will eliminate these pressures but we hope that the provisions of this bill will help resolve them in ultimate fairness.

I believe that the bill reported by the committee contains the major provisions and features best designed to do the job. I would like to see it accepted pretty much as we bring it to you based upon my own long experience with the subject matter and my interest which has prompted me to explore personally the problems and the results which have been obtained under the law as it presently operates. I urge my colleagues to accept the major provisions of the bill on airport grants and the limitations which the committee has placed upon them.

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

Mr. SPRINGER. I yield to my distinguished colleague from Iowa.

Mr. GROSS. I want to congratulate the gentleman on the fact that this is not to be a permanent Commission. I hope it will provide the results the Committee on Interstate and Foreign Commerce indicates it will.

Mr. SPRINGER. May I say to my distinguished colleague, this Commission will have a direction to study the smaller communities as well as the large in this country, to see that the feeder lines are properly brought into this plan, to see that we have a completely integrated system to serve every community in the country.

Mr. GROSS. Will my friend from Illinois yield for a question or two?

Mr. SPRINGER. I yield.

Mr. GROSS. It is in title II, is it not, that we find the initiation of Federal registration fees?

Mr. SPRINGER. That would be in title II, which is under Ways and Means. The Ways and Means Committee has 2 hours under this bill.

Mr. GROSS. As well as the gasoline tax?

Mr. SPRINGER. That is right. That has all been determined by the Ways and Means Committee.

May I say to my distinguished colleague that the Ways and Means Committee did an outstanding job, in my humble opinion. In fact, I believe the job the Ways and Means Committee did is better than that recommended and sent down by the administration.

Mr. GROSS. It was submitted to me by the Iowa Aeronautics Commission that this bill would do an injustice to Iowa in the matter of registration fees and fuel taxes. However, I will address my questions to those who handle the bill in behalf of title II.

Mr. SPRINGER. I will say to my distinguished colleague, he has for years been advocating, as I have, when we create a program like this, that we ought to start creating taxes to help pay for the greater part of it. That is done in this bill.

In addition, may I say to my distinguished colleague, it is in a trust fund and the money which is raised by these taxes for this purpose can only be spent for the purposes which are contained within the legislation.

Mr. GROSS. Let me say again to my friend from Illinois that we are already levying high taxes in the State of Iowa. This, I am informed, will compound the situation.

Mr. SPRINGER. I should say this: It has been my theory and my philosophy that the people who fly first class ought to pay for that. I consider, when I get on an airplane at Dulles Airport and fly to Willard Airport at the University of Illinois, my hometown, in 1 hour and 38 minutes, that I am flying first class.

I think I ought to pay for flying first class. That is the difference between driving my automobile out there or riding out on a train, which takes me 26 hours to get there. That is the difference. It seems to me when you travel in this manner you ought to pay for it. But I am sure the Committee on Ways and Means will justify why you ought to pay for it.

May I develop for a few minutes further something that the chairman started with and I think I ought to elaborate on. This is a program which is at the present time being funded at the rate last year of about \$30 million. For 1970 we fund this at \$190 million or in the neighborhood of 6½ times what it is being funded this last year. In 1971 it goes up to \$220 million; in 1972 it goes up to \$280 million. We believe with this kind of money we can meet these problems which I am talking to you about now.

This is only a 3-year program, may I say. The 10-year program is encompassed by the fact that we set aside these moneys in a trust fund. Therefore, we are going to create moneys as we go along all of these years, and we do not expect either titles I or II to be repealed during the 10-year period. We think we are on the right track moneywise to solve these problems. And we have provided that trust fund moneys must be spent for these purposes.

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

Mr. SPRINGER. I am happy to yield to my colleague, the gentleman from Missouri (Mr. HALL).

Mr. HALL. Mr. Chairman, I appreciate the gentleman, the ranking minority member on the Committee on Interstate and Foreign Commerce yielding to me at this time. I certainly appreciate his explanation.

Generally, I favor this bill because I have favored the principle of those users paying their own way. I have had some objection to some of the taxes insofar as the use of aviation gasoline and airports are concerned. But it is underway generally because it is referred to as general aviation. However, still 92 percent of this is paid for and is costed out against those who use the airports rather than the general taxpayer, some 80 percent of whom have never ridden an airplane. I think this is right and just.

If the gentleman will yield further, I have two basic questions on which I would like to have the gentleman's opinion.

First, does this Commission established herein, or does the committee on which the distinguished gentleman serves, envisage anything that will anticipate further use of the strengthening of the aprons and parking spaces and the handling of enplanements and deplanements as rapidly as possible as we get into the field of rapid air transit?

Mr. SPRINGER. All of that will be covered by that Commission. It is not only that, but I am sure they will come forward with recommendations for safety. So, I think this Commission has broad authority to go into any phase in trying to create this integrated system. With this system, as my colleague knows, there will come many problems in the future if we double the number of people traveling by air. If we use the 747 instead of the 707 we will have doubled the flight capacity.

Mr. HALL. Mr. Chairman, if the gentleman will yield further, I thank the gentleman. That is very reassuring. I think there is involved, however, the fact that vertical takeoff is practically a bonus with reference to the supporting

of runways and the undergirding, the parking and hard stand for these purposes, to say nothing of the tremendous problem of handling baggage and so forth.

My second question is whether it would be within the purview of this Commission or, indeed, the committee—and I have read the report in detail—to help solve the problems of general aviation vis-a-vis commercial aviation at many airports in many congested areas such as the eastern seaboard sometimes referred to as this megalopolis, by diverting general aviation to better and more adequately handled airports.

For example, here in our own city could you divert from DCA the 20 percent of the general aviation that now use that, and allow the downtown airport to continue primarily as a jet airport, at least, in the waking hours? Would this come under the purview of the study?

Mr. SPRINGER. This would come under the purview of the study of this Commission, and I am sure that not only our committee is going to hear this in the next year, I think we will want this Commission to take the time to come in so they can give us preliminary reports on what they are doing—at least, I would expect them to do this. We are creating it, the President appoints the members, and I would hope we could have periodic reports. And if we find their area is not being touched I would think our committee would want to direct them, or direct some things that we think ought to be put under study if it is not done.

May I say to my distinguished colleague that all of us would like to have that which they have up at Minneapolis-St. Paul which is the ideal system in the country. They have six airports which pretty well circle the cities, and they are largely interchangeable, and I would guess that every possible aviation, general aviation, and commercial aviation, is taken care of, and should they have trouble with them, then they can shift them around to other airports.

So all of us wish we had the Minneapolis-St. Paul system, which is the ideal of the country. We do not have it, but we ought to try to meet the situation and we hope to keep general aviation flying, because as you well know there are approximately 100,000 general aviation planes in this country as against only about 3,000 commercial. Of course, commercial is carrying practically all the passengers. I would think without question this would be another part of the study, to see what we can do to hold general aviation in this picture.

Mr. HALL. Again, the gentleman's words are very reassuring, and I hope they evolve. My particular interest in the best example I know is right here where we could use the Anacostia-Bolling Airport for general aviation without interfering with our radar control or landing ability, and which was suggested several years ago, and at one time was approved by the FAA, and then suddenly pulled out for reasons that we all understand, and so forth, but as a member of the Committee on Armed Services I would certainly suggest that this could be done

in conjunction with the distinguished gentleman's committee.

I again thank the gentleman for yielding.

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

Mr. SPRINGER. I yield to the gentleman from Minnesota, a member of the committee.

Mr. NELSEN. Mr. Chairman, I appreciate the gentleman yielding, and may I express appreciation to the ranking minority member of the Committee on Interstate and Foreign Commerce, and the chairman of that committee, for their work on this very important bill.

I think it is a good bill, and I want to add my endorsement to it.

I have a problem that I want to discuss with the gentleman from Illinois (Mr. SPRINGER) for the record.

For example, Mankato, Fairmont, Worthington, these smaller communities, as the aircraft become larger, their runways become too small, and there is obviously a need of an aircraft that can sit down in these communities and serve them, because we have encouraged them to go ahead with airport construction. Would it not be possible to go into a study of this need with the idea of establishing some policy that might be adopted, looking to the future, to serve these rural communities with the hope that they will prosper rather than die because of lack of transportation?

Mr. SPRINGER. I do not think there is any doubt, may I say to the gentleman, that this is one of the real problems in the study on what you are going to do about small airports and rural areas. Naturally, they could not go into this whole integrated system. May I say you are going to have some airports in the rural communities and smaller communities which may have had or will need feeder airlines. The study should also be made of the local or even the small ones that are not going to have feeder airlines. This will be one of the questions studied by the Commission.

If they are eligible to receive Federal funds or may become so they ought to be subject to study by this Commission.

Mr. NELSEN. Mr. Chairman, will the gentleman yield further?

Mr. SPRINGER. I yield further to the gentleman from Minnesota.

Mr. NELSEN. For example, at Worthington, Fairmont, the old DC-3's come in on the runways; they can accommodate them, and now these bigger jet aircraft are in use, and these understandably no longer can use the runways.

The problem we are discussing here is well set forth in a letter sent to me by the airline committee of Fairmont which I submit for the RECORD at this point:

FAIRMONT, MINN.,
September 15, 1969.

Re Aviation Facilities Expansion Act of 1969.
HON. ANCHER NELSEN,
Congress of the United States,
Washington, D.C.

DEAR ANCHER: I am writing on behalf of the Airline Committee of the Fairmont Chamber of Commerce to ask that you actively support the Aviation Facilities Expansion Act of 1969 which has been referred to the Interstate Commerce Committee in the House of Representatives.

This is the Bill that we discussed briefly while we were traveling to Blue Earth two weeks ago.

Everyone agrees that our National Airways System and Airports have not kept pace with the growth in aviation, and it is apparent that aviation is growing at an expanding rate. For example, North Central Air Lines is flying 20% more passenger miles now than a year ago. The increase in the number of new pilots and new aircraft production is expanding at about that rate. In Minnesota the communities of Caledonia, Silver Bay and Mankato are completing new airports. Jackson and Detroit Lakes have new instrument approaches. Blue Earth and Winnebago are planning a joint airport. Worthington is building a new terminal. Fairmont is working on a ten year airport development plan. The new hard surface runway at Hutchinson will have to be lengthened and lighted to meet the industrial need of that community. The Metropolitan Area has been having problems locating a new airport to meet the long term needs of that area.

The new Aviation Bill provides for needed long term planning and appears to be adequately funded largely by user taxes.

It is obvious that the planning in the past has not met the current need. The Air Traffic Controllers regularly express concern about the safety of flights in the airways and the congestion at the high density airports has become unmanageable.

Future planning is critical. World War II aircraft and navigation equipment do not faintly resemble the equipment in use today, and the new generation of aircraft will have altogether different needs than seem necessary now.

In my mind the great danger to rural areas everywhere is that this Bill may not be adequately funded when it is finally enacted into law. This is because the high density airports have a critical need for a tremendous amount of money just to insure the safety of flights, and those airports will continue to have a first priority.

The communities in rural areas also have a critical need for a tremendous amount of airport money to insure their continued existence and economic development, and I am concerned that funds for this purpose will not be available if the Bill is not adequately funded.

Transportation has always been a key to economic development. In the past cities grew where there were good ocean and river harbors, later at good railroad locations. In the future only communities with good airport facilities will enjoy economic growth, and the lack of such facilities will threaten the existence of many communities.

To be competitive and efficient management people in industry and business are flying regularly now. They use both airline and business aircraft. Many need air freight service. In the future management will rule out communities without good airport facilities as sites for expansion and new development.

The Aviation Bill provides for funding largely by the User Taxes. I agree with this philosophy and as a general aviation pilot and occasional airline passenger, I want to pay my share. However, aviation is still in a stage of early development and growth, and I think additional funds will be needed during this period to assist aviation. This is nothing new. Queen Isabella financed Columbus, railroads received Land Grants and airlines have received Subsidies during a period of need.

In this connection many general aviation people are concerned about the proposed fuel tax of 9¢ a gallon for non-airline aviation. This would be an increase of 5¢ per gallon. This proposal would not be an undue burden for me, but could cause grave harm to most of the small commercial operators who are not economically strong. As you may know,

many of the smaller communities pay salaries and furnish housing for airport managers to keep those operations in existence. Many people have suggested that the increase in general aviation gas tax be raised in steps or that the tax be set at 7¢ per gallon, and I think that point of view deserves your consideration.

You showed me where you lived from the Hutchinson Airport, and I think that airport may be a good example to show what the Aviation Bill can do. 3M has a plant in Hutchinson and is an expanding industry. 3M is an expanding industry, has a fleet of business aircraft and is transitioning to Jets. This is the type of industry that any community would like and I know that the Hutchinson Community would be pleased with the further expansion of this kind. At the present time the hard surface at Hutchinson is about 3,200 feet long and 8 feet wide. To accommodate the 3M type of Jet traffic, the runway should probably be 6,500 feet long and 150 wide. Also, it should have at least twice its present strength and an instrument approach. I have no answer as to what the future should hold for the Hutchinson Airport, but at least the planning and funding must be available. Fairmont, Worthington, and other similar communities everywhere are faced with the same problem.

With all these things in mind we ask that you do whatever you can to promote the passage of this bill and to see that it is adequately funded. I would be happy to do anything you suggest that might be helpful, and I know that you can rely on Larry McCabe for any information or advice that you might request.

Best Regards,

KENNETH E. SCOTT,
(For the Airline Committee).

A great deal of air freight goes out on these feeder airlines. I just want the RECORD to show that they are aware of the problem. I am sure that you as the ranking member and also our chairman would give us all the help that you can because we have put Federal money into those terminals and it is our intention that they have service.

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

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

Mr. MacGREGOR. Mr. Chairman, I would like to express my appreciation to the gentleman on behalf of the Metropolitan Airport Commission of Minnesota and other interested bodies and citizens for the kind words that he has expressed here today about our development of a compatible airport system in the Minneapolis-St. Paul area.

Four of the six airports to which the gentleman has referred are located in the congressional district that I am privileged to represent. We are proud of the progress we have made but we are not resting. We are now seeking, as the gentleman knows, agreement on the location of a new major commercial jetport in the Minneapolis-St. Paul area, a field which will be badly needed by the 1980's and perhaps even before then to handle the increasingly heavy volume of air traffic to serve our dynamic part of the country.

One interesting thing has developed in the Minneapolis-St. Paul area which will affect the operation of our system. This is the recent order of the Department of Defense to close out by June of 1970 the naval air station located at the Minne-

apolis-St. Paul International Airport, Wold-Chamberlin Field.

I trust that the comprehensive proposal which the gentleman's committee brings to us today will make an important contribution to our capacity to deal with our complex problems of aviation, specifically the mixes of types of aircraft that we are increasingly witnessing at the same major airport.

Again I thank the gentleman for the nice comments he made about our Minnesota airport development.

Mr. SPRINGER. May I state to my distinguished colleague, everyone should have that type of airport complex, and if they did, I am sure there would be very few disturbing elements in meeting this whole problem of air transportation.

Mr. MacGREGOR. I thank the gentleman very much.

Mr. DON H. CLAUSEN. Mr. Chairman, will the gentleman yield?

Mr. SPRINGER. I yield to the gentleman.

Mr. DON H. CLAUSEN. Mr. Chairman, while I intend to make some other comments later on, I want to direct a couple of questions to the gentleman.

As you know I serve on the roads subcommittee, and we have what is recognized as a legislative oversight committee which in fact investigates and oversees the administration of the highway trust fund.

Does this legislation contain anything similar in the way of an oversight provision for the Interstate and Foreign Commerce Committee?

Mr. SPRINGER. Will the gentleman clarify his question? I am not quite sure I understood.

Mr. DON H. CLAUSEN. On the roads subcommittee we have what is called the Federal aid to highways investigating subcommittee. This is a legislative oversight committee that actually reviews the method in which the highways trust funds are administered.

I am wondering if there is a provision or section in the bill that would establish a similar oversight and investigative authority for the Interstate and Foreign Commerce Committee?

Mr. SPRINGER. I do not believe there is a section in this bill. But we have an oversight subcommittee of our own which the gentleman is acquainted with and I certainly would feel that we would have jurisdiction to keep track of this matter at all times. However, the primary subcommittee is the one on transportation and aeronautics which has primary jurisdiction over checking on this thing from time to time. We have hearings beginning every Congress on every agency and I am sure that there or before if it seems desirable there will be a discussion with the Civil Aeronautics Board and the Federal Aviation Agency concerning their responsibilities under this program, on not only what they have done but what they expect to do.

Mr. DON H. CLAUSEN. I do not want to take up the time of the gentleman or the time of the Committee, but we have had experiences on the roads subcommittee that I will discuss with the gentleman and other committee mem-

bers in the hope that these experiences will be helpful for future consideration.

The next thing that I am concerned about is in the recommendation for cost allocations study and what developed in the hearings.

There is a lot of concern in the country about how the revenue allocators between commercial airports and general aviation type of airports will actually be made.

Could the gentleman elaborate on what the committee gave consideration to and what their views are on this subject or do you expect this information to come out of the cost allocation study?

Mr. SPRINGER. I think that would come out of the study.

Mr. DON H. CLAUSEN. One other item that is on the minds of many people, and has been covered extensively in the press relates to the air traffic controllers. Will this legislation provide the basic financing vehicle with which to assist in resolving some of the major problems facing these dedicated FAA employees that are working under great pressure with outdated equipment?

I am thinking about the necessary equipment, the kind of equipment that an air controller needs and uses, which would dramatically improve on and minimize the problems he has in controlling air traffic.

Mr. SPRINGER. That would come under airways and that is 100 percent financed by the Federal Government. The bill provides a minimum of \$250 million per year for the next 10 years for new and better equipment and systems for our airways and for the skilled people needed to operate those improved facilities.

There is one thing in closing. The committee did a good job under the able chairmanship of the chairman of the committee. It took a lot of patience on his part, but he lived through it and sustained all of us in trying to get the kind of bill that was in the public interest. There were differences about what ought to be in the bill. There were some amendments that were offered. Those were in good faith. One, two, or three were adopted; several were rejected. But I believe the utmost consideration was given to every facet of this bill. It was largely nonpartisan. The bill is substantially as it came down from the administration.

The changes that were made in the bill have added to the bill and made it a better bill.

I would like also to congratulate the chairman of the Ways and Means Committee, and the distinguished ranking minority member, for the excellent job that Ways and Means did in considering this bill. I repeat again, in my estimation they came up with a better bill and about \$50 or \$60 million more than the administration requested, which so seldom happens.

Most of all, we have created a program for 10 years. We have authorized it for 3 years. We have come up with the money. We are paying for the program as we go. And we have created a trust fund from which the Appropriations Committee can only appropriate. It cannot

use any of this money for any other purpose except for the purposes set out in this legislation, and that is good.

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

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

Mr. OTTINGER. Mr. Chairman, the Aviation Facilities Expansion Act, H.R. 14465, will go a long way toward making aviation an even safer mode of transportation than it is now. At last a trust fund will be established so that modern airway facilities such as radar, instrument landing systems and control towers can be brought to our smaller airports. The new program will permit the automation of the en route and terminal area air traffic control system, and will enable controllers to positively identify all aircraft in the system with respect to position and altitude.

The airport portion of H.R. 14465, however, is a different story. Perhaps the greatest defect in this aspect of the legislation is that it does not allow the Secretary of Transportation to make grants for more than 1 year at a time.

As indicated in the separate views on long-term financing in the committee report, the old outdated Federal aid-to-airports program was criticized because it actually disrupted continuity in local planning and financing instead of fostering airport planning and construction. Airport sponsors had no assurance that they would receive funds for more than 1 year.

This uncertainty would be continued under H.R. 14465. Without assurance of receipt of funds over a period of years, an airport is forced to disregard Federal assistance when considering the sources of revenue for a project. A one-time grant simply does not help solve an airport's financial needs.

Although it may be difficult to comprehend, in light of the fact that H.R. 14465 is heralded as a new and improved airport aid program, this new program is even less responsive to airport needs than the old program. In order to help airport managements know in advance what Federal funds could be counted on, the Appropriations Committee agreed, after urging by the Commerce Committee, to appropriate for the Federal aid-airport program 2 years in advance. Even this small benefit is absent in H.R. 14465.

In contrast to the old Federal aid-to-airports program, the present proposal is to be funded entirely through user charges. With assurance of user revenues regularly and continuously accruing to the trust fund, we should be a bit more responsive to the users' needs.

I am fearful that if some substantial long-term assistance is not provided under this legislation, much badly needed airport construction simply will not take place. The competition for a city's funds in many cases would preclude the financing of major airport projects absent the assurance of a solid, fixed, year-by-year Federal contribution.

I hope that, at some point prior to submission of this legislation to the President, provision can be made for long-term financial assistance. If this is not done, I am convinced that this legis-

lation will not accomplish all that is expected of it.

Mr. STAGGERS. Mr. Chairman, I yield whatever time he might consume to the gentleman from West Virginia (Mr. SLACK).

Mr. SLACK. Mr. Chairman, I rise to express full support for the Aviation Facilities Expansion Act now before us. Few would question the national need for an expanded airport and airway system as proposed in the bill. But our experience with the present program has not been completely happy, and the committee was faced with the requirement to study intensively what has taken place since the 1958 act was passed so that a new long-range program would avoid points of dissension and delay encountered during administration of the present law.

After reading the bill, I concluded that the committee has brought before us a completely new product in terms of its freshness of approach to the airport needs problem. Having some knowledge of the diversity of convictions and the heat of opinions encountered in airport matters, I feel that Chairman STAGGERS and the members of his committee have earned hearty congratulations for the well-balanced proposal which places an exclamation point at the end of their months of work on the subject.

Equally, congratulations are in order for Chairman MILLS and the members of the Ways and Means Committee. This new airport program can only materialize at a pace dictated by the taxes which will make it possible, and all taxes are felt by those who pay them. Last year, when a new airport program was proposed and hearings were held in the other body, I heard it said from many sources that nothing could be accomplished because it would not be possible to arrive at an acceptable scale of user taxes for 2 or 3 years. Quite the opposite has happened. Obviously Chairman MILLS and his colleagues simply concluded that the need was too great to permit delay, so they took charge of the situation, offered a forum for expression of views, and then sat down and wrote a tax proposal. Those who complain about the pace of work in the Congress might well study this committee action as an example of productive decisiveness.

There will be many comments made about individual provisions in the bill, and I will confine myself to one portion which I believe represents a distinct advance over present operations. I refer to the handling of planning grant funds. It is proposed to separate and separately define grants for airport facilities located at a specific airport site, from airport system planning grants which would be used to determine airport needs in a geographic section, looking to the creation of a viable and balanced system of public airports.

This is a strong element in the bill, and it will cast the clear light of congressional intent on a gray area which has been administered by executive action, largely in response to special pressures and circumstances of the moment. We all realize that we must have enough air-

ports, and they must be made as safe and efficient as our technical knowledge will permit. At the same time, they must justify their existence through volume of use, and they cannot be permitted to become a burden on the taxpayers through indebtedness incurred by local sponsoring agencies.

During recent years some airport improvements were delayed or canceled by community sponsors because they did not conform to a vague and undefined policy of regionalism which tended to concentrate the traffic into relatively few airports. Now that all major airports are overcrowded and the record of collisions and near misses has shocked the general public, there is developing a turnabout aimed at diluting the amount of traffic over individual airports and encouraging the growth of satellite airports.

Nonetheless we are well advised to write into law by means of this bill a procedure whereby consideration of airport needs on a systems basis can become part of the airport-airways planning procedures in its very beginnings. It will avoid much future confusion, controversy and wasted time, money, and motion.

For this reason and because of the merit of the bill in all respects, I am happy to support passage of the Aviation Facilities Expansion Act of 1969.

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

Mr. STAGGERS. I yield to the gentleman from New York, a member of the committee, such time as he may consume.

Mr. MURPHY of New York. Mr. Chairman, aviation, in little more than a generation, has multiplied the scope of business in the United States and, in fact, the world. By 1980, aviation's economic impact is expected to increase more rapidly than the total gross national product.

Unfortunately, the explosive growth of both airline and general aviation is outstripping the capacities of the Nation's airports and portions of its air traffic control system and, the Nation will suffer severe economic penalties unless a determined effort is made to improve airways and airport capacity.

Nowhere is the problem more acute than New York City. The world's richest gateway, once easily accessible by air, has become a nightmarish bottleneck. The resulting economic squeeze on the Nation's traditional front office is staggering.

New York City is now being bypassed by some commercial carriers to avoid congestion-produced aerial stacking and long queues on the ground. The Civil Aeronautics Board is considering establishing direct routes between Europe and half a dozen east coast cities whose residents frequently fly here to board international flights.

Hotels, restaurants, and the city's \$1.5 billion annual tourist industry felt the pinch last summer. People went elsewhere rather than face 2- to 3-hour stackups over the city's three major airports and resulting delays on the ground. The city lost more than \$1 million a day in tourist trade last summer.

Travel agencies are detouring clients

around New York. Businesses are increasingly urging employees to avoid New York on domestic trips wherever possible. Industries are leaving the city because it is no longer accessible.

The American Importers Association recently warned the city that unless a special terminal is developed to handle all inbound air cargo here, it would have to consider recommending the use of other cities as ports of entry. This 800-firm association, representing about 90 percent of the Nation's importers, assailed what it called "the mess at Kennedy airport." It said delays and crowding contribute to higher costs and that the situation at Kennedy "will, within a few years' time, become absolutely hopeless."

For the first time in its 20-year history, domestic passenger traffic at Kennedy International Airport declined last year. The number of international travelers at Kennedy grew by 10 percent, while passenger traffic in the Nation as a whole continued to expand at a level of almost 13 percent.

Air access is the key to the city's economy. Without additional airport capacity, our market position will continue to shrink and shrivel.

If we are to recoup those losses; if the city is to maintain its role as the hub of commerce and trade and its concurrent ability to greatly contribute to the national economy, the understanding and cooperative efforts by the public, city, State, and Federal officials and aviation industry leaders is essential.

Airport congestion, anywhere, is a major crisis. In New York, it is a crisis of unparalleled proportions—and growing worse because of political shenanigans.

New York's now overburdened airports face the enormous prospect of bigger and perhaps noisier jets, inadequate runways, constant stacking, longer delays, fatal accidents, and the competition of rail, rubber, and water transportation—and distant airfields.

The crisis demands real leadership. Political buckpassing must stop, critics must be converted, noise abatement must be perfected, access to the city improved, secondary airports expanded, helicopter and small plane taxi service upgraded.

The age of air travel is here. It cannot be stopped, it cannot be ignored, it cannot become a political football—because air travel is vital to the welfare of the great city of New York and its citizenry.

For example, the latest projections anticipate 45 million passengers annually at the city's major airports by 1970 and 91 million in 1980. Compare this with the 3.6 million in 1948 to 34.2 million in 1967 and the estimated 38 million last year. This tenfold growth over the past 20 years clearly substantiates the explosiveness of air passenger travel. And the jet age is really just beginning.

The forerunner of the 1970 fleet had its maiden flight on February 9. Will New York get its fair market share of or ever be able to handle the new Boeing 747 jumbo jet—231 feet in length; full weight-lifting capacity, 355 tons; total

seating capacity, 490 passengers; costing \$21.4 million; liftoff speed, 170 miles an hour; 625 miles per hour top speed?

The answer is an obvious "No," if our services fail to expand with the growth trend of both commercial, cargo, and private air movements. The capacity of our three major airports is now stretched beyond the breaking point.

The New York airport problem is not unique. Last summer, airlines and their passengers encountered serious delays at many major airports. The waiting was too long, costly, and inconvenient for both travelers and airlines.

The rapid growth of commercial and private aviation urgently requires modernization and expansion of our national airways system, owned by the Federal Government and operated by the Federal Aviation Administration. The present capacity of the airways system is inadequate; the control system is also inadequate. Why? First, there is an acute shortage of air traffic controllers in the towers. Second, there is a shortage of radar, computers, and other equipment used in air traffic control by the FAA. Third, there is a shortage of runways and airports, especially where the congestion problem is most severe; namely, New York.

The airlines have adjusted schedules to minimize congestion during peak hours in New York, Washington, and Chicago. Literally thousands of schedule adjustments were made during 32 days of meetings last year by the 60 airlines involved, including reductions in proposed flights, hourly shifts, and shifts to different airports. The end result was inconvenience to many passengers.

Airports must keep pace, too. The airlines are spending billions of dollars on airport facilities. But airlines do not build and operate airports. This is the responsibility of State and local governments. They must keep pace in expanding existing facilities and, where necessary, build new ones, including smaller airports for private planes that will relieve the pinch at the big ones.

The airlines have proposed that the Government spend at least \$250 million each year for the next 5 years to modernize the airways system. It is a plain and simple fact that not nearly enough money has been appropriated to improve the Nation's airports and air traffic control systems.

Our airports and airways are inadequate because of failure of the Federal, State, and city political machinery to act.

On the question of additional airport construction, I believe it is necessary to increase the power of the Secretary of Transportation to effect construction of needed airports when state or local areas fail to act. This authorization is justified by the national character of the airport and airway problem.

In the New York metropolitan area—which includes New Jersey and Connecticut—there is general agreement that a fourth jetport is a necessity. Yet the three States and the various local governments involved have been unable to resolve the question of site selection.

My section of the bill will empower the Secretary to convene a conference of State, city, and local officials in an area

where he has made a determination that an additional airport is needed. The conference shall be convened immediately after a determination is made and again 3 years later if the locality has failed to select a site and begin construction of the new airport.

The conferences shall be called to attempt to resolve whatever political, financial, or other obstacles have prevented beginning construction.

The power of the Secretary to act in the absence of local action should provide the leverage to break the types of deadlocks that are stalling badly needed airport construction in New York and elsewhere.

THE ALTERNATIVES

Nearsighted city planners, who shudder at the words progress and innovation, are quick to proclaim such sweet-sounding phrases as "potential for diversion" as a solution to the city's airport crisis. Just what are these potentials?

First, diversion to other airports. The public outcry over rumors to divert more flights from the three major airports to the five minor ports to which scheduled air carrier service is provided—White Plains, Islip, Bridgeport, New Haven, and Trenton—has become louder than a sonic boom. But even if their traffic were to increase at three times the rate of the major airports, they would still account for less than 3 percent of the total traffic. Some of the more accessible secondary airports are already experiencing peak-hour congestion.

Second, another type of diversion is the switching of international flights from New York to other cities, to reduce through traffic. More than 20 percent of the air flights to and from New York were overseas.

Why, I ask, should the great port of New York lose this volume and why should passengers be deprived of the opportunity of seeing and visiting our great city, if only on a stopover.

THE QUASI-SOLUTION

On February 27, 1969, Civil Aeronautics Board Examiner Ross I. Newmann issued a decision proclaiming the need for a fourth major jetport in the New York area. No one can argue with that finding. The idea, utterly necessary and feasible, however, has been banded about for years.

Such proposals envisioned the lengthening of Kennedy runways; the ill-conceived construction of a jetport in Long Island Sound, or the expansion of Islip's MacArthur Airport or Westchester County Airport.

Long Island Sound is one of our greatest natural resources. Jets screaming overhead will do nothing to enhance the livability of Long Island and Connecticut communities. The proposed jetport and bridges to connect Long Island and Connecticut, costing the taxpayers more than half a billion dollars, will disrupt living and working conditions in the affected communities.

Swimmers, boaters, fishermen, conservationists, and every Long Island and Connecticut resident will be the victims if dollar-dreaming officials are allowed to ruin Long Island Sound with a jetport. Instead of talking about airports and bridges, let us talk about waging a

massive attack on pollution to clean up the waters of Long Island Sound.

And the extension of runways to Kennedy would only add 35 peak hour movements to its capacity, hardly worth the cost, noise factors, and public outrage involved.

An airport is clearly useless if people cannot get to it. Dulles, 27 miles from Washington, is a classical example, used by 1 million people annually, as compared to National, 3 miles away, used by 8 million. John F. Kennedy is overtaxed and added traffic would make it just that more crowded. It is already an air and land traffic snarl. Besides the already stated opposition to a jetport in Long Island Sound, its accessibility would also make it prohibitive.

The critical dimension of any transportation demand is the expected peak period, such as the peak hour, rather than the annual total. The peak hour accommodates 8 percent of the flights on a peak day. The airlines have been studying endlessly the problem of coping with peak period demands. It can be concluded that any reduction of such demands will result in inconvenience to more and more passengers. People simply want to fly when they want to fly.

So it is resolved that Metropolitan New York desperately needs another jetport. The unresolved issue is where to locate that capacity—an ideal airport system that would minimize the sum total of various costs, such as: First, access costs; second operating costs to airlines and supporting agencies; third, community benefits, principally noise abatement and retention of scenic landscapes; and, fourth, total acquisition and construction costs.

Let us face facts. A study examined 17 different sites, the majority of which proved totally unfeasible because of airspace and noise restrictions.

THE SOLUTION

There is only one site accessible to Midtown Manhattan that meets all criteria. That is why I am proposing a harbor jetport off Sandy Hook. It is the only site available to solve the pyramiding air problems of the metropolitan area.

A sprawling offshore air facility—or manmade island—would solve the congestion crisis, the noise problem, the conservationists concern. It would create thousands of jobs and would be a tremendous boost for both the city and surrounding borough's economies. Engineer studies adamantly conclude that construction of the Sandy Hook jetport is eminently feasible, because the water is shallow enough to consider an artificial island.

This floating jetport could take over some of the functions of the existing airports on top of providing added capacity, it would be larger than any existing airport and would be expandable, it would have an ultimate capacity of 200 peak hour instrument flight rules movements, compared to the present Federal Aviation Administration ceiling of 80 for Kennedy or 120 for Newark and La Guardia combined.

Moreover, a Sandy Hook airport would not interfere with airspace operations at the three airports and would not cast

noise shadows on Brooklyn, Queens, Staten Island, Long Island, and New Jersey. The planes would be flying over fish; not people. Also, the amount of fill required would be almost negligible. The airport could be constructed on pilings, if so desired. Tunnels, instead of bridges, could connect the field to the mainland. Businesses could develop and prosper in the immediate area. Surface transportation problems to midtown would be solved. The beauty of our harbor would be enhanced.

The Sandy Hook offshore jetport would entail landfill behind bulkheads over a 20-square-mile area in the natural lee of Sandy Hook providing services for the projected 200 to 300 million additional annual passengers by the year 2000.

And site acquisition and preparation costs are relatively small compared to the magnitude of the main problem. The jetport would be on three levels—the water, the bulkhead for multitudinous parking facilities and air operation support, and an upper level like the flight deck of a tremendous aircraft carrier. The station could accommodate a jet city with stores, theaters, and restaurants. Hydrofoils could deliver non-drivers in 12 minutes to Wall Street and in 22 minutes to either end of 42d Street, solving the ground access problem.

It is quite clear that the space is simply not available at Kennedy, whose central terminal area, including freight areas, parking, gate positions, and landscaping covers about 500 acres. More than adequate space for all services would be available on the brandnew superairport designed from scratch with these magnitudes in mind.

Offshore airports have proved feasible elsewhere. In fact, the FAA has commissioned a top-flight engineering firm to come up with a detailed report on the subject. But we must act now.

It is the only feasible solution to New York City's air crisis.

But retention of this section, giving the Transportation Secretary the power to end political buckpassing, is the real key to our flying future.

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

Mr. STAGGERS. I yield to the gentleman from Rhode Island, a member of the committee, such time as he may consume.

Mr. TIERNAN. Mr. Chairman, the subject of debate before the House today is most important. All of us have experienced first hand the growing congestion and delays at airports around the country. We have a bill before us, H.R. 14465, which is designed to meet these problems. Unfortunately, however, it fails to do so in two particulars. First, it provides no assistance whatever to the terminal area of the airport. Second, it provides assistance to the airfield area only on the basis of matching grants, 1 year at a time.

It is obvious to me that if the bill is not to include aid for the terminal area, much of the airport problem is being overlooked. It is my understanding that 60 to 75 percent of the dollar needs at airports over the next several years is in the terminal area. This means

that the maximum aid that can be provided under H.R. 14465 is 20 percent of the need. This is so because the maximum airfield dollar need is 40 percent. With 50-50 matching grants, the U.S. share is therefore 20 percent. We are only deluding ourselves and the American public if we assert that the "airport problem" will be in any major way solved by this legislation.

The bill before us also fails to provide anything other than one-time matching grants. Rather than progress, this is, in fact, a regression from the outdated Federal aid airport program. At the beginning of this decade, the Appropriations Committees agreed to forward funding of 2 years beyond the current fiscal year. This was strongly urged by the House Committee because there were even then serious complaints that airports could not make any sort of financial plans based upon a 1-year-at-a-time grant.

These problems are still with us, and they are magnified manifold by the huge dollar need of our airports today. And yet this bill does less in terms of long-range financial planning than the inadequate program we are replacing. This, to me, makes no sense, particularly when the traveling public is expected to pay the bill for airport and airway improvements. That point raises another irony: The Federal aid airport program was paid for from general funds. The new program is financed from user funds. Yet the new program will offer no long-term assistance.

I predict that in the very near future we will see quite clearly that this legislation is not tailored to meet the needs of our growing traveling public, of which there will be 170 million this year, and that we will be called upon to include terminal areas and long-term assistance in subsequent legislation.

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

Mr. STAGGERS. I yield to my colleague from West Virginia (Mr. HECHLER) such time as he may consume.

Mr. HECHLER of West Virginia. Mr. Chairman, I strongly support this legislation which is sorely needed in order to prevent the fast-deepening air transportation crisis. In 1965, requests for funds to build new airports outran the available funds by \$140 million to \$75 million. The gap has widened even more since then. Although I have made numerous attempts to amend the appropriation bills to increase Federal aid to airport funds, the fiscal year 1970 funds amounted to only \$30 million at a time when the requests totaled \$455 million.

We now need funds to build or develop over 3,000 of the Nation's airports. The \$645 million authorized under the pending legislation for the next 3 years will enable us to make a big dent in the Nation's needs for new and improved airports—both the larger air carrier airports and the smaller airports.

I am particularly pleased that funds will be available under this bill to build the long-delayed Midway Airport—the airport of the future to serve Charleston and Huntington, W. Va. Lack of Federal funding has been the big stumbling block in the way of starting construction of

this vital facility. Passage of the bill will certainly be aided in the other body with the help of Senator JENNINGS RANDOLPH, who spearheaded passage of a similar Senate bill last year. Then when the bill becomes law and funds are available, we can start construction and the dirt will fly at the Midway site, thus enabling our great State of West Virginia to make tremendous forward strides in both passenger and cargo transportation.

Mr. STAGGERS. Mr. Chairman, I yield 5 minutes to the gentleman from Washington (Mr. ADAMS) a member of the committee.

Mr. ADAMS. Mr. Chairman, I thank the chairman of the committee for yielding.

I am in support of this bill. I do want to bring to the attention of the committee, however, and I will engage in a short colloquy with the chairman of the committee on this, the separate views which are contained on pages 92 and 93 of the report, and which several other Members, I know, are prepared to comment about today. We do not, however, intend to unduly lengthen this debate.

Mr. Chairman, this bill involves the collection of user taxes to form a trust fund. These are taxes that basically come from the people who are going to be buying airline tickets. They deserve to have the airline terminals taken care of.

As our views indicate, 75 percent of the costs that are needed in the next 10 years are to take care of the passengers between the street and the time when the passenger gets on the airplane. We are not talking about terminal facilities being built in the sense of cocktail lounges or revenue-producing concessions, and so on, but such things as movement of baggage, handling of tickets, getting the passenger through the terminal, and the new types of equipment that will be necessary to handle the baggage of the passenger from where he drops it until it is on the plane.

We know this matter is being debated presently in the other body, and I want to alert the membership that undoubtedly there will be some type of arrangement like this which will be before the House when this matter comes from conference.

We are not going to offer amendments today. We did that before the committee, and the committee was divided about it.

First I would turn to longtime financing, and I know the gentleman from Texas will have some remarks on this, so I will only touch on it briefly.

I want to thank the chairman of the committee and the ranking minority member for working out a 3-year authorization which will give some flexibility to airports in building projects. We cannot build or construct the projects such as are needed at the present time on a year-to-year basis. It takes a minimum of 2 or 3 years to build a runway and often more than 2 or 3 years to do the tower facilities and the other types of construction involved.

I would ask the chairman of the committee if he does not agree that the problem of financing and the problem of ter-

minal facilities is something we did have many discussions on. It is a terribly serious problem. At some point we are going to have to deal with that before this 2-year period expires.

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

Mr. ADAMS. I yield to the chairman of the committee, the gentleman from West Virginia.

Mr. STAGGERS. Mr. Chairman, I agree with the gentleman in the well, the gentleman from Washington (Mr. ADAMS) that this is a serious proposition involving the terminals and it is going to have to be met some time in the near future. In the committee it was determined that this was to be a safety bill. But I agree with the gentleman, it is one of the very serious things which is going to have to be met in the near future.

Mr. ADAMS. Mr. Chairman, I thank the gentleman.

As I say, the gentleman from Texas will be discussing the long-term financing. At the end of my remarks I am going to include one of the amendments I offered in the committee. The gentleman from Texas (Mr. PICKLE) will be discussing some of the others. I think some type language is necessary to be certain the Secretary when he is allocating these funds can say to a local airport, "If you need to have money over a 3- or 4-year basis, this can be worked out, so it can be done."

In the highway program this is done on a revolving basis by saying there will be so much money this year, and so much the next year, and so much the following year, so the States can plan to extend their highway system in this fashion.

Again I express my gratitude to the chairman of the committee for his patience and to the members of the committee for getting this bill to the floor. I think it is a good bill and it is an important bill. I hope it will pass. I hope when both bodies have completed work on it, we may be able to correct some of the problems which exist.

Mr. Chairman, I will read now the amendment which I offered in committee, on which the committee was divided, as to a method by which long-term financing could be included:

Page 30, immediately after line 11, insert the following:

"(a) LONG-TERM AGREEMENTS.—Within the limits of amounts provided by appropriation Acts to carry out the provisions of this part for any fiscal year, the Secretary is authorized to enter into grant agreements to make a payment for payments by installment over a fixed number of years. Of the amounts so provided by appropriation Acts and apportioned under the provisions of paragraphs (1) (A), (1) (B), and (1) (D) of subsection (a) of section 15 of this part, not less than 50 per centum of each amount so apportioned shall be available solely for grant agreements providing for a payment or payments by installment over a period of not to exceed three years. No grant agreement entered into under this section shall provide for any payment after June 30, 1979, or after June 30 of the last fiscal year for which amounts are authorized to be apportioned under section 15 of this part, whichever is later."

Page 30, line 12, immediately before "Upon" insert the following:

"(b) PROCEDURE FOR ENTERING INTO AGREEMENTS.—"

Mr. STAGGERS. Mr. Chairman, I yield 10 minutes to the gentleman from Texas (Mr. PICKLE), a member of the committee.

Mr. PICKLE. Mr. Chairman, I appreciate the gentleman's yielding.

This Nation cannot constantly live with the potential for disaster that is daily fueled by the congested airports, stacked holding patterns in the air and elephant lines of planes waiting to get airborne. There are at least 23 major hub airports that are on the verge of cracking. Some experts predict that New York's International Airport may have to completely shut down one day next year because the crush of the "stack" will not leave any air space for planes on the ground to get in the air.

The delays are a technological phenomenon—and extremely costly in addition to being dangerous. In 1966, delays at these 23 airports cost an estimated \$28 million, according to the Air Transport Association of America. Extra crews and extra fuel accounted for most of the cost. Additionally, the airlines had to tear up many, many tickets of disgruntled passengers who tired of waiting for a plane and canceled out. And the public was the real loser.

This crisis did not have to happen—that is the rub. Ours is the most technologically advanced society in the world. We simply became enamored with the idea of air travel and did not develop the necessary support systems, such as adequate baggage handling, long walks to the car, even longer drives home and the list continues on and on.

Ironically, we have now reached the stage in our development where most communities do not even want an airport; certainly not near populated areas. They hate to relinquish the land and they do not relish the noise.

If technological myopia is one problem, money is another. Approximately 5 years ago, three out of every five airports were guaranteed by a municipality—today three out of five are secured by money that comes from air-related services.

And, airports are generating money. Airports run by the New York Port Authority paid a \$446.5 million payroll in 1966, creating jobs for over 50,000 people. As more people use airports and airport concession services, and as more planes land and pay fees, it is a fact that airports contribute to the economy of an area.

But money and the lack of it has created the piston-age airports who do not have the funds to extend and strengthen their runways if they are to keep in step with the jet-age system.

Meanwhile, the skys keep on getting busier. The FAA estimates the airlines will be flying 3,500 planes in 1976—that is up considerably from the 2,000 flying now in near-saturated conditions.

Corporate and private planes are growing even faster. They now account for 75 percent of all take-offs and landings. FAA predicts the private pilots share will climb to 86 percent in 10 years.

And the users keep coming. Commercial airlines are presently transporting over 110 million passengers. Within the

next 9 years, the passenger total is expected to triple—to 454 million.

The bill before us today is in many respects similar to the bill which the gentleman from California, Mr. DON H. CLAUSEN, and I introduced earlier, except the difference in the primary approach with respect to taxation which came from another committee.

One of the most important aspects of this bill is the declaration on page 2 of the bill that we are establishing a national transportation policy. I believe the significance of this particular section is far-reaching, and it may have more effect on the overall transportation problem in this country than even the bill itself. And as we consider this bill, I think it is important to remember that our aviation system is only one part of our multimode transportation network.

Several months ago in the opening days of the House Commerce Committee hearings on the bill, I recall Secretary Volpe being questioned about whether his Department would be coming forth with a national transportation plan. He said that they would, but that, for now, we would have to consider the airport recommendations without the benefit of knowing what new directions might be coming to simplify and consolidate traffic of other modes.

I am hopeful that the policy language of this bill is adequate to assure that our air traffic system will not be forgotten when the comprehensive transportation plan is considered. I do not think this will happen, but I must voice my concern that we are dealing here with only half a loaf, and I would urge my colleagues to be aware of that both now and at such later times as the subject is considered.

Hopefully and prayerfully we are not too late with this bill, which I believe is Magna Charta legislation in the field of aviation.

The bill also includes a provision for a national airport systems plan and for the first time gives meaningful help and cooperation to the States, allowing them to participate in grants and authorization to improve general aviation and those matters which are specifically intra-State in nature.

The bill does fall short, however, of meeting the airport problem in one major respect. It gives the Secretary of Transportation no authority to make a commitment of Federal assistance on an airport project except on a year-to-year basis.

Let me discuss the contract authority. The administration might as well face up to the problem because it is becoming of growing importance in every Federal assistance program that we deal with.

The problem is simply this: Suppose a city requires a \$50 million airport improvement program—and that is relatively small compared with some of them. Maybe \$20 million involves the airfield, runway extension of new gate positions, taxiways, and so forth—the other \$30 million involves other additions to the terminal building, relocation of the parking lot, and other improvements to relieve passenger congestion. The city submits its plans and the Secretary finds

they are consistent with the national airport system plan and with the requirements of this bill. Under this bill the Federal share of the whole \$50 million project is only \$10 million—50 percent of the airfield cost but only 20 percent of the total cost.

The airport sponsor then wants to enter into a grant agreement for the \$10 million of Federal assistance. Under this bill the Secretary of Transportation cannot make more than a 1-year commitment and because of the allocation formula and the legitimate requests for funds from other airport sponsors, the Secretary may be able to make only a \$1 million grant on that approved project. Where does that leave the city on its financing problem? It needs to raise \$50 million. It is really entitled to \$10 million of Federal help. But all the Secretary can do after he approves the project is to enter into a grant agreement for \$1 million for 1 year. He can give them a pat on the back and hope for the future. What help is that in selling airport bonds? The city still has to raise \$49 million.

They can go to the bond market and point to their rental agreements with the concessionaires and the fixed base operator and the lease agreements with the airlines for landing fees and rentals. And then they can say to the prospective bond buyer: "And besides that we are hoping to get \$9 million sometime from the Secretary of Transportation—he's already approved the project and has entered into an agreement to pay us \$1 million."

What kind of positive assurance is that? Remember this—all of this money is coming from airport users. We are no longer talking about the old Federal aid-airport program where the money came from general funds. This program is primarily based on user taxes. The taxes being levied under title II of this bill are permanent taxes. They are going into an airport and airway trust fund. They are dedicated to airport and airway improvement. The amounts to be collected are reasonably predictable and the amounts authorized to be appropriated for airports and airways improvement are conservative in relation to the revenues.

For the last 9 years, we have had a better situation in some respects on forward planning than this bill gives us. As a committee on the one hand and our colleague, the late beloved Albert Thomas, and the Appropriations Committee on the other, the Appropriations Committee has been appropriating airport funds 2 full years ahead as a means of trying to facilitate planning.

Now that we are switching to user dedicated taxes, the Secretary should have the authority to assure these people who have to build and operate our airports—the cities, counties, and other public bodies—that they will get the Federal assistance they are entitled to. Cities cannot sell bonds on hope and faith. They have to have something definite to go on. The Secretary should be able to obligate for the Federal share of a project and pay it over a period of years—in annual installments if that

suits the nature of the project and the financing posture of the airport project sponsor and the limitations on the Secretary's funds.

Remember that the bill requires the Secretary to prepare a national airport system plan, and no project can even be considered unless it is included in that plan. So any commitments he would make would only extend to projects that fitted the priorities of that plan.

You all know that our cities have a mass transit problem. The President has sent a message outlining a plan to provide Federal help in meeting the mass transit problem. The Federal assistance will all come from general funds instead of user taxes, and the Federal Government will bear a much larger share of the total cost than it is bearing in the airport program. Yet the cities are disappointed because there is no contractual authority in the program—no ability of the Secretary of HUD to make meaningful commitments to the cities that extend beyond 1 year.

I understand some thought is being given to a modified approach to this contractual concept. It would permit the Secretary of HUD to obligate the Federal Government solely within the framework of the specifically authorized amounts for the years in which they are authorized. For example, if the bill authorizes appropriations for each of 5 years, the Secretary in the first year could, within the formula limitations, make a commitment with a city extending over 5 years. In the second year, for 4 years, and so forth.

Personally, I think the Secretary of Transportation should be able to make a commitment to make payments for as long as 10 or 15 years on an airport project. But at least something along the lines described above would be better than this annual grant that we are providing in this bill. That was the big fault in the old FAAP program and we are not correcting it in this bill.

It is not a question of bypassing the Appropriations Committee. They still would have to appropriate the money every year just as they do under the highway program. But cities cannot pay cash for big capital projects any more than the average person can pay cash for his house. They have to finance it over a period of time and a Federal airport program ought to realistically meet that situation. Otherwise it does not do the job.

Now, Mr. Chairman, in the committee one amendment was offered by me which was designed to give assistance in these contract authority cases. I want to read the amendment that I offered, because it lost in the committee by a very small vote. I want to include it in the RECORD in this debate so it will be available for others to see in the other body as well as the Members of this body. This is the amendment that was offered to H.R. 12374, the bill used in the committee markup:

Sec. 209 (a) The Secretary is authorized to enter into grant agreements to make a payment or payments by installment to a sponsor or sponsors over a fixed number of not to exceed fifteen years; *Provided, however*, That the Secretary shall set aside not

less than 30 per centum of the amounts apportioned to any State under the provisions of paragraphs (1) (A), (1) (B), and (1) (D) of subsection (a) of section 205 of this Act for entering into grant agreements to make a payment or payments by installment over a fixed number of not to exceed three years.

Mr. Chairman, that would attempt to say that the Secretary could make agreements to make payments up to a period of 15 years providing he set aside 30 percent of those funds in the form of short-term grants.

The CHAIRMAN. The time of the gentleman from Texas has again expired.

Mr. STAGGERS. Mr. Chairman, I yield the gentleman 1 additional minute.

Mr. PICKLE. Provided they retained at least 30 percent of the money in the formula grant section of the bill for short-term assistance, up to a 3-year period. That amendment failed in the committee by a very small vote. I hope the Members of the House will have an opportunity to read it and to study it as a part of the debate that we have heard here today, because I am confident that additional help must be given in the area of contractual authority for airport facilities.

Again, Mr. Chairman, this is a great bill. It is long past the time that we should have approved this kind of assistance for the people of America. They are entitled to better air safety and air services. This bill, if enacted, takes a giant step forward in that direction and I certainly support the bill.

Mr. SPRINGER. Mr. Chairman, I yield such time as he may consume to the distinguished gentleman from California (Mr. DON H. CLAUSEN).

Mr. DON H. CLAUSEN. Mr. Chairman, I wish to take this time to express my appreciation to the chairman and all of the members of the Committee on Interstate and Foreign Commerce as well as the members of the Committee on Ways and Means for giving me an opportunity to participate in much of the hearings held on this legislation even though I am not a member of either committee.

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

Mr. DON H. CLAUSEN. I yield to the distinguished gentleman from Illinois.

Mr. SPRINGER. Mr. Chairman, since the distinguished gentleman from California is probably the most knowledgeable Member of this House, or at least one of the three or four most knowledgeable Members of the House in this field, may I say I for one appreciate his advice and the suggestions he made from time to time in the preparation of this bill. The gentleman is certainly to be commended for what he has done and for the interest which he has shown in getting this legislation enacted.

Mr. DON H. CLAUSEN. Mr. Chairman, I thank the gentleman very much for his remarks.

Mr. Chairman, again, I want to thank the gentleman from Illinois for his comments and many courtesies extended to me.

Further, I am deeply grateful to the chairmen and members of both committees, Interstate and Foreign Com-

merce and Ways and Means for permitting me to offer suggestions during the formulation and drafting of this very important bill.

I truly believe this legislation will represent a major milestone in the total progress of air transportation evolution.

In my judgment, the passage of the legislation carries with it unlimited opportunities for the advancement of social and economic progress throughout the entire Nation.

Aviation has grown faster than anyone would have ever dreamed of. Many of us over the years, have warned of the growing crisis due to a lack of airports serving the communities of America.

The problem, like so many things, has been the lack of adequate funds. But the real problem has been the lack of a positive method of financing a national airport program. Also there has been a lack of coordination and development on a system basis—again, primarily due to the lack of a positive method of finance.

As a result the entire transportation system in America has been growing like Topsy and in a hodge-podge, very uncoordinated manner.

FAA Administrator Jack Shafer and Secretary Volpe, along with their able staffs know what to do and how to resolve the problem. They are extremely able and knowledgeable in their respective positions. But their hands are tied and they are completely restricted unless and until the Congress gives them the basic and essential legislative finance vehicle to implement a coordinated national plan of integrated airport systems.

This package today will go a long way toward helping them carry out their responsibilities. This will give the Department of Transportation two trust funds—highway and airport and airways.

These two trust funds should be supplemented by a third fund or finance vehicle to properly and adequately finance an improved urban area transportation system program.

Properly financed and properly coordinated, we can move forward toward the development of a balanced and integrated transportation system that will be of tremendous benefit to people living in both urban and rural America.

Without these basic legislative vehicles, we will continue the ridiculous trend toward congestion, overcrowded cities, traffic problems, more land and air accidents, and overpolluted and overpopulated megalopolis areas.

America can look forward to a better environment for future living conditions through the passage of this bill.

I am certain that this package is not completely satisfactory to all segments of aviation. It is, however, the best possible compromise under the circumstances.

The glaring fact remains that the need for legislation to finance a national airport system is so great that I do not think we can afford to wait and quibble over suggested changes.

In order to clarify what I mean by an airport system, I will briefly outline what I see will be required for the current and future interests of our air transportation users.

First. Metropolitan areas must move toward the adoption of the integrated airport system concept—HUB commercial or regional airports with satellite reliever and STOL air traffic engineering recommendations. This will permit more air access to the community rather than restrict the flights into the overcongested and too limited airports now serving our major cities.

Second. Intrastate airport systems and programs must be established with special consideration given to helping small communities provide air access and some form of Federal, State, or local government tax incentive or relief for private airports serving a public use. Part of the State or local government matching share might be in the form of relief granted by local political subdivisions for privately owned airports—at least the runway, taxiway, and parking ramp areas which are generally not direct revenue producers. Strong language in the committee report might serve to motivate the States to implement this recommendation.

Third. An interstate system of airports.

Fourth. Intercontinental or international system of airports capable of handling the SST and jumbo jet-type aircraft.

Fifth. An intermetropolitan area STOL transportation system of airports for communities less than 500 miles apart.

Sixth. Heliports.

Two years ago, Mr. Chairman, I was privileged to address the House under special order on the subject of "the growing crisis of the lack of airports." At that time, I stated my conviction that the United States was facing an airport crisis of crippling proportions. In the 2 short years since I made that statement, the crisis has become even more acute, reaching a peak last July and August when congestion in the metropolitan area airports, airways, and approach control facilities of the Nation almost paralyzed the air transportation system. This situation, in my judgment, will continue to deteriorate unless the Federal Government, the State and local governments, general aviation, commercial aviation, airline passengers, and air shippers act now to improve the system. The time has passed when we can defer action to await "further study of the problem," in hope of a few "painless," easy solutions.

OUTLINE OF A COORDINATED NATIONAL PLAN OF INTEGRATED AIRPORT AND AIRWAYS SYSTEM

Two basic requirements are needed—consideration and recommendation for adoption of a national airport system plan and a recommended method of financing this plan.

With the large costs involved, coordination between all levels of government in our federal system must be maximized and unnecessary duplication of facilities must be minimized.

With land values escalating and available airport sites diminishing, particularly in the metropolitan urban areas, the problem of guaranteeing aviation access for general and business aviation type aircraft is crucial and a solution must be found immediately.

The problems of air safety and air

space planning cannot be resolved or even considered until such time as the airport and heliport sites are specifically located on the ground.

As a member of the Roads Subcommittee of the House, I can tell you the United States of America has an enviable position of leadership in the world for having developed one of the finest road systems known to man—why not start today by committing ourselves to work toward developing the finest and safest airport system in the world.

With the congestion on the ground and in the air increasing, it becomes mandatory that we maximize the coordination between surface and air transportation program recommendations.

For many years, I have advocated locating air strips contiguous to highways. Lands for these strips should be acquired at the same time lands are acquired for highway purposes. All that is required is coordinated planning and financing.

Quite frankly, it might be helpful to have the Roads Subcommittee and the Aeronautics and Transportation Subcommittee meet in joint session for the purpose of considering these possibilities.

In any event, the history of our road construction program, which built the Interstate Highway System and has assisted the States in building their primary and secondary road systems, may well serve as a basic guide for programming an airport system. With the rapidly changing world situation, I have concluded in my own thinking that the U.S. airport needs of the immediate future will require:

First. A system of international airports to accommodate airborne traffic flying the world's airways, strategically planned and located in select sites throughout the United States.

Second. An interstate system of airports for handling interstate flights.

Third. Each State and county should develop an intrastate system of airports for aircraft flying principally between cities within a given State.

Fourth. Every metropolitan area should develop an integrated system of airports designed to guarantee expeditious access and maximum safety for general aviation, commercial, military, and rotary-wing type aircraft.

Fifth. Every incorporated community in America should have at least one airport with plans for expansion and adding airports.

Obviously, many of the airports will serve dual and possibly triple purposes until increased traffic would necessarily restrict them to a single purpose. As examples, in the Washington-Baltimore area, Dulles and Friendship now serve international, interstate, and intrastate air traffic requirements. Washington National serves principally the interstate and intrastate categories.

WITHIN THE NATION'S AIR TRAFFIC CONTROL-AIRPORT SYSTEM

First. Create and develop general aviation airports that will be suitably located in metropolitan areas that will provide all required airport facilities, including communications and terminal VOR's, to attract a maximum volume

of general aviation activities away from air carrier airports so as to achieve maximum airspace and airport capacity at air carrier airports. Such reliever airports to adequately serve general aviation should have:

Convenient ground transportation to business areas;

Convenient transportation to air carrier airports;

Adequate navigational and landing aids, and so forth;

Adequate passenger and crew facilities and services.

Second. Encourage the Federal Aviation Administration to establish Federal regulations which will require that all aircraft operating within the terminal air space at major airports meet uniform standards for instrumentation, communications and navigational equipment. This objective is necessary to achieve optimum compatibility with the air traffic system and efficient utilization of all airport facilities created as an integral part of the national air transportation network.

Third. Encourage the full development and utilization of reliever general aviation airports and other facilities that have been developed and financed for specific use by different segments of aviation.

Fourth. Encourage and assist the Federal Aviation Administration to develop adequate air traffic control procedures for V/STOL aircraft which will permit maximum advantage to be taken of the unique characteristics of both V/STOL and fixed-wing aircraft with a minimum of mutual interference. The greatly expanded use of V/STOL can provide substantial relief and alternatives for the growing problem of public ground access to airports.

Fifth. Encourage the Federal Aviation Administration and the Civil Aeronautics Board to study the increasing volume of air taxi type operations at air carrier hub airports. Such operations should complement air carrier services at major airports without disrupting airline service.

Sixth. Require Federal Aviation Administration to change criteria for placing towers, instrument landing systems, high-intensity approach lights, radar surveillance, and approach facilities, on smaller community airports outside of high density areas. With adequate facilities, many communities would then be in a position to attract industry for industrial airpark developments, provide relief from high density traffic areas, establish a constructive trend toward decentralization of business and government, and provide more stable and balanced economic development in the entire country.

Seventh. Encourage wider use of helicopter service. Link the major air carrier airports together through the establishment of helicopter shuttles.

Eighth. Escalate plans for developing surface transportation—improved access roads, monorails, and so forth—systems to serve airports of area. Coordinated planning and development of air and surface transportation systems is mandatory.

In order to better illustrate and define the suggested integrated airport system, I herewith submit a plan that could be applicable to the Washington, D.C., metropolitan area and other similar expanding urban areas of the country. Properly implemented, this plan could serve as a model for adoption elsewhere. This being the Nation's Capital, we should provide the example for others to follow:

METROPOLITAN AREA INTEGRATED AIRPORT PLAN INTRODUCTION

One of the most critical problems facing the growth of the national air transportation system is the need for responsible overall planning in metropolitan areas.

It therefore appears appropriate for the administration to develop and adopt an air transportation integrated airport philosophy to meet the growing demands of the public.

The following plan, already proven successful in application, will serve as the basis for developing this philosophy.

OBJECTIVES AND PURPOSES OF AN AIRPORT INTEGRATED SYSTEM

To serve the public interests; promote air navigation and transportation; develop and increase air commerce; promote efficient, safe, and economical handling of air commerce; to develop facilities for all segments of aviation—general aviation and scheduled air carriers aviation.

SYSTEMS REQUIREMENTS

The development of an efficient, economical and safe integrated system of airports conveniently located in and around a metropolitan area should consider as essential three basic assumptions:

First. Create an independent metropolitan airport authority, by state legislation, with a clearly defined geographic area of jurisdiction. This authority, to be effective, must have the responsibility for all activities related to the planning, development, operation, maintenance and use of the system of airports. Further, the responsibilities must extend beyond the airport boundaries as critical considerations lie in the preservation and protection of the entire airspace overlying the area of jurisdiction. Control over the construction of tall towers and other high structures is essential to maintain air traffic capacity of the system along with the need for adequate clear zones and buffer areas. The authority must anticipate the requirements for and make acquisition of sufficient land for these purposes.

It is noted that this basic plan does not oppose private ownership of airports within the jurisdictional boundaries, but rather, encourages such within the integrated airport systems concept.

Second. Accessibility to the airport by the public will directly determine the extent to which people will use air transportation. Each airport within the integrated-airport system, therefore, should be no further than 30 minutes from the potential user by a convenient highway system. Future airport development should consider high-speed freeways and access roads already in use along with those under construction or planned.

Third. Aircraft with widely differing performance characteristics and runway load-bearing requirements should be segregated. The capital and operating expenses required to provide facilities, at each airport, for such a broad range of aircraft is economically unrealistic. However, small aircraft should not be regulated off of publicly owned and operated large airports. By providing readily accessible facilities for general aviation aircraft at satellite airports, general aviation can be enticed to the smaller airports and in doing so, preserve the large air carrier type airports for expansion in air carrier operations. The value of scheduled air transportation has long been recognized, however, the impact of the general aviation segment of the air transportation industry upon the metropolitan economy has never been fully understood or appreciated by the general public. As general aviation continues to grow and serve as an ever-increasing tool to business and industry, it is evident that the economy of metropolitan areas will be materially influenced by the availability of general aviation airports.

REQUIREMENTS FOR ACTION

Legislative action at the State level may be required to provide a fully independent airport authority. Such legislation may also provide the foundation at the local level for public support and reduce costly rivalry by uniting the total metropolitan area within a single plan for economic growth. Legislation may further provide the framework for needed financial cooperation at the three government levels: Federal, State, and local.

The development stage of this legislation is the appropriate place for a thorough examination of both the current and forecast air transportation needs for the metropolitan area. Further, it is the proper time for numerous public hearings that will assure the maximum display of public participation in the development of the integrated airports system.

The result of the legislation should be a plan of operation that will identify the airports and their role within the metropolitan integrated airport system.

SYSTEM OPERATION

The layout of the individual airports should, in consideration of long range needs, provide for expansion. An example of this can be found in planning runway configuration. Two parallel runways into the prevailing wind will provide the greatest return for each dollar spent in both the area of greater utilization as well as land purchased for clear zones and buffer areas. Additionally, provisions should be made for at least one cross-wind runway.

Clear zones and buffer areas must be considered at the very beginning in order to permit the installation of all-weather landing systems and to minimize noise problems.

The geographical location of each airport must be such that it does not conflict with the flow of traffic of any other field in the metropolitan area.

The problem associated with flights over populated areas and the intrusion of aeronautical hazards into the lower

airspace cannot be solved by simply moving airports further from population centers. In order to attain the maximum capacity for air traffic, aircraft must be separated vertically as well as horizontally. With the authority to preserve and protect the lower altitudes, this integrated airport will provide space for a greater flow of VFR traffic without interfering with aircraft operating under positive control.

The ultimate goal of this plan should be the condition in which the only limiting factor for the volume of traffic is the capacity of each airport ground handling and servicing abilities.

ECONOMICS

The economic considerations in the development of the plan described herein are borne out by the experience gained in one metropolitan area over a period of 25 years. It has been recorded in metropolitan areas that over 90 percent of their aviation budget has been spent at airports maintained for aircraft having performance characteristics and runway loads bearing requirements equal or similar to those in scheduled air transportation. These aircraft comprise 25 percent or less of the total aircraft movements. On the other hand, 75 percent of the total aircraft movements—general aviation—are accommodated at those facilities where less than 10 percent of the total capital investment has been made.

CONCLUSIONS

A good statute clearly setting forth the objectives and providing complete independence for the airport authority from the crosscurrents of local pressures, with general agreement and support of an integrated airport system.

The safety of operation in the accommodation of air transportation in a metropolitan area dictates the separation of the smaller general aviation aircraft from the larger, high-performance aircraft used by the scheduled air carriers. This separation should not be attained by regulations.

In order to attain the maximum capacity for air traffic in a metropolitan area, aircraft must be separated horizontally as well as vertically. With the protecting of the lower altitude for VFR flights this greater volume of air traffic can be safely accommodated without positive IFR control. The integrated system of airports strategically located throughout the metropolitan area further permits the safe dispersing of air traffic throughout the entire metropolitan area.

The ultimate success of a metropolitan integrated airport complex is dependent upon the preservation of the lower altitudes for air traffic.

The problems inherent with the flight of aircraft over populated areas are not solved by moving of airports farther from the population center. Accessibility to the airport and thus the airplane directly determines the extent to which people will use air transportation. Convenience and accessibility can most logically be accomplished by a system of airports readily available to the populated area they serve, and accessible over high-speed highways.

The separation of general aviation air-

craft from the scheduled air carrier aircraft is dictated by economics of airport development and operation. The relative capital and operating costs of providing facilities at scheduled air carrier airports is so great as to make it economically unfeasible to provide for the large volume of general aviation aircraft on scheduled air carrier airports.

The value of scheduled air transportation is readily recognized, however, the impact of general aviation upon the economy of a metropolitan area has never been fully understood or appreciated by the majority of the citizenry. As general aviation aircraft will continue to serve as an increasingly vital tool to business and industry, it follows that the economy of metropolitan areas will be materially influenced by the availability of general aviation airports to accommodate such air traffic.

RECOMMENDATION

The national air transportation philosophy should recognize that a need exists to develop an integrated system of airports in the metropolitan areas which will serve all users and yet preserve the capacity of the major airports for those who have the need for its specialized services.

AN EFFECTIVE AIRPORT TRUST FUND

In order to bring about the most orderly planning and implementation of the above system recommendation, I believe it is absolutely essential to adopt the airport trust fund approach to revenue accumulation and apportionment.

Once adopted, the highway access routes to and from the airport can be better coordinated with the established highway trust fund.

In order for this Nation to achieve the maximum in economic growth, the best environment for future living and a totally balanced transportation system, a balanced method of finance must be advanced. Therefore, I strongly urge the adoption of three basic trust funds:

First. Highways and roads,

Second. Airports and airways, and

Third. Urban area transportation systems.

With the forthcoming jumbo jets, the surface transportation systems and routings are inadequate to handle the contemplated passenger traffic. Therefore, highways, bus, and mass transit systems must be planned and constructed to accommodate the passenger flow generated by this type of aircraft.

COORDINATION AND BALANCE

I earnestly feel the public and private transportation engineering organizations of this Nation can come forth with the finest coordinated and balanced transportation system in the world if we, in the Congress, provide them with the financial vehicle—three trust funds—to carry it forward.

The committee will have a monumental task in sifting through the thousands of words of testimony and then coming forth with the best possible recommendation for authorization.

THE ROLE OF THE CONGRESS

Fundamentally, there are two basic questions to be resolved by the Congress through legislation:

First. Authorizing the best possible airport and airways system to be built and developed over the next 10 years.

Second. Adopting the most equitable finance formula required to fund the system.

In as much as this committee has the prime system authorizing responsibility, I think it behooves all of us to concentrate on what we believe will ultimately provide us with the safest and most efficiently operated airport and airway system available or attainable—consistent with prudent fiscal recommendations.

The gentleman from Texas (Mr. PICKLE) and I have joined in introducing H.R. 9325, which is designed to provide additional Federal assistance in connection with the construction, alteration, and improvement of air carrier and general purpose airports, air terminals, and related facilities to promote a coordinated national plan of integrated airport and airway system.

WHAT DOES H.R. 9325 PROVIDE?

The key provisions of the bill are:

First. The recognition that we can and must expand and improve the airport and airways system and that the civil user should not be required to provide all of the funds required, but rather, that revenues obtained from the general taxpayer will continue to be utilized.

Second. A provision requiring the Secretary of Transportation to conduct a study to determine the allocation of costs of the airport and airways system, and identify these costs that are applicable to the Federal Government and the value to be assigned to the general public benefit.

Third. Probably the most important aspect of the bill is the establishment of the airport and airways trust fund, which will provide the necessary funds for the development of the system.

Fourth. Granting the Secretary of Transportation authority to guarantee any lender against any loss on loans to finance any public airport development project.

Fifth. The designation, by each State, of a State agency or official to be responsible for public airport systems planning.

Sixth. Provisions for grants to the States to carry out a comprehensive State aviation program that, in the opinion of the Secretary of Transportation, is not inconsistent with the development of a national air transportation system.

Seventh. Authorizing the Secretary to make grants from the trust fund to sponsors of public airports.

Eighth. Amendment of the Federal Airport Act to provide the necessary funds for the development of airports whose primary purposes are to serve general aviation and relieve congestion at those airports that have high density traffic serving other segments of aviation.

While neither the gentleman from Texas (Mr. PICKLE) nor I believe the bill to be perfect in all respects, we do believe it provides an excellent, workable base upon which the committee can build. The Administration's proposal is similar in nature and objectives and I therefore believe the committee would be

well advised to include the best of both of these legislative proposals in your final committee bill.

THE MOUNTING VOLUME OF AIR TRAFFIC

Transportation is the "backbone" of our Nation's economy and air transportation is becoming the "backbone of our common carrier transportation system." In 1950, only one out of 10 intercity common carrier passengers traveled by air. As of today, however, seven out of 10 use air travel. The preference for air travel has been clearly established and the volume of airline traffic is now greater than that of rail and bus combined.

Air transportation problems and forecasts of ascending volumes of traffic do not diminish with the passage of time. Up to now, we have accommodated growth problems within the existing system, but we have reached the point where the airways and airports of the Nation are no longer sufficiently elastic to absorb the ever-increasing demands now being made on them.

Quite clearly, the problems of civil aviation today are the result of its successes—not its failures. The essential problem, as I view it, is not in sustaining success, but in achieving coordination and balance. The extent of aviation service to the public has far exceeded, in my judgment, the public support of aviation and the results are now beginning to show, not only in congested airports but in the profit and loss columns of the operators and in the economy of communities where air transportation is a vital factor.

It is noteworthy, I feel, that the airlines reported a 42-percent decline in earnings last year despite a 16-percent increase in passengers and cargo. Operating revenues were up 13 percent but operating costs increased more than 18 percent. A large share of the operating cost increase nearly \$100 million, is attributable to inadequacies in our air traffic control and airport systems.

THE PROBLEM OF CONGESTION

The effect of delays and congestion on the economy of New York City is already evident. Last year's congestion and problems in that city, due to inadequacies in the airport/airways system, are estimated to have cost more than \$200 million and unless these problems are corrected, the loss is estimated to reach approximately \$600 million in 1980. Air transportation is one of the basic attributes which have made New York City a mecca for commerce, which distinction may quickly disappear if its airport requirements are not met. And there are other signs. The stock market is considering leaving Wall Street. The garment industry is seeking to locate elsewhere. Other manufacturing industries are seeking locations away from New York. At one point, 18 major companies accounting for over 11,500 on-the-spot jobs had actually decided to move or were actively looking for new locations away from the city of New York—primarily because of overcrowded and congested conditions.

This same situation exists in many other cities, large and small, in the Nation. Clearly evident is the importance

of the role of the airport and air transportation in the economy of the community each serves.

Just since the time of my statement 2 years ago, referred to above, the number of airline passengers has increased by almost 40 percent. This growth is good to be sure. Indeed, it is essential to our burgeoning economy and our security requirements, but if this growth is to continue, the resultant problems and challenges must be met. The urgency is great and the time for action is now.

FUTURE GROWTH FACTORS

While the past growth in aviation has been fantastic, the future is expected to be even more spectacular. During the next 10 years, passenger traffic on scheduled airlines is expected to triple—general and business aviation will quadruple. Most of us are familiar with the crowding at our airports and with the delays in the air that are occurring now; imagine, if you will, handling three times as many aircraft on the ground and in the air.

At present, the number of intercity passengers using air transportation is about equally divided between the airlines, and business and private airplanes. The airlines are receiving approximately one new jet aircraft per day and the 115,000 general aviation airplanes of today are expected to increase to over 200,000 in the next 10 years. More than 20,000 corporations own and operate more than 40,000 business airplanes today and this is expected to increase by 22½ times in the next 10 years. Aircraft are also increasing in number of passengers carried along with the number of aircraft being delivered. All of this means more planes, more people, more problems—but I am convinced we can, and must rise to the challenge.

If we are to meet this challenge, there must be a tremendous increase in our developmental effort for the airways/airport system. At the present time, airport construction is seriously lagging. This is due largely to the inadequate incentives provided by financial assistance through the Federal aid airport program in the recent past. Considering the leadtime of 7 to 10 years required to plan and build a new air carrier airport, it is obvious that we are already several years behind schedule and the situation is certainly going to get worse before it gets better. The development of the airways and air traffic control system is also lagging dangerously. Although a plan was developed by the FAA for the automation of the air traffic control system in 1961, it is a fact that the first operational unit is still under construction and not yet commissioned at Jacksonville, Fla. Only one terminal area traffic-control facility has been constructed and this primarily for test purposes. Therefore, I believe we must provide legislation that will accelerate the development of our airport/airways system as well as plan now for the system requirements of the post-1980 period.

DECENTRALIZATION AND REVITALIZATION THROUGH AVIATION

Another growth problem facing this Nation, and not unrelated to the growth problems of transportation, is urbaniza-

tion. At present, more than 70 percent of our total population resides on only 1 percent of the land area. If this rate of urban migration continues, by 1980, it is estimated that 80 percent will reside on 1 percent of the land and by the year 2000, 50 percent. The problems generated by this combined migratory and growth trend are of such magnitude that they have raised the very serious question of whether or not they are capable of solution. Even if they are capable of technical solutions, it is questionable whether the financial requirements can be met.

Mounting problems in every aspect of urban life crowd the pages of our newspapers daily and highlight the growing paradox of space age accomplishments and urbanization paralysis. While our major metropolitan centers of this country have grown too, overcrowded, grossly over centralized and totally unmanageable, the rural economies and the rural communities in this country are in desperate need of revitalization and diversification. And where has this overcrowding been felt most? Right in the heart of the central city—the very focal point of social dissatisfaction and unrest in America today. For, it is here that the majority of the untrained, unskilled, and unemployed people from the rural areas end up. And these are the same people who seldom, if ever, make it to the suburbs. Lacking the funds to return to the place they left, it is these people who find themselves trapped and who are, in the final analysis, paying the price of life in the big city. Drawn there in search of a better life, countless thousands of migrating Americans too often find only disappointment and the sad realization that they would be better off where they came from. Too often, their only recourse is to swell the ranks of the unemployed and the legions on welfare. The thought of once-productive citizens transformed into wards of the State—is indicative of this migratory trend which has brought with it social and economic decay.

You may well ask, at this point, what is the relationship between the urban and rural crisis and airport/airways legislation?

The availability of an airport is absolutely essential today if any community expects to attract industry. This does not necessarily mean an air-carrier airport, but rather a facility which is adequate for the kind of airplanes operated at the present time by more than 20,000 U.S. business concerns.

Transportation technology today has completely eliminated the necessity for locating plants near waterways, close to raw materials or processing plants, or near large concentrations of distribution points for goods. Implementation of the foregoing concept is the purpose of section 204(d) of the bill which my colleague, the gentleman from Texas (Mr. PICKLE), and I have introduced, and which calls for the Secretary of Transportation, in administration of this program, to give priority consideration for an airport development project which improves air access to the area or is essential to the economic and social development of such an area.

We can bring about "rural revitalization" by redirecting the emphasis of Federal programs so as to provide incentives

for industry to establish manufacturing facilities in smaller communities and thereby create job opportunities at the point where urban migration originated. There is, I believe, sufficient expansion of industry presently forecast to create a reverse migration if the new plants contemplated are located in smaller rural communities and not the major metropolitan areas.

Studies by the U.S. Chamber of Commerce have shown that the establishment of a plant requiring 100 employees results in over 150 additional jobs in the same area or a total of 250 new jobs. Brookings Institute made studies many years ago which show that a dollar of new money brought into a community is spent 20 times in the economic cycle of that community. The resultant payrolls of new plants in small communities enlarges the local tax base to provide the revenues for construction of other public facilities such as streets, schools, recreational facilities, and so forth.

It now seems clear that, if we are to continue to move ahead, we must reverse and redirect the imbalance in our population distribution and to do so requires a balanced, coordinated and integrated transportation system that will promote and enhance economic growth in small communities.

In addition, we must have programs supported by user charges which provide for urban transportation systems, intrastate air and highway systems, interstate, and intercontinental air systems.

The legislation the gentleman from Texas (Mr. PICKLE) and I have proposed provides a program which will bring about the development of intercontinental, interstate, and intrastate systems of airports on an equitable basis. It also provides for the development of airways systems and in the near future, for the entire cost of operating the airways system. This bill also provides for planning grants to assist in developing plans so essential to the timely, balanced, and integrated comprehensive air transportation systems.

Not only is this legislation designed to meet the needs of large cities but also to assist in the revitalization of our smaller communities and ease the pressures resulting from the "urbanization avalanche" going on now.

Our bill also provides for a share of the revenues derived from the user charges to be returned to the 50 States for administration of aviation programs, air transportation system planning and airport development within the State board on local priorities aside from Federal interests. The objective, of course, is greater involvement of the States in air transportation system planning and development as is the case of our Federal highway program.

This legislation further establishes a trust fund for airport/airways development and the manner in which this fund shall be utilized. We have not included user charges or taxation provisions which are matters within the purview of the Ways and Means Committee. In this regard I respect the sagacity of this committee to determine the most appropriate and equitable system of taxation to meet the requirements of this legislation.

BALANCE IS THE KEY

Therefore, as I see it, we should be concentrating heavily on a comprehensive legislative "package" that will, in the final analysis, give us the best system of airports possible using a distribution formula that recognizes not just our present population distribution—but where our population can and most likely will be located in the future.

In my judgment, this is one of the most fundamental and paramount considerations that must be incorporated into planning of a comprehensive airport and airways system.

All things considered, Mr. Chairman, I believe the keyword in putting such a "package" together is "balance." Because, from this legislation, there must emerge:

- First. A balanced finance formula.
- Second. A balanced airport/airways system.
- Third. A balanced national transportation system.
- Fourth. A more balanced population pattern.

BASIC AIRPORT AND AIRWAYS FUNDING CONSIDERATIONS

Philosophically, there is no doubt that considerable moneys must be obtained for the continuation and expansion of the airways and airports to accommodate the rapidly expanding transportation needs of the country. It is no longer possible, in my judgment, to place this burden solely on the general taxpayer. User funds should be directed toward the development of a comprehensive airport system, while general funds should be utilized for airways and air systems development.

It has already been established by Presidential directive that the user will pay for special services rendered by the Federal Government, and there just is no question that the general public does benefit appreciably from aviation. Therefore, it is not unreasonable to assume that a portion of the costs for expanding and continuing the airport/airway system should be borne from general funds. What portion this should be is highly debatable and, as I have previously stated, a matter for the House Ways and Means Committee to decide.

Keeping in mind the contemplated new era of Federal, State and local cooperation, I feel that the greatest portion of revenues collected for airport planning, development, and actual building of airports should be directed to State agencies for application and project completion, and that the major role of the Federal Government should be the development of guidelines that would be used by the States themselves for airport development.

I feel quite strongly about the fact that, somewhere in the bill, emphasis must be placed on the preservation of the privately owned airport that is open for public use. During the past few years we have witnessed many existing private airports fall under the pressure of local taxes or increased land values causing the ownership to sell for other than aviation purposes. A method of relief to these owners could come about through tax advantages or by direct purchase by local

or State governments to assure the airport continues to operate as an airport.

While it is true that H.R. 9325 differs both with the administration bill and with other similar bills which have been presented for consideration, especially in regards to air carrier fuel charges, I am perfectly willing to leave this problem to the House Committee on Ways and Means. Quite frankly, I am more interested in seeing that these revenues are expended in a way that these concepts and ideas which I have outlined herein, can be generally supported and eventually implemented.

RESEARCH AND DEVELOPMENT A MUST

Whenever large sums of money are to be expended over a long period of time, we certainly need sufficient, on-going research and development to enable the industry to provide the latest "state of the art" equipment and systems that will be absolutely essential in providing an effective and forward-looking airport and airways system with the latest and best equipment and facilities available or attainable. This seems to me to be a must!

I also believe that a greater share of these funds should be channelled into planning functions. Here again, this should also be a State and local function, with Federal coordination so that each State's master plan fits into and dovetails the national systems program.

And lastly, in this regard, I feel that greater allocation considerations be given to the States, because such a program as I envision and have advanced here today, would entail much larger and more competent State organizations and, certainly, additional funds would be required to support it and using a distribution formula based on geographical area and population criteria that I have outlined elsewhere in these remarks.

In conclusion, Mr. Chairman, I submit that we, in the Congress must attack the airport crisis in a manner that will meet the challenges facing us and avoid all constraints that might well inhibit the safety of the skies and the full economic growth potential of this Nation.

The passage of this bill will be a big step in the direction of this objective.

The highway system has permitted accelerated economic growth, starting from 1916 with \$50 billion to \$350 billion in 1956.

It was in 1956 when the Eisenhower administration and the Congress enacted the forward-looking Interstate and Defense Highway System. The gross national product increased from \$350 billion in 1956 to reaching the anticipated \$1 trillion level by 1970.

I will predict, with the passage of this airport and airways legislation, we can look forward to realizing the achievement of the second trillion dollar gross national and international product in the next decade.

This is a great day for aviation and a greater day for America.

Mr. SPRINGER. Mr. Chairman, I yield such time as he may consume to the gentleman from Tennessee (Mr. KUYKENDALL).

Mr. KUYKENDALL. Mr. Chairman, I

want to congratulate the gentleman and all members of the committee, and the particular assistance that was given to us by the FAA and the Department of Transportation for what I agree with the gentleman from California will definitely be the same type of landmark decision as was the highway system. There is no doubt that the part of this bill that was added in committee requiring the long-range comprehensive study was a definite addition. I support this great job that has been done by all of the members on the committee.

Mr. Chairman, the legislation that we have before us today will, in my opinion, prove the most far-reaching legislation that this Congress has passed since the legislation enabling the highway trust fund under President Eisenhower.

In its effect on our Nation's economy, as well as its effect on the quality of living, I can think of no area of any greater significance.

I think it is important that we first set the priorities in looking at this legislation and obviously the first priority in discussing the matter of airways and airports is that of safety. It has become quite apparent that the conventional old-fashioned system of navigational aids which we use throughout our airways system today is not only totally inadequate for the future, but leaves serious doubt even at present as to its ability to produce the needed safety in our fastest growing mode of transportation.

The present system for all weather takeoffs and landings not only fails to allow near normal safety conditions during marginal weather, but creates traffic congestion in any major traffic area which are totally unacceptable.

The advent of aircraft which require more and more efficiency in use during the 1970's will further compound the present congestion and will make the present airport control system as out of date as the Model A Ford.

In looking forward to the building of larger and more efficient airports we, must, of course, approach this problem as part of an overall system. The time will obviously come when general aviation pilots will find it untenable to operate in the vicinity of a major metropolitan airport, even if it is allowed. Therefore, it is essential that modern up-to-date satellite airports for general aviation be either improved or built, particularly in our metropolitan areas. These airports, of course, must be equipped with the same modern navigational aids that are used in the major traffic airports, even though their size and capacity can be a great deal less.

Mr. Chairman, there has been a hue and cry raised about the failure of this legislation to approach the matter of helping local government to build the actual terminal at the airport. Here is a matter of simple priority. Safety must come first. Then the orderly flow of traffic in the air and during landing. And only then comes the problem of the terminal. This legislation has clearly defined what we consider proper responsibility for the Federal level of government and has clearly "staked out" the area which should be the priority of local govern-

ment and has set aside revenue sources which the Federal Government considers the bailiwick of local government for their use. We cannot do everything at the Federal level and we all agree that safety and traffic flow are first priority and the trust funds that we have available for the foreseeable future must, in all good conscience, be used for these priority purposes if we are to solve the most pressing of our airport problems.

Mr. Chairman, I am proud of this legislation that has come out of the Committee on Interstate and Foreign Commerce. I wish to congratulate the members on both sides for the work they have done. I wish to congratulate the Department of Transportation and the FAA for their part in having worked with the committee over many, many weeks to produce what I consider landmark legislation.

Mr. MORTON. Mr. Chairman, I would like to take this opportunity to voice my support for the administration bill to provide the necessary means for the expansion and improvement of our airport and airways system.

As a pilot, and a seemingly continual air traveler, I can offer my firsthand view that much can be done to make our airports and airways ready to handle adequately the demands placed on them today—let alone 5 or 10 years from now.

I wholeheartedly concur that our air transport policy must be viewed in the total context of national transportation policy. I would take it one step further, to remind ourselves that our transportation policy in the future must certainly be based on a blue print under which we finally undertake effective management of our environment.

We have tried too long to deal with each of the continuous stream of problems which confront us on an individual basis. With this legislation, the administration has taken a positive step down the road toward managing our resources, rather than letting them manage us.

Mr. SPRINGER. Mr. Chairman, I yield 1 minute to the distinguished gentleman from New York (Mr. FISH).

Mr. FISH. Mr. Chairman, I thank the gentleman for yielding me this time, and I will not take all of the time.

Mr. Chairman, I rise in support of this legislation. I believe the goals and expansion of aviation contained in this bill to be excellent. I would like to point out that there is a provision in this bill authorizing the Secretary of Transportation to spend \$10 million each year for grants for planning, location, and development of airports.

As you may know, Stewart Air Force Base, only 5 miles south of my district, has been proposed to be closed down by the Department of Defense. This is a mistake. I hope to be able to convince the Defense Department of its mistake and have them rescind the closing order.

If, however, this base should close, I would like to at this time call the attention of the Secretary of Transportation to the fact that this base would make an excellent location for the use of the funds provided in this bill. With proper planning and development this base, should it close, might be made into

an excellent addition to the crowded Metropolitan New York area, particularly, serving the fast growing counties in the Hudson Valley.

Mr. SPRINGER. Mr. Chairman, I yield 10 minutes to the distinguished gentleman from New Jersey (Mr. FRELINGHUYSEN).

Mr. FRELINGHUYSEN. Mr. Chairman, I appreciate very much receiving this time during general debate. I realize that there is some pressure on us to conclude debate on this portion of the bill, and then to discuss the revenue aspects of the bill.

Mr. Chairman, I want to call attention to a provision which many of us find highly objectionable. It is found on page 25, beginning on line 9 and ending on line 22, at the period.

This provision, to put it briefly, provides that if no decision has been made with respect to an actual site for a major airport within 3 years after the Secretary has sent notice of a need for such an airport to the governing authorities, the Secretary shall, and I quote:

After notice and opportunity for a hearing, select a site for such additional airport . . .

The next sentence then states:

Unless the Secretary, after notice and opportunity for a hearing, shall modify any site selection made by him under this section, no other site in such area shall be eligible for assistance under this part for the construction of an additional airport in such area.

I might say that I feel strongly that this language is unrealistic. It would be unwise and impractical. This view, I am sure, is the feeling shared by all the Members of the congressional delegation from my State of New Jersey. A letter has been circulated to all Members signed by all 14 members from New Jersey, with bipartisan support, advocating that this language be dropped in its entirety, or that it be substantially modified so as to reduce the role of the Secretary of Transportation.

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

Mr. FRELINGHUYSEN. I yield to my colleague from New Jersey.

Mr. HUNT. Mr. Chairman, I thank the gentleman for yielding, and I want to commend the gentleman from New Jersey for calling this to our attention, because this in my estimation is contrary to what we have tried to do in the building of airports.

You know and I know that New Jersey is a controversial State on the eastern seaboard insofar as jetports are concerned. At the present time some people are trying to jam an airport, a jet airport, down our throats that we in New Jersey have resisted until a suitable location is located. The bill is a mandatory monstrosity.

To me that it is very arbitrary. It just simply states that if we do not like the location or if the people of the locality do not like the location or the county or the business or the people who pay the taxes do not like the location that is selected—or none has been selected—then the Secretary shall make the decision for us.

I commend the gentleman for this and I object to this language in this report and in the bill.

I like the bill otherwise and I intend to support it. But as to that one provision, I strongly believe that the people who own the land and who will pay the property taxes in the State of New Jersey should not be subjugated by exterior pressure from larger States to compel us to put a jet airport within the confines of our State that we do not want.

Mr. FRELINGHUYSEN. I thank the gentleman for his comments.

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

Mr. FRELINGHUYSEN. I yield to the gentleman.

Mr. ROSENTHAL. Mr. Chairman, it would seem to me that this provision is far too weak.

I will support the provision because my distinguished colleague, the gentleman from New York is the author of it. I think he is attacking a very serious problem.

It seems to me rather candidly that you fellows in New Jersey are living a kind of Rip Van Winkle existence over there. Maybe he ought not even use the airports in New York anymore.

Now you know that the saturation for aircraft coming into the New York metropolitan area has been exhausted. There can be no more planes coming into Kennedy and La Guardia and perhaps into Newark. Somewhere there has to be a fourth jet port otherwise aircraft commerce in the metropolitan New York area is finished.

Mr. FRELINGHUYSEN. Let me say to the gentleman—

Mr. ROSENTHAL. Will the gentleman let me finish?

Mr. FRELINGHUYSEN. Mr. Chairman, I decline to yield to the gentleman.

My objection is that this provision does not represent sensible legislation. There is no practical way in which a Federal bureaucrat could sit here in Washington and dictate to a whole State where an airport should be located. It is not that we do not recognize the need for an additional airport. We know there is a need. I do not object myself to the fact that some may feel our area there is reason for a certain needling, because there has been delay regarding a decision as to where an airport should be located.

Mr. ROSENTHAL. Mr. Chairman, will the gentleman yield at this point?

Mr. FRELINGHUYSEN. Not until I have finished what I am saying.

This is not an easy job, to locate an airport like this. This is quite obvious since we have taken almost 10 years yet we have failed to reach agreement as to where the site should be, or even if one should be located within the confines of New Jersey at all.

It has not been easy to find a site in an area growing as rapidly as our State. Unfortunately the logical location for such an airport, if it should be located in New Jersey, would appear to be in the northern populous part of the State. My own congressional district, for example, is growing at the rate of 50 percent over a 10-year period. The threat

may not be posed at my particular district, and I am not concerned simply because of this possibility—but because the alternative proposed is an impossible one.

I am astonished that the gentleman would suggest that this makes sensible legislation.

Suppose at the end of 3 years no decision is reached in New Jersey as to where specifically an airport should be located? This would seem to give the Secretary the right to impose on our State a particular location, despite the opposition of the Governor and the legislature and the communities affected. What kind of solution is this?

The only way in which the Federal Government, as a practical matter, can get a decision on a suitable site is to seek to use persuasion. My suggestion is in the form of a simple amendment. I would like to read the language that I will offer as a substitute for this arbitrary, automatic assumption of authority by one individual in the Federal Government, as follows:

In order to facilitate the selection of a site for an additional airport under the preceding sentence, the Secretary shall exercise such of his authority under this part as he may deem appropriate to carry out the provisions of this paragraph.

If we adopt this language it seems to me we have provided a reasonable role for the Federal Government. The Secretary is directed to help facilitate a decision. There is no more that we could logically expect him to do, certainly he could not possibly ram a site location down our throats. Let me, reciting history a bit, point out the agency that should be doing this job is the New York Port Authority. They originally proposed a location in Morris County, my home county. That proposal was not successful because it was not reasonable. There were 200,000 people within a 7-mile radius of that particular location. That area is now designated a wilderness area. I am glad to say that as wilderness it is specifically protected by this bill in several provisions of the bill. So I am not worried about that area being chosen as a site.

There is no question in my mind that the Port of New York Authority has failed in its responsibility to develop an alternative site and support it. It is the failure of the port authority which has led to the predicament in which we find ourselves.

Mr. ROSENTHAL. Mr. Chairman, will the gentleman yield for a question?

Mr. FRELINGHUYSEN. I shall yield both, first to the gentleman from New Jersey, and then to the gentleman from New York. I yield to the gentleman from New Jersey (Mr. PATTEN).

Mr. PATTEN. I thank the gentleman for yielding. I wish to be associated with his remarks. I know that so far as my county is concerned, if some of the proposed plans were put into action, our water resources coming from the Delaware River would be destroyed. The people of my county would favor your amendment 100 percent. I would like to be associated with the gentleman's remarks, and I think all of us in New Jersey, also. We do not want to solve

the problem in the way some have proposed. I can recall the gentleman from Queens hollering about the noise from the jet airport there. Our people do not need it. I would rather be Rip Van Winkle.

Mr. FRELINGHUYSEN. I yield to the gentleman from New Jersey (Mr. HOWARD).

Mr. HOWARD. Mr. Chairman, I thank the gentleman for yielding. I oppose the section of this bill which would allow the Secretary of Transportation to select an airport site without regard for the wishes of the Governor, State legislature, local authorities or residents of the general area.

I do not necessarily agree with those who say that no airport is needed either in New Jersey or somewhere else in the metropolitan area. However, I do object to the broad powers which would be given to the Secretary of Transportation should this bill be passed as reported from the committee.

Therefore, I support the amendment which would strike out the authority given to the Secretary of Transportation in the bill before us today.

I do not feel that we should pass legislation which in effect says that a Federal czar can select an airport site regardless of what people in that State and area say. I feel that the Governor and the State legislature, at the very least, should approve or disapprove of any such recommendations.

The Secretary of Transportation should be encouraged to help facilitate by all the means at his command, the selection of a suitable airport site. But he should not be given the absolute authority to locate that facility on his own.

Mr. FRELINGHUYSEN. I yield to the gentleman from New York (Mr. ROSENTHAL).

Mr. ROSENTHAL. Can the gentleman tell us whether the Governor-elect of New Jersey, Mr. CAHILL has made a public pledge or has taken any position about a jet port in any area, or what is his position?

Mr. FRELINGHUYSEN. I might say the next Governor of New Jersey is associated with this statement opposing this provision of this bill. During the campaign he opposed a fourth jet port in the State of New Jersey, which indicates what a futile exercise this would be. Let us assume for the sake of argument—I do not know what Mr. CAHILL's position would be because I have not discussed the question with him—let us assume the Governor 3 years from now is still opposed to a site in the State of New Jersey. Yet this provision would give the Secretary of Transportation the right to choose a site and impose it on our State. Can you imagine any more ridiculous exercise than to have such a situation develop? This underlines the fact that the Secretary should not be given this authority. It is, if we look at it with charity, simply a psychological ploy, I assume, to expedite a decision.

Personally I would like to see a decision as to where the airport should go, but it is no solution to suggest that if there is a continued deadlock, the Secretary shall have absolute authority. The fact that it is absolute is evident in the

second sentence beginning at line 18, page 25:

Unless the Secretary, after notice and opportunity for hearing, shall modify any site selection made by him under this section, no other site in such area shall be eligible for assistance under this part for the construction of an additional airport in such area.

That means if our State, or any State for that matter, somewhat belatedly, decided on a site that was not the same as the Secretary's, the Secretary could refuse to provide Federal funds to support the site that the State had chosen. In other words if a State did not choose a site within a certain time period, that only the Secretary's judgment shall prevail.

The CHAIRMAN. The time of the gentleman from New Jersey has expired.

Mr. SPRINGER. Mr. Chairman, I yield 1 minute to the gentleman from Kansas (Mr. SHRIVER).

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

Mr. Chairman, I rise in support of H.R. 14465, which has as its principal purpose to provide for the expansion and improvement of the Nation's airport and airway system. In substantial part, this purpose is to be achieved through the imposition and application of airport and airway user charges.

Now I hasten to add that I am not in full agreement with all the provisions of this bill. However, in my judgment, on balance it represents a giant step forward in meeting the problems of the Nation's air transportation system.

We have witnessed tremendous growth in civil aviation. It has outpaced the national economic indicators as well as other transportation modes. This growth immeasurably benefits the country. Besides providing the most efficient transportation system in the world, it has meant jobs and profits to countless Americans.

However, with the growth have come problems. Our inability to build an air transportation system of airways and airports at a rate equal to the growth of air transportation demand has resulted in growing congestion of our airports and airways.

This legislation addresses itself to this serious problem, and provides a means of financing necessary solutions.

There are those who, without regard for the facts, have sought to make general aviation the "scapegoat" for the problems of congestion and air safety. There must be a partnership between all segments of aviation if this Nation is to have an effective and efficient air transportation system.

The impact of general aviation upon America's transportation system and its economy was dramatically driven home recently by an independent study made for the Utility Airplane Council of Aerospace Industries Association.

Permit me to cite just a few of the important findings of this study:

The present fleet of 122,000 general aviation aircraft will more than double in the next decade.

By 1980, 1¼ million pilots will fly 63 million hours, nearly three times the total flown in 1967.

In 1967, general aviation activities accounted for \$2.2 billion of the total U.S. gross national product, and by 1980 this figure will reach \$7.1 billion, an increase of over 222 percent.

General aviation accounts for between one-third and one-half of all the people traveling in intercity air transportation.

There are no fundamental differences of objectives between the public carriers and general aviation. This should be clearly recognized. Both general aviation and the public carriers are seeking to provide the most efficient, most safe, and most productive air transportation system by each fulfilling its proper role.

There is a basic difference in requirements, however.

Public transportation must operate over given routes at specified times. General aviation, on the other hand, must remain flexible, moving to and from thousands of points with departure and arrival time set by the traveling public.

This is the strength of both systems.

Under this legislation, I am hopeful that we are providing for a better future for all of civil aviation and by so doing we will provide for a safer and more efficient national air transportation system for all Americans.

Mr. STAGGERS. Mr. Chairman, I yield 3 minutes to the gentleman from Montana (Mr. OLSEN).

Mr. OLSEN. Mr. Chairman, in the committee report, No. 91-601, on page 18, there are a few paragraphs that give me some problems. This is the point.

Mr. Chairman, a "public agency" would include Indian tribes, and there is a prohibition against a public agency making application for Federal funds. I just want to be comforted that the Indian tribes could come to this committee for authority and for Federal funds to participate in the construction of an airport.

Mr. STAGGERS. Mr. Chairman, if the gentleman will yield, I can assure the gentleman from Montana that this is the case, as it has been in the past. For instance, if there is an airport which a tribe wants to construct and they come to our committee for permission, and it will be granted almost immediately when there is a showing of the need for it. I am sure it can be done under this also.

Mr. OLSEN. Mr. Chairman, I want to get a little more specific with the gentleman, if I may. Adjacent to Glacier National Park on the Blackfoot Indian Reservation, we do now have an authority for an airport. It has not been funded, but we want to be sure that they will be able to participate in the Federal funding in this particular project, because after all the Indian tribe supports it and the Department of the Interior wants it, and the park department wants it, and everybody is supporting it. I want to be sure the language here would not preclude us from participation in the Federal funding.

Mr. STAGGERS. Mr. Chairman, in reply to the gentleman from Montana, it would be my relief that this would not preclude present projects, projects which have been authorized, and with the owners wanting it—this is an Indian tribe that owns the land, is it?

Mr. OLSEN. The Indians own the land adjacent to Glacier National Park.

Mr. STAGGERS. They are the ones who want to construct it?

Mr. OLSEN. The Department of the Interior wants to construct it and the Indian tribe wants it, but they have to have Federal funds. Also there is State funding.

Mr. STAGGERS. I do not see anything in this that would preclude it.

Mr. OLSEN. I thank the gentleman.

Mr. SPRINGER. Mr. Chairman, I yield such time as he may consume to the gentleman from California (Mr. PETTIS).

Mr. PETTIS. Mr. Chairman, I hesitate to make a statement on this legislation lest my remarks be misunderstood. However, as the only Member of this body with more than 18,000 hours in the air—most of those hours as an airline pilot, I cannot remain completely silent.

As my colleagues well know, when one is elected to this body, it is very seldom that he is assigned to a committee where he has special expertise.

This does not mean that I do not recognize the problems of aviation and share the Committee's concern for answers to these problems.

Therefore, I wish to take this opportunity to state my support for this legislation. I know it will not make everyone happy, however, it will get us out of a catastrophic apathy that has beset this country in aviation development, and I firmly believe that this can be a first step in bringing about an orderly development of aviation in the United States which is desperately needed.

(Mr. BLANTON (at the request of Mr. STAGGERS) was granted permission to extend his remarks at this point in the RECORD.)

Mr. BLANTON. Mr. Chairman, I regret I am unable to be present today to cast my vote for the Aviation Facilities Expansion and Improvement Act of 1969.

My longtime friend, the former Governor of Tennessee, Frank G. Clement, was the victim of a tragic automobile accident Tuesday night, and I will attend his funeral in Tennessee this afternoon.

I am very pleased with H.R. 14465. I believe it represents a recognition on the part of the Federal Government of the obligation it has in the orderly progress we should have in the Nation's air transportation system. It represents a recognition of the Federal Government's necessary and vital role in meeting the challenge of the new changes in air transportation, and the field of aviation in general.

Your Interstate and Foreign Commerce Committee has worked almost a half year in molding this legislation. I personally feel we have produced a progressive piece of legislation which realistically tackles the problems, while at the same time, stresses the need for updating and improving the airport systems of this country.

The growth of aviation and the air transportation in this country has already outpaced other modes of transportation and all economic indicators. We have every reason to believe this rapid growth will not only be sustained in the coming decade, but will increase

many times. This recognition of the growth, and the complexity of the problems which have accompanied the growth in the past, and will accompany it in the future, makes a sense of urgency in the necessity of passing this legislation today.

Mr. STAGGERS. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, in regard to the statement by the gentleman from Tennessee (Mr. BLANTON) the gentleman could not be here this afternoon, because he is attending the funeral of his former Governor, Frank Clement, who was killed in a tragic accident.

The gentleman from Tennessee (Mr. BLANTON) was the author of one of the very important amendments in the bill, and that is the reason for inserting his remarks in the RECORD at this point. I congratulate and commend the gentleman from Tennessee (Mr. BLANTON) for his fine contribution to this bill, and for his hard work.

Mr. Chairman, I commend and congratulate the members of the committee and thank them all, especially the ranking minority member, the gentleman from Illinois (Mr. SPRINGER), for their cooperation on this bill. It took a long time, and it required much patience. We did not work on it on a partisan basis, but on the basis of what was good for America, and on the basis of working together and trying to be helpful.

Also, I thank and commend Chairman MILLS of the Ways and Means Committee, the gentleman from Arkansas, and the ranking minority member, the gentleman from Wisconsin (Mr. BYRNES) for their cooperation and for the cooperation of our respective staffs, all of whom worked very closely on this, showing that two committees can work closely together on something important to the Nation. If there were any differences, they were all worked out amicably and effectively.

Also at this time I would like to thank those in the administration who were responsible for sending up the legislation. We all worked together and we think we have come up with a bill we can commend to the House for passage and one which the Nation needs and one for which we have been waiting certainly for a long time.

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

Mr. STAGGERS. I am happy to yield to the gentleman from Missouri.

Mr. ICHORD. I have been sitting behind the distinguished gentleman from West Virginia conversing with the gentleman from Florida about the effects of this bill upon us individually as Members who find it convenient and necessary to operate our own airplanes. I am going to vote for this bill, but I wonder what the position of the AOPA—the Aircraft Owners & Pilots Association—is on the legislation. We are in the same position as thousands of individuals who own and fly light airplanes.

Mr. STAGGERS. I might say that we heard, I believe, from every segment of aviation. I know of no one who is opposed to the principles expounded in the bill. I would say there are certain groups

which are not perfectly satisfied, but we have come up with the best bill we could.

If the gentleman wishes to talk about finances, he should ask the chairman of the Committee on Ways and Means about that. He will be taking the floor in just a moment to explain his portion of the bill.

Mr. ICHORD. I shall wait, then. I thank the gentleman for yielding.

Mr. ROONEY of Pennsylvania. Mr. Chairman, as a member of the Committee on Interstate and Foreign Commerce I have long felt that a new Federal program was essential to the proper development of our airport and airway systems. Today we are debating the results of an intensive appraisal of the legislative needs of these systems by the Commerce Committee.

This bill is long overdue. As more and more aircraft fill the skies, and as growing numbers of passengers outpace the ground facilities provided, the need becomes even more acute. I applaud the fact that this legislation is at last being acted upon. I am disturbed, however, that the bill may not solve the problems it was designed to solve.

As written, H.R. 14465 would apply over a 10-year period about \$2.5 billion for needs on the airfield side of the airport. This includes such things as runway, taxiway and ramp construction, and purchase of land for construction and clear zones. This will take care of the airplane congestion problem, but what of the passenger congestion problem? Terminals stacked deep with passengers, airport access roads jammed with automobiles and baggage handling facilities will not be aided by this legislation.

Without question, there is a need for more runway capacity. But the greatest dollar need for more large airports today is in the terminal area. And what of the future? This year the airlines will enplane 170 million passengers. In 10 years' time this number is expected to triple. Will the airports be capable of sustaining this vastly increased load without Federal assistance to terminal areas? The answer to that question is very much in doubt.

It would seem to me that since this program is to be supported with new taxes on the issues—the airlines and their passengers—the money should be used where the passengers need it. The greatest need—about 75 percent of it—is in the terminal area.

Mr. ANNUNZIO. Mr. Chairman, I appreciate this opportunity to give my firm support to H.R. 14465 which provides for the expansion and improvement of the Nation's aviation facilities.

Currently, the congestion at our overtaxed airports and airways has caused great inconvenience and danger to air passengers and loss of money for shippers and airlines. In addition, it is not unusual, unfortunately, for a traveler to spend more time taxiing or circling around an airport than it takes for him to fly the distance from one airport to another.

This problem is, of course, being intensified by the tremendous growth in the popularity of air travel. As the committee report cogently points out, over the past 5 years the seat-miles flown has in-

creased from 94.8 billion to 210 billion. "By 1980 it is estimated that the domestic certificated airlines will enplane 420 million passengers, almost tripling the 1969 figure." Further, in 1968, for example, more than nine out of every 10 travelers going overseas chose air routes. In addition, this overcrowding leads to serious consideration of the safety hazards involved. The probability of midair and ground collisions is greatly enhanced by overcrowded radar screens and, to some degree, by the numerous planes waiting in line for takeoff. Although the present air safety record of airlines is impressive, failure to act promptly to expand air facilities will inevitably result in either more collisions or even longer delays.

It follows naturally that this increased traffic which we must count on leads to worse air and noise pollution. With this fact in mind, the committee has stated that it will not override or lessen the enforcement of any existing laws pertaining to our natural resources, or the preservation of environmental quality.

There can be no doubt that more than adequate techniques exist for the safe and rapid movement of people and goods. The new jumbo jets with their ability to carry large quantities of people and supplies, and the new innovations in automatic flight control techniques, attest to this fact. To be effective, however, there is urgent need for the expansion and production of ground equipment and facilities so that these innovations may be used to their fullest capabilities.

The effects of the expansion of airways and airports go far beyond the airports themselves. The national economy would be greatly influenced by this legislation. Although it will in the immediate future increase costs, the longrun benefits of such a program will more than compensate for these shortrun expenditures. The number of jobs created by improved air facilities and the increased stimulation of the economy will be phenomenal. The effects will reach every American in some way—whether it be better access to goods and services, creation of new jobs, or the ability to get to a destination fast and on time. Freight carriers will be able to deliver goods rapidly instead of having them stockpiled at airports waiting for an available flight or ground delivery.

We must recognize that in the same way that air travel has become popular to passengers, freight shippers are looking more and more to the skies as a means of moving their products; this bill will clearly lead to greater freight by air as well as better passenger service.

Finally, this legislation will provide an equitable method of paying for these necessary improvements by initiating a system of user charges. In this way, those benefiting most from the improved service will bear the brunt of its costs.

The members of the Committee on Interstate and Foreign Commerce are to be congratulated on their recognition of the problems facing our aviation facilities and their prompt action toward finding an equitable solution.

I urge the Congress to pass this measure promptly in the interest of the American public, their needs and their safety.

Mr. ADDABBO. Mr. Chairman, I rise in support of H.R. 14465, a bill to improve the Nation's airport system and to improve airport and airway user charges.

As a sponsor of similar legislation (H.R. 14037) together with my colleague from New York (Mr. ROSENTHAL) I want to make clear that while this bill does not cover all the points I had hoped it would, it does represent a step forward in the battle to solve a crisis of congestion and outdated facilities at our airports.

Title I of the legislation is a basic re-enactment of the Federal Airport Act and provides authorization for grants for airport development over a 3-year period totaling \$570 million.

Title II of the legislation creates an airport and airway trust fund similar to the existing Federal highway trust fund. The purpose of the trust fund approach is to insure the use of air user taxes for the modernization and expansion as well as maintenance of the air transportation system. Expenditures for the next decade for the expansion of an advanced air transportation system have been estimated at nearly \$15 billion.

I have always believed that the burden of meeting the high costs of maintaining such a system should be borne primarily by those who use the airways. At the present time user taxes—the existing 5-percent passenger tax and 2 cents per gallon gasoline tax—can be expected to meet only one-half the anticipated costs over the next decade. In order to properly finance this expansion of the transportation system and to adequately fund the programs proposed in this legislation, the Committee on Interstate and Foreign Commerce together with the Committee on Ways and Means have proposed the following new or increased taxes:

First. An increase in the domestic passenger ticket tax from 5 to 8 percent and a new \$3 head tax on international commercial flights commencing in the United States.

Second. A new tax of 5 percent on air freight waybills.

Third. A new annual aircraft registration tax of \$25 plus 2 cents a pound for piston powered aircraft and 3.5 cents a pound for turbine powered aircraft.

Fourth. An increase in the gasoline tax on general aviation from 2 cents per gallon to 7 cents and a new 7 cents per gallon tax on other aviation fuel used in general aviation.

The Committees on Interstate and Foreign Commerce and on Ways and Means are to be congratulated and commended for a thorough study of this financing aspect of the program and for reaching agreement on these important provisions.

Mr. Chairman, this legislation will not solve the airport-airway crisis in America today. It will not even solve the crisis in the New York metropolitan area, but it is an important step forward. As the Congressman whose district includes Kennedy International Airport, I have been subjected to many of the airport problems which have increased over the past decade when the jet age matured. In the New York area we have seen time-tables for planning and developing fourth and fifth jetport sites go by the boards, with no action other than debat-

ing and bickering among the parties. We have made our own crisis in New York by failing to agree on who has responsibility for site selection and airport development.

Section 16(e) of title I of H.R. 14465 attempts to meet this problem by providing that where the Secretary of Transportation determines that a metropolitan area is in need of an additional airport, he shall request the governing authorities of the communities involved to agree upon a site and if they fail to agree within 3 years, the Secretary shall select a site himself. No other site within the area would then be eligible for assistance under the act.

I support this new section, and now that the State of New Jersey has completed its electoral process and the political climate has quieted down, I hope that Governor-elect William Cahill will immediately take steps to exercise leadership in selecting a suitable site for a fourth jetport to serve the metropolitan area of New York.

One feature of my bill (H.R. 14037) which was not included in the legislation reported to the House, was a requirement that 10 percent of the airport-airway trust fund be earmarked for aircraft noise and pollution control. At the very least, I urge my colleagues to support the separate views of Representatives DINGELL, ROGERS, OTTINGER, BROWN, and THOMPSON, who urge the adoption of an amendment authorizing the Administrator of the FAA to establish standards for pollution of the air and to prescribe rules and regulations to control pollution of the air by aircraft.

Such an amendment would be consistent with Federal regulation of air safety and would give the FAA Administrator authority similar to the authority enacted last year for the setting of standards of aircraft noise.

Mr. TAYLOR. Mr. Chairman, I rise in strong support of the aviation facilities and improvement bill. My interest is more than average.

On July 19, 1967, the presence of surveillance radar at Asheville Airport, the largest air terminal facility in my congressional district, in every likelihood would have prevented one of our Nation's worst aviation tragedies.

Unfortunately for the 82 persons who met sudden death in a midair collision that day 8 miles southeast of the airport, radar was not available to enable air traffic controllers to monitor the courses of the doomed aircraft. They could rely only upon position reports radioed by the two pilots. As it happened, one of the pilots miscalculated his position.

The weather at Asheville as reported by the Weather Bureau just prior to the accident was estimated: ceiling 2,500 feet, broken clouds, with visibility 4 miles in haze. The controllers at Asheville tower had no way of visually detecting that the two aircraft were on a collision course. They were helpless to give warning.

At that time, I joined with numerous leaders from my congressional district in a plea to the Federal Aviation Administration to install radar at Asheville. We pointed out that while there are fewer operations at Asheville than at some

larger terminals, the facility is situated in a valley surrounded by mountain peaks extending upwards to 4,000 and 5,000 feet, making approaches in marginal weather especially hazardous.

The FAA agreed that these terrain features clearly did suggest the need for radar, but explained apologetically that funds simply were not available to provide the equipment at Asheville, or at the some 400 other cities without radar, served by commercial air carriers.

While I focused my remarks on this tragic incident, I realize that congestion in the airways has reached the same position now which congestion on the highways had reached before the interstate road program was established.

I have stated frequently during the past few years that our Nation should launch a gigantic airport-airways development program. Problems of congestion and undercapacity afflict the big cities and major airways today. Eight hundred communities need a new airport.

The job of improving and expanding airports cannot be done without expanded Federal assistance and this Federal assistance is not possible unless new sources of revenue are realized.

The growth of aviation must be tied to the willingness of those who fly to pay their fair share of the cost of the supporting facilities. The railroads maintain the railways, motorists pay for the highways. It is only logical that a portion of the cost of airways be paid by those who use them.

We need a program of use charges to establish a trust fund for improving and expanding airports and air facilities. It needs to be a pay-as-we-grow plan.

The system must be equally fair and adequate for both commercial and general aviation. Acute congestion problems in recent years have forced major attention to be given to the large hub airports, often with little or nothing left for the smaller airports which serve much of the general aviation segment.

For years I have been advocating a program of this type and I am proud that this legislation is now on the House floor. It has my strong support.

Mr. KEITH. Mr. Chairman, the legislation which is before us today is the product of considerable deliberation and work by both the Committee on Interstate and Foreign Commerce and the Committee on Ways and Means. The Commerce Committee, as our Chairman has said, spent 11 full days hearing this bill and several weeks in markup. In my view, this legislation has been carefully considered and merits our support.

That there is need for this legislation is very evident. In recent years the volume of air traffic and the number of air passenger miles traveled have, as we all recognize, increased substantially. Unfortunately, our airport and airway facilities have not been able to keep pace with this growth. Without a concerted national effort to modernize and increase our aviation facilities, we will be faced with a crisis of monumental proportions. The air traffic control slowdown of last year, which was only a symptom of this coming crisis, displayed the havoc which

can be caused if one segment of our national aviation system breaks down. With increasingly overcrowded facilities and airways, such breakdowns would become more numerous in future years.

Mr. Chairman, this bill, the Aviation Facilities Expansion and Improvement Act of 1969 will hopefully institute the necessary improvements to avert such an aviation crisis. This bill, first proposed by the administration earlier in the year, has undergone considerable refinement by both the Commerce and the Ways and Means Committees. However, praise for the initial concept and imagination in proposing this legislation rightly belongs with the administration, more specifically with Secretary of Transportation John A. Volpe.

Secretary Volpe, after a distinguished career as Governor of Massachusetts, assumed the burden of the Nation's transportation problem this past January. If his work in connection with the aviation facilities bill before us today is any indication of his overall expertise in handling the Nation's transportation problems, then Secretary Volpe will have a most distinguished career at DOT and this country will be very well served.

Mr. Volpe's experience as Governor of Massachusetts stands him in good stead to direct the Transportation Department. Massachusetts, as one of the most urbanized States in the Nation, has all of America's transportation problems in microcosm. Logan International Airport, serving Metropolitan Boston, is the eighth busiest in the world. Its facilities need expansion and Logan's air traffic problem is among the most severe.

Governor Volpe's experience in dealing with this and other transportation problems of the modern urban State qualified him to testify with authority many times in the past before the House Commerce Committee.

His successor, Gov. Francis W. Sargent, has shown a similar concern with, and aptitude for, the transportation problems of our Nation. On a number of occasions during the past several months he has written me to express his views on the legislation before us today. Governor Sargent's comments were most helpful as I considered H.R. 14465 in committee.

Another Bay Stater who has contributed greatly to my understanding, and that of my colleagues, of the Nation's air traffic and facilities problems has been Crocker Snow, the distinguished director of the Massachusetts Aeronautical Commission. Crocker testified before our committee last summer in support of this legislation. His cogent remarks were of great value to us all.

Mr. Chairman, as we approach a vote on this much-needed legislation, we should keep in mind the contribution which men like John Volpe, Frank Sargent, and Crocker Snow have made to the Congress' understanding of transportation problems.

Mr. BOLAND. Mr. Chairman, I rise in support of this bill, H.R. 14465, and I commend the able gentleman from West Virginia (Mr. STAGGERS) and his committee for bringing this much needed legislation to the floor of the House. As

chairman of the Subcommittee on Department of Transportation Appropriations, I am intimately familiar with the staggering problems confronting our country in the field of aviation. The growth of aviation over the past decade has been huge—indeed, gigantic. The facilities and equipment required to manage this expanded air traffic in an orderly and efficient manner and with all possible safety is a matter of highest priority.

The bill provides for the imposition of airport and airway user charges as recommended by the Ways and Means Committee, chaired by my friend from Arkansas (Mr. MILLS). I have long thought that the time had come when the aviation industry had sufficiently matured to the point that the industry and those who use it could pay for most of the required expansion of facilities required by aviation, both general and commercial. The American taxpayer, already shouldering a heavy tax burden, should not be burdened further for this purpose. Therefore, the user charge provisions which would require those who utilize the services of aviation to pay a greater share in the cost of aviation programs is proper and in the national interest.

There has been long debate and many views have been expressed over just how user charges should be applied and as to how the funds raised should be allocated. I am sure that not everyone is in agreement with all of the facets of the bill before the House today, but, as in all other good legislation, compromises must be made in order to do the greatest amount of good for the greatest number of people.

I am pleased to note that the bill provides for annual appropriations and an annual review by the Appropriations Committees in the regular procedure before funds become available. I can assure the House that the Subcommittee on Department of Transportation Appropriations is aware of, and sympathetic to, the needs of aviation. I feel that the passage of the legislation before us will go a long way toward unlocking the logjam of unfilled requirements which now exist. I hope that the bill will become enacted in this session of the Congress.

Mr. OTTINGER. Mr. Chairman, I want to draw attention to one very important advance in this legislation—the strong environmental protection provided in paragraph 4 of section 16(c).

I believe that this is the strongest provision for the protection of natural resources and the quality of our environment ever incorporated in a major construction bill. With its enactment, Congress will be setting a clear standard to guide the Executive. We will be saying, "Yes, we want to develop new and expanded public service facilities, but not at the expense of our dwindling supply of clean water, pure air, and our other threatened resources. We want the benefits of technological progress, but we want to preserve a livable world as well."

This short paragraph breaks a lot of new ground in the environmental area. It declares it to be the national policy the projects authorized under this legislation shall provide for the protection

and the enhancement of natural resources and the quality of the environment of the Nation. That is a simple forceful statement not hedged about with the traditional escape clauses such as "insofar as practicable" and the like. It imposes upon the Executive an affirmative responsibility to determine what impact any project may have on environmental factors and to assure that there is no damage.

This responsibility is vested in the Secretary of Transportation. To paraphrase the words of the second circuit court of appeals in the Storm King Mountain case, the Secretary cannot act as an umpire blandly calling balls and strikes between the developers and the environment.

The Secretary of Transportation is also obligated to consult with the Secretaries of Interior and Health, Education, and Welfare to find out what impact a proposed project may have upon natural resources and environmental factors within their respective jurisdictions. He is directed not to authorize any project found to have an adverse effect unless he shall find that no feasible and prudent alternative exists and that all possible steps have been taken to minimize such adverse effect. The language here is particularly important. It is quite specific. It imposes upon the Secretary of Transportation the affirmative responsibility to search for alternatives in the event that a project is found to have damaging effects upon the environment and, should no feasible and prudent alternative be found, he then has the very specific responsibility to take all possible steps to minimize any damage caused by the project.

Another important advance in this provision is the broad range of natural resources and environmental factors it covers.

The Secretary is required to be sure that a project does not harm our fish and wildlife, does not damage natural, scenic, or recreational assets, and does not contribute to water or air pollution. He must also assess the impact upon other environmental factors as well. He must consider the effect of noise, congestion, and any other new irritant that a project may introduce into our communities. This is an important responsibility. It is long overdue and, if the intent of Congress is carried out, this measure should do much to improve the general quality of our lives and ease the growing tensions that technology is adding to our world.

Finally, just to assure that the intent of Congress is carried out, the provision has two safeguards which should facilitate judicial review. First it requires that the Secretary's review of a project's impact on the environment shall be a matter of public record and that his finding be made in writing. No more of those secret understandings secretly arrived at that marred the record of the previous administration. From now on there will be a public record from which it can be seen just how the determination was made and what factors were considered.

If this provision had been in effect last year, I do not believe there is the slightest

question that the controversial Florida Everglades jetport would not even have been considered.

As the sponsor of this provision in the Interstate and Foreign Commerce Committee, I am pleased to report that it was adopted unanimously. I believe that enacting it in this measure, Congress will be making an important advance in the protection of our threatened environment.

Mr. TAFT. Mr. Chairman, I am pleased to see the House take positive action today on the Airport Expansion Act of 1969.

Congress has now shown that it is willing to vote the funds necessary to improve air safety and to support the kinds of programs that are needed to add additional air traffic controllers, and equipment across the country.

Within a few short months, the giant 747's will be flying. Unless we continue to move toward developing an improved air system, we will be unable to cope with the tremendous increase in passenger miles that are predicted.

The House today indicates that Congress is accepting its responsibility in this area. There is much to be done, however, and we need to devote all of our technical skills and knowledge to this problem.

Mr. SPRINGER. Mr. Chairman, I have no further requests for time.

Mr. STAGGERS. Mr. Chairman, we have no further requests for time on this side.

The CHAIRMAN. There being no further requests for time on title I, under the rule, the gentleman from Arkansas (Mr. MILLS) will be recognized for 1 hour, and the gentleman from Wisconsin (Mr. BYRNES) will be recognized for 1 hour, controlling the time for general debate for the Committee on Ways and Means.

The Chair recognizes the gentleman from Arkansas (Mr. MILLS).

Mr. MILLS. Mr. Chairman, I yield myself 10 minutes.

Mr. Chairman, as you well know from your experience, and as other Members well know from their experiences in traveling to and from their districts by air, there is an urgent need to expand and improve the airports of this country and the operation of the airway system.

Title II of H.R. 14465, the Airport and Airway Revenue Act of 1969, makes it possible to secure this needed development and expansion by providing an efficient and what the Ways and Means Committee thinks is a fair method of financing these operations and improvements.

All the evidence strongly points to the fact that Federal expenditures on airports and airways are going to increase greatly in the near future.

First, this is suggested by the fact that revenue passenger miles on U.S. scheduled air carriers more than tripled over the past 10 years and are expected to increase by 185 percent over the next decade.

Second, this is indicated by the fact that over the next 10 years total aircraft operations at airports with Federal

Aviation Administration traffic control services will rise by an estimated 164 percent, and FAA air route traffic control centers will have to handle almost double the present volume of aircraft using instrument flight rules.

Quite aside from the huge new burdens anticipated for the future, our airports and our airway system already are suffering from increasing congestion. Aircraft delays now cost commercial airlines more than \$50 million a year and the cost of such delays and inconvenience to passengers is probably many times that figure.

Against this background, Federal expenditures for the expansion and development of an adequate air transportation system are expected to increase from \$865 million in fiscal year 1969 to \$1.7 billion in fiscal year 1979. Over the 1970-79 decade, Federal spending for this purpose is expected to total \$14.8 billion.

Title II of the bill is based on the principle that the best way to finance these large expenditures is through taxes on the users who benefit from the resulting services. While I do not relish the prospect, and I know none of my colleagues relish the prospect, of increasing taxes on any group of people, the proposed increases in user taxes look good when we consider the alternatives. The alternatives, of course, would be to forgo needed improvement and expansion in our airway system or else to finance the needed expenditures through general revenues involving a burden on the already overburdened taxpaying public. In view of the heavy tax burdens placed upon our taxpayers generally and the great pressures to spend general revenues for all sorts of purposes, I must say that I do not find these alternatives to be attractive or, in my mind, even feasible.

Let me turn now to the specifics of title II of the bill.

First, it provides an increase in the gasoline tax on noncommercial aviation from the present net rate of 2 cents a gallon to 7 cents a gallon and a new tax of 7 cents a gallon on other aviation fuel, which, of course, is jet fuel, used in non-commercial aviation.

Second, the bill provides an increase in the passenger ticket tax for domestic flights from the present 5 percent to 8 percent. It also provides a new \$3 "head tax" on international commercial flights beginning in the United States. It should be borne in mind, of course, that the 5-percent tax does not apply to overseas flights. Neither will the 8-percent tax.

Third, the bill provides a new tax of 5 percent on air freight; and,

Fourth, it provides a new annual aircraft registration tax, which is somewhat similar to the highway use tax, of \$25, plus 2 cents a pound for piston-powered aircraft and 3½ cents a pound for turbine-powered aircraft.

In general, the amendments made by title II will be effective on January 1, 1970. The passenger and freight ticket taxes and financial flight departure tax will apply to transportation, beginning after December 31, 1969.

In the absence of these increased user taxes, the general taxpaying public would

be required to pay most of the increased Government outlays required for the expansion and development of the airport and airway system. Present user taxes, including the current 5-percent passenger tax, the 2 cents per gallon gasoline tax and the taxes on tires and tubes used on aircraft would yield only about \$700 million a year by fiscal 1979. With the increases in present taxes and the new taxes put into effect by title II of the bill, the users of the aviation system will pay twice this amount, or \$1.4 billion in annual taxes by fiscal 1979. By

that year user taxes are expected to account for over 80 percent of the total of \$1.7 billion of Federal spending on airports and airways. This would bring the fiscal 1979 deficit attributable to civilian use almost into balance; there would still be a \$327 million deficit that would have to be made up by appropriation, but all but \$36 million of this would be attributable to military usage. I would like to include in the RECORD table 2 from the House report which appears on page 38 of the report. This table presents the detailed figures on this matter:

TABLE 2.—PROJECTION OF ESTIMATED REVENUES AND EXPENDITURES FOR AIRPORT AND AIRWAY SYSTEM, SELECTED FISCAL YEARS, 1970-79

[In millions of dollars]

	1970	1971	1974	1979
Total revenues from proposed airport and airway trust fund user taxes.....	1,446.5	652.4	668.9	1,399.9
Total airport/airway expenditures.....	1,029.0	1,238.0	1,475.0	1,727.0
Airway ¹	384.0	1,050.0	1,206.0	1,457.0
Airport.....	145.0	188.0	269.0	270.0
Additional required appropriation (total deficit).....	582.5	535.6	606.1	327.1
Military usage.....	178.0	210.0	241.0	291.0
Civil share deficit.....	404.5	375.6	365.1	36.1

¹ Assumes proposed increased and new user taxes effective for last half of fiscal 1970.

² Includes military but does not include nonairways FAA expenditures or pay raise.

Let me go into a little more detail on the specific changes in user taxes provided by title II of the bill.

Most of the additional tax revenue under title II will come from the increase in the present 5-percent passenger ticket tax on domestic air travel to 8 percent and from the new 5-percent tax on air

freight. By fiscal 1979, for example, the passenger ticket tax and the 5-percent cargo tax together will raise an estimated \$1.2 billion or 85 percent of the total of \$1.4 billion raised by all airway user taxes in that year. This is shown in detail in table 3 of the report, appearing on page 39:

TABLE 3.—REVENUES FROM AVIATION USER TAXES, SELECTED FISCAL YEARS, 1965-79

[In millions of dollars]

User tax	Actual			Estimated			
	1965	1967	1969	1970	1971	1974	1979
Passenger ticket tax ¹	147.5	194.5	259.5	373.7	507.2	679.2	1,083.2
Cargo tax, 5 percent ²				18.7	42.7	63.1	134.2
Fuel tax ³	16.7	14.4	11.0	26.5	45.8	54.3	76.7
International departure tax, \$3.....				12.4	27.1	36.5	58.7
Taxes on tires and tubes used on aircraft.....	2.0	2.4	2.6	2.8	3.0	3.5	5.0
Aircraft registration taxes ⁴				12.4	26.6	32.3	42.1
Total.....	166.2	211.3	273.1	446.5	652.4	868.9	1,399.9

¹ Assumes the new and increased taxes are in effect for the last ½ of fiscal 1970.

² 5 percent until Jan. 1, 1970; 8 percent thereafter.

³ Includes revenue from post office mail freight on air carriers, and other Government cargo traffic.

⁴ 4 cents a gallon on gasoline only until Jan. 1, 1970 (with a 2-cent-a-gallon refund or credit), on both general aviation and air carrier; a full refund or credit of 4 cents a gallon on gasoline for air carriers after Jan. 1, 1970; and 7 cents a gallon on gasoline and carrier; a full refund or credit of 4 cents a gallon on gasoline for air carriers after Jan. 1, 1970; and 7 cents a gallon on gasoline and other aviation fuel for general aviation only after Jan. 1, 1970.

⁵ Annual: A basic \$25 registration tax for all aircraft, plus 2 cents a pound on piston aircraft and 3.5 cents a pound on turbine aircraft.

Source: U.S. Treasury Department and Federal Aviation Administration, Office of Aviation Economics.

A number of factors make it advantageous to obtain much of the needed revenue from the taxes on passenger tickets and the cargo tax. Since we already have a 5-percent passenger tax, the additional 3 percent tax can be collected merely by changing the rate used to compute the tax on the passenger's ticket. The experience gained with a 3-percent tax on domestic freight which was in effect before 1958 will be helpful in putting the new air cargo tax into effect. In addition, since the tax is based on the value of the ticket or the waybill, receipts will automatically grow as air traffic increases in volume and as prices rise. This will permit revenue to expand

to meet the increasing costs of our airport and airways system. Finally, the freight tax is consistent with the user concept since it is likely that freight forwarders and express companies will pass it along to the shippers through appropriate tariff adjustments.

The bill deletes most of the present exemptions from the tax on transportation of persons by air. This is because these exemptions generally are either obsolete or add unnecessary complications. The exemptions for transportation furnished to State and local governments, the United States, and nonprofit educational organizations are terminated because there is no reason why

these governmental and educational organizations should not pay their share of the cost of airway facilities in the form of a use tax.

The bill, however, retains the exemption of air transportation of persons or property furnished to international organizations and the Red Cross. Also, to simplify recordkeeping for taxpayers and to facilitate administration, exemption from the tax on tickets and from the cargo tax is granted for small aircraft not on established lines and for a single aircraft used by several members of an affiliated group of corporations. These aircraft, however, will be subject to the fuel tax, which I will discuss in a few minutes.

To insure that passengers using U.S. airports for international flights not presently subject to the passenger ticket tax contribute to the cost of airport and airway operations, title II also imposes a \$3 tax on passenger departures on international flights which are not subject to the tax on the domestic transportation of persons. This tax is expected to produce close to \$59 million by fiscal 1979.

While the bulk of the user revenue from commercial carriers will be secured from taxes on passengers and freight, most of the user revenue from general noncommercial aviation, will be obtained from taxes on fuel used in aviation. The proposed increase in the gasoline tax on general aviation from its present rate of 2 cents a gallon to 7 cents a gallon and the new tax of 7 cents a gallon on other aviation fuel used in general aviation will yield about \$77 million annually by fiscal 1979. These taxes will make general aviation, which will not be subject to the passenger transportation and cargo taxes, pay a minimal share of the cost of the airway system.

The annual aircraft registration tax will apply to both commercial and general aviation aircraft. The tax, which is similar to the highway use tax, amounts to \$25 plus 2 cents a pound for piston-powered aircraft and 3½ cents per pound for turbine-powered aircraft. These registration fees are based on the premise that all aircraft should pay a basic fee as an entry fee to use the airway system. The tax is expected to produce \$42 million a year by fiscal 1979.

An airport and airway trust fund is established similar to the existing highway trust fund. The proceeds of the airway user taxes which I have just discussed will be paid over to this trust fund. These taxes will include the passenger and freight ticket taxes, the international flight departure tax, the general aviation fuel tax, and the aircraft registration tax. In addition, the proceeds of those taxes which are being paid to the highway trust fund—the tax on gasoline used in general aviation and the taxes on tires and tubes used on aircraft—will now be paid into the airport and airway trust fund. The trust fund may be used for the construction of airports—not including terminals—and for the operation of the airway system. These funds cannot be used for the development of airplanes such as the proposed development of a supersonic transport.

To provide the committee with better information in its next review of these user charges, the Department of Transportation is authorized to conduct a study to make available to the Congress information on the distribution of future tax burdens among the various categories of airport and airway users relative to their use of these facilities. The Transportation Department is to make an interim report to the Congress by March 1, 1971, and a final report by March 1, 1972.

One further matter is dealt with in title II. As a result of legislation enacted in 1945, the Washington National Airport has been exempt from the provisions of earlier legislation—the Buck Act, enacted in 1940—which authorized States to impose nondiscriminatory sales, use, and income taxes on Federal reservations. The pending bill provides that, with certain exceptions, the general rule as to taxes on Federal reservations are to apply to Washington National Airport. As a result, facilities at the airport that do not deal directly with the passengers as passengers or with the aircraft, will be subject to the general provisions of law. This change was made because it appears inconsistent to continue complete exemption from State sales and income taxes in the case of Washington National Airport when other competitive businesses located in the vicinity are subject to these State taxes. To provide transitional relief, the new provision does not apply in the case of leases existing as of September 28, 1969.

In summary, the case for this legislation rests on two basic points: First, there is an urgent need to expand and improve the Nation's airports and airways; and, second, if we have to spend more money on airplane facilities, then it makes sense to make sure that these expenditures will be financed in a fair and efficient way. Title II of this bill does just that. It places the burden in the form of user taxes on those who directly enjoy the benefits of the required airport and airway systems. I, therefore, urge the passage of this bill now.

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

Mr. MILLS. I will be glad to yield to the gentleman.

Mr. WAGGONNER. I thank the gentleman for yielding and discussing the tax changes provided for in title II of the bill. I note that the committee has provided for a \$3 head tax on international commercial flights beginning in the United States, and I am in complete accord that this should be done under the circumstances. However, I would be interested to know if the distinguished gentleman and his committee gave any consideration to allowing airports in the cities around this country, on an optional basis, to be able to impose a head tax for domestic transportation to help them if they choose to defray the cost of airport construction and maintenance.

Mr. MILLS. We did discuss it within the committee, but we did not think that it was necessary for us to give any such authorization. We have no control over what the cities may do with respect to the financing of their own airports. Of course, they charge the commercial air-

lines, and I assume the general aviation people, a landing fee or something that each of them pays for the use of the terminal. Some of the cities I understand do have some kind of a tax now, but we did not think that it was appropriate that we should get into this matter.

Mr. WAGGONNER. Perhaps I misunderstand the situation. It was my understanding that the cities had attempted to but it had been determined they did not have the authority to impose such a tax on a per-head basis for domestic transportation.

Mr. MILLS. I am not as informed about this matter as my friend from Louisiana. There might be some question involving the right of a city under the Constitution to levy a tax on interstate commerce, but there is no Federal law preventing it.

Mr. WAGGONNER. Mr. Chairman, if the gentleman will yield further, let me explain what I mean, and that is this: I think this should be given further consideration. I can explain it by giving an example with which the gentleman from Arkansas is familiar. The gentleman in the well lives in Arkansas and I live in northwest Louisiana. Our regional airport is located at Shreveport, La., only a few miles from Arkansas and a few miles from Texas. This airport, as a regional airport, serves people in quite a large area. The people who have paid the total cost for building this airport up to this point have been the taxpayers through the method of bond issues in the city of Shreveport. However, people from a wide area use that airport, not just in Louisiana but outside Louisiana, people in the States of Arkansas and Texas as well.

I, myself, do not pay a user's tax for the use of that facility because I do not live in the city of Shreveport. However, being a user of the airport, I do not believe there would be anything wrong with the city of Shreveport, if they chose to defray construction cost and maintenance cost having the right to levy a per-head tax similar to this foreign per-head tax which we propose here in order to help pay some of these expenses.

I would simply like to suggest that the gentleman and his committee give some consideration to this matter in order to see what can be done under circumstances such as these which I have described to the gentleman.

Mr. MILLS. I will have it looked into. However, I do not know whether the Committee on Ways and Means would have jurisdiction over it. It might very well be under the jurisdiction of the Committee on the Judiciary.

Mr. WAGGONNER. I thank the gentleman for yielding.

Mr. OLSEN. M.: Chairman, will the gentleman yield?

Mr. MILLS. Yes, I yield to the gentleman from Montana.

Mr. OLSEN. I thank the gentleman for yielding.

I am in receipt of a communication from the National Aviation Trades Association complaining about some of the actions which were taken by the Committee on Ways and Means in reporting out this legislation.

Mr. MILLS. I am not surprised, because we are increasing taxes.

Mr. OLSEN. I would like to have the response of the chairman with reference to one particular matter. I am going to support the bill, but I would like to have some response to this question.

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

Mr. MILLS. Mr. Chairman, I yield myself 5 additional minutes.

Mr. OLSEN. I now quote from the letter which I received from the National Aviation Trades Association:

Action is needed. Your association has combined with others to seek the following changes in the Ways and Means "package." This can only be done by writing immediately to your congressman to explain what the impact of these fees will be on your operation. We are trying to obtain the following amendments.

1. Eliminate the \$25 "base registration fee" on the basis that this has a selective impact on the small aircraft owner and operator who does not use his aircraft often. Furthermore, the certificated air carriers can frequently avoid the fee by scheduling their aircraft for international service.

2. Reduce the 7-cent gallon fuel tax on general aviation to 4 cents—

Mr. Chairman, I would like for the record a response from you on behalf of your committee.

Mr. MILLS. Well, I have not heard personally from this group or any other group since the Committee on Ways and Means decided to act on title II and transmitted it to the other committee—not one letter and not one communication and not one telephone call from anyone protesting any part of it. I can understand how anyone paying 7-cents-a-gallon tax would prefer a 4-cent-per-gallon tax. I can also understand how anyone paying a \$25 registration fee would like to pay some lesser fee. These things I can easily understand. But they have not made known this view to me since this package was passed by the Committee on Ways and Means. I have heard from no one in opposition to it. However, I say it is a question of viewpoint, apparently.

We took the position in our committee that we were not actually providing as much through user charges under the package as should be provided in the light of what we understood the Committee on Interstate and Foreign Commerce would authorize to be spent. If you will look on page 38 of the committee report we will still be, if the full authorization as anticipated by the Department of Transportation is made by the Congress, we will still have a civil share deficit in the year of 1979 of better than \$36 million. Perhaps, on down the road beyond that 10-year period we will close the gap entirely.

But in the first full fiscal year of the operation of this program, 1971, there will be an additional amount of dollars from the general fund required of \$585.6 million, because the estimated expenditures for that year are \$1,238 million, and the revenues that we provide under this title II will bring in only \$652.4 million. And this is still true in fiscal year 1974, since there still is a big deficit of \$606 million in that year which has to come from the general fund.

So even though we have a 7-cent tax on fuel and even though we include the

\$25 and 2 cents a pound registration fee we are way short of what the Committee on Interstate and Foreign Commerce has authorized for the 2- or 3-year period immediately ahead, and what the Department of Transportation contemplates it will need in expenditures on down the road.

Mr. OLSEN. Mr. Chairman, will the gentleman yield for one further moment?

Mr. MILLS. I yield to the gentleman from Montana.

Mr. OLSEN. I understand, and I am sure these people will understand when I write an answer to them, that the users of the airport ought to be paying the bill.

Mr. MILLS. That is our theory, but they are not actually doing this. Some of this deficit, of \$606 million, of course, is assignable to military use of the airways and airports, but it is not anything near all of that deficit. I could show the gentleman—here on page 38 of the committee report—that \$241 million of the deficit in 1974 is assessed against military usage, but that still leaves \$365 million of the civil share deficit which is not made up by these user charges.

Mr. OLSEN. I thank the gentleman.

Now, about discrimination—and this is my last question—they express some fear that certificated air carriers can frequently avoid the fee, that is, the \$25 base registration fee; that certificated air carriers can frequently avoid the fee by scheduling their aircraft for international service.

Mr. MILLS. No; I would not think so. The tax is based on the proportion of the total flights in and out of the United States. The gentleman from Wisconsin (Mr. BYRNES) may want to comment on this.

Mr. BYRNES of Wisconsin. If the gentleman will yield, it was prorated, the percentage of use in international flights, as against domestic flights, so if they use it entirely overseas yes, they do escape it, but they cannot do it by just one or two flights.

Mr. MILLS. That is right, but even then there is a \$3 head tax on international flights beginning in the United States. Moreover, if we imposed the registration tax on our planes used only overseas we would discriminate in favor of foreign airlines.

Mr. OLSEN. I thank the gentleman.

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

Mr. MILLS. Mr. Chairman, I yield myself 2 additional minutes.

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

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

Mr. GROSS. Mr. Chairman, the State of Iowa levys a registration fee in lieu of a property tax. Is this the first time that the Federal Government has instituted a registration fee or a registration tax?

Mr. MILLS. No. If the gentleman from Iowa will refresh his recollection, he will recall that we have a registration fee in connection with trucks using highways, and that revenues from that go into the highway trust fund.

Mr. GROSS. I mean with relation to the aviation industry.

Mr. MILLS. To my knowledge this is the first time, except possibly for some small fees.

Mr. GROSS. This is the first time?

Mr. MILLS. As far as I know this is the first time any appreciable fee is imposed on airplanes by the Federal Government.

Mr. GROSS. And you are also increasing the gasoline tax and compounding the situation, so I am told by the Iowa Aeronautics Commission, compounding a pretty serious situation from the standpoint of taxes from the aeronautics industry.

Mr. MILLS. Our committee, as I pointed out in my earlier statement, felt that the best way to get the needed funds for airports and airways was through the users of the system, just like we get moneys from the users of the highway system. This seemed better to us than taking the full amount from the general fund and requiring taxpayers who never use the airways, and never fly, to make the same contribution as the person who does use the airways. We thought it was better to let the users pay their own costs. Yes, it is a heavier burden. The 7-cent gasoline tax is materially heavier than the 2 cents, and the 7-cent tax on jet fuel is a great deal more onerous than the zero cents that now exists.

Mr. GROSS. On all aviation fuel, the tax goes up on all aviation fuels?

Mr. MILLS. Not on that used by the commercial airlines; no. There we have a ticket tax and a freight tax instead. I can give the gentleman a full explanation if he wants it.

Mr. BYRNES of Wisconsin. Mr. Chairman, will the gentleman yield?

Mr. MILLS. I yield to the gentleman.

Mr. BYRNES of Wisconsin. I think we should call the gentleman's attention to the fact that this is the first time we put a tax on jet fuel.

Mr. MILLS. It is.

Mr. BYRNES of Wisconsin. And on aviation fuel, as such, a tax on gasoline. But it was by reason of the fact that there was a basic tax on gasoline rather than particularly identified to the air use of gasoline.

This also should be pointed out that this is related to general aviation and general aviation will not pay the ticket or freight tax.

Mr. MILLS. That is right.

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

Mr. MILLS. I yield to the gentleman from New Jersey.

Mr. SANDMAN. Mr. Chairman, the thing that has annoyed me over the years, and I happen to be one of those people who has been involved in general aviation to an extent—why is it in all of these cases general aviation is socked almost to the limit? The 100 octane gas today almost all over the country is 50 cents a gallon. We have to almost ban them from the major airports, if we land during the busy hours the landing fee is \$25.

Now here in this case there is a tremendous increase in taxes which goes up

by five points as to the little guy and no points to the commercial guy.

Mr. MILLS. Let me answer the gentleman's question.

The people who fly the commercial airlines are going to pay the cost through a tax on their tickets and those whose freight is hauled by air will pay a tax for the charges on freight. If in addition we applied the fuel tax to the commercial airlines that would mean discrimination against the users of the commercial lines.

Let me tell you what the facts are. The people who are traveling the commercial airlines are going to pay a large part of the total cost. They are going to pay a far greater share of the total cost than is actually, I think, by most authorities, attributable to commercial airlines.

Now as to the general aviation people—what are they going to pay in the way of fuel tax? They are going to pay about \$45 million. They will also pay about \$13 million in registration fees.

What are the American passengers on the commercial airline going to pay? They are going to pay \$507 million on their tickets. There also are the head taxes paid by commercial travelers of \$27 million and the cargo taxes of \$43 million paid by those whose freight is hauled on commercial planes.

I am talking of the first full fiscal year 1971.

In addition, commercial aircraft pay registration fees amounting to \$13 million. The total bill of those using commercial planes is \$590 million.

The total bill of general aviation is \$59 million.

Mr. SANDMAN. What is the distinction you make as to the tax on the highway user and the airway user, and the buslines, in paying the taxes on gasoline?

Mr. MILLS. If I may answer the gentleman, because the gentleman is trying to find out whether or not we have discriminated against somebody, let me show you how the revenues work out.

If you will look at page 41 at our table there, you will find that general aviation will pay 9.1 percent of the user tax revenue going into the fund.

On the other hand, the commercial air carriers are responsible for collecting and paying, with respect to the passengers, freight and their own registration, 90.9 percent of the total revenues.

I do not know, someone from the Committee on Interstate and Foreign Commerce may be able to tell me; but I understand in some instances there is more use by general aviation of some of our airway facilities than there is by the commercial lines.

Actually, we do not have an accurate measure of the extent to which our airways and our airports are used by general aviation versus the commercial airlines. In fact, the absence of any such specific information led us to ask for a study in this regard, requesting a report back to the committee by March 1, 1972, with an interim report in 1971. However, such information as we do have available suggests that the 91 percent to 9 percent allocation that I have pointed out

to you can hardly discriminate against general aviation. For example, the commercial carriers in 1969 were estimated to account for 11 million operations at airports with FAA traffic control services. General aviation, on the other hand, was estimated to account for 44 million operations. Total aircraft using instrument flight rules were 13 million in the case of the commercial carriers and 3 million in the case of general aviation. Both of these standards suggest that a 9 percent to 91 percent ratio does not discriminate against general aviation. Similarly, even though general aviation planes are used much less than commercial planes, the fact that the present fleet is estimated at 124,000 in the case of general aircraft versus something like 2,586 aircraft in the case of commercial planes suggests that, even after due account is taken in the difference in use, the 9 percent to 91 percent ratio is not unjust to general aviation.

Mr. BYRNES of Wisconsin. Mr. Chairman, will the gentleman yield?

Mr. MILLS. I yield to the gentleman.

Mr. BYRNES of Wisconsin. Mr. Chairman, I would say to the gentleman I think it would also be added, if we figure in here the contribution that is going to be required to be made by the military, for governmental use, and the General Treasury's contribution, the percentage of the cost paid by general aviation users is about 7 percent of the total.

Mr. MILLS. At this time that is the part we collect—the difference between the general and commercial carriers. The gentleman is right about it being much less. In addition over the years the revenue from the ticket and cargo taxes are expected to rise faster than the fuel taxes with the result that on this ground alone the percentage for general aviation is expected to go down to about 7 percent by 1979.

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

Mr. MILLS. I yield to the gentleman.

Mr. CHAPPELL. Taking the example of the commercial traveler who travels 300 hours a year compared to the general services operator who is likewise traveling 300 hours by air a year, is it not true that this bill is going to increase the general services aircraft users several fold as compared to the increase you are making on the commercial traveler?

Mr. MILLS. Because of this very fact, that that man who is flying a general aviation plane, that today uses jet fuel, is not making one solitary penny's contribution to the Federal Government's cost of maintaining airway safety; so it goes from zero to whatever the percent would be under this proposal.

Mr. CHAPPELL. How about the non-jet-fuel user?

Mr. MILLS. It is the difference between 2 cents a gallon and 7 cents a gallon. But my point is that general aviation, even under what we are providing in this bill, probably will not be paying what the Civil Aeronautics Board would allocate to it as the percent of its share of the cost of maintenance of our airway system and our airway safety system and the airports. Am I not right, Mr. PICKLE? I have been told that by the

people in the CAB. So I do not think we are discriminating against them. I think most of you ladies and gentlemen know that, as chairman of the Committee on Ways and Means, I have been made the culprit in questions of this type. Nobody likes to pay more taxes. But we have to face the responsibility, representing all the public, in determining whether or not the General Fund of the Treasury ought to be charged with \$1.2 to \$1.5 billion a year, or whether some of the people who use some of these services ought to have to pay some of that cost. All in the world we are asking general aviation to do is to pay 9.1 percent of \$649.4 million collected in 1971. That is all we are asking.

Mr. CHAPPELL. Mr. Chairman, will the gentleman yield further?

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

Mr. CHAPPELL. How does this compare with the passenger miles flown? All of us recognize—

Mr. MILLS. I do not know the details but passenger miles flown is not a good measure since this says that a commercial plane carrying 120 people is the equivalent of 120 general aviation planes each carrying one person.

We thought that in all probability we had not gotten as much as we should from general aviation, and I think those people, in place of protest, ought to be thankful that we did not get from them their full share of the percentage cost of airway operations.

Mr. CHAPPELL. Mr. Chairman, will the gentleman yield for one further question?

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

Mr. CHAPPELL. Let me make clear that I am for the bill. I am simply trying to ask questions that will be helpful to me.

Mr. MILLS. I am not arguing with the gentleman.

Mr. CHAPPELL. My concern is for the small operator who, for example, operates an aircraft that is under 6,000 pounds. If I understand the law, he now pays 4 cents per gallon tax.

Mr. MILLS. With a refund of 2 cents.

Mr. CHAPPELL. But he can get a refund of 2 cents.

Mr. MILLS. This is correct.

Mr. CHAPPELL. Let us lay aside what he can get a refund on. There is an additional tax of 2 cents a gallon, which doubles his tax so far as fuel is concerned. In addition, he will pay an additional \$25 increase in his registration fee. In other words, he is going to pay an increased registration fee, plus, for the first time, 2 cents per pound on his aircraft.

Mr. MILLS. Let me say to my friend again that I know some of these people have talked to you as they will probably talk to me, though they might feel I am hardheaded. It has been my experience usually that any time you try to establish a user tax—and we had this question arise, as my good friend from Wisconsin will remember, and we went up one side and down the other in connection with the highway trust fund—those involved will ask, "What is our fair share?"

And you will never get any fellow to agree that you have not overcharged him when the Congress itself determines what his fair share will be.

Have you talked to any of your truck operator or members of the Truckers Association as to what they got in the road program? They said we mistreated them, that we charged them more than we charged passenger cars or anybody else, and they put big signs on trucks to emphasize the fact that they and they alone were paying most of the cost of the construction of highways. I am not criticizing, you understand.

But I am just suggesting—and I have been here long enough to know—that I have never seen a situation where any American citizen would agree that Congress had properly fixed his fair share of the cost when we provide user charges. They always have a different opinion from that which we finally develop—and maybe they are right, I do not know.

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

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

Mr. PICKLE. Mr. Chairman, in the beginning I did use some figures which called for a fuel tax.

Mr. MILLS. Mr. Chairman, I had the same thought in my mind, if my friend will yield. The more I looked at it and studied it, the more I thought we would be fairer to the differing users of the commercial airlines if in their case we imposed the taxes on the charges for tickets or cargo.

Mr. PICKLE. Mr. Chairman, if I may continue, my purpose in introducing the legislation was to help build a trust fund that would be large enough to do the job that has to be done in this country, and I thought perhaps that would be one way we could do it.

I thought also we had to balance equity between general aviation and the certificated carriers. The Ways and Means Committee came out with a compromise and used the registration fee approach rather than the fuel tax.

Since we looked into it as a committee, I think it would be interesting to note—as it was interesting to me—that the certificated carriers were paying on the user's fee somewhere in the neighborhood of \$350 million per year. So we had to admit they were financing all the major airports in the United States, and that \$350 million was a pretty sizable sum when we considered they were paying that much in total rental fees. So I thought they were paying a great deal.

The formula reached by the committee of the gentleman from Arkansas does not raise as much money. In this I am disappointed. But we have raised a large sum under the gentleman's bill, and, in view of the fact that they are making a contribution in their area, I, therefore, have agreed not to oppose the tax provision the gentleman's committee came out with, because I thought under all the circumstances they were balanced as much as they could be between the certificated carriers and general aviation, and the certificated carriers were paying a good sizable sum. Under the present arrangement, most of them were losing money,

and it was difficult to extrapolate more tax out of them, and automatically there would be a raise in rates to be argued before the CAB and our committee.

There were other factors. If they did get a tax on a certificated carrier fuel basis, it would not be as much in the Treasury, because almost half of it would be written off, so that did not provide us as big a revenue on an income basis as we had thought it would. However, we may well reach a point when commercial aviation may have to pay more.

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

Mr. MILLS. I yield to the gentleman from Washington.

Mr. HICKS. Mr. Chairman, I understood commercial aviation is paying \$10 to every \$1 that is paid by general aviation.

Mr. MILLS. That is about right.

Mr. HICKS. Is that the fuel tax?

Mr. MILLS. That is all of the taxes taken together.

Mr. HICKS. In whatever information was furnished to the gentleman's committee, was it established the general aviation users represent about one-tenth of the use of the services?

Mr. MILLS. No. We believe it is more than that although we asked for a study so this could be accurately determined in the future.

Mr. HICKS. I have been harangued by quite a number of them, Mr. Chairman, and probably as the gentleman said about the trucking industry, they are dissatisfied, but they assured me their puddle jumpers use the small airports and do not get near the large airports, and they are not permitted to land at the large airports if they do get near them, and they are not using these facilities and they are being forced to pay for them.

Mr. MILLS. If the gentleman wants to look at page 37 of the report, he will find there the information we have in those areas.

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

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

Mr. McCARTHY. I have the Greater Buffalo International Airport in my district, and I have received quite a bit of mail on this subject. I believe it is a very difficult question.

I should like to compliment the chairman and the committee for coming up with what I believe is basically a fair and equitable proposal. If anything, as the gentleman suggests, it really is quite fair to general aviation. This is what I am telling the people who have written me.

Mr. MILLS. I have just one more thought. This information has been given to me, and I assume it is reliable: There are approximately 750 of these so-called business jets that are in an organization of some sort. The presidents of these companies and the chairmen of the boards of these companies who own these planes sometimes have entirely different views about even the taxing of the planes themselves from the views of the person in the company who is a member of this association. The association goes on record against certain tax approaches, but

when the presidents and the chairmen of the boards are asked about it they do not know anything about it, and they say, "We should pay our fair share."

There is a lot of confusion.

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

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

Mr. ICHORD. I indicated a while ago I had a personal interest in this measure because it is going to cost me, as well as I can figure out, about \$175 a year.

Mr. MILLS. The gentleman is so valuable to his district and is so valuable to this great country that we should have made it \$500 in order to better insure his life.

Mr. ICHORD. Let me say to the gentleman from Arkansas, I have never complained about taxes in my life and I intend to vote for this bill. It is not a matter of whether general aviation is paying a certain percentage of the costs; it is a problem as to whether general aviation is getting its proper share of the services.

Mr. MILLS. I agree.

Mr. ICHORD. I seriously doubt whether I will be getting \$175 worth of additional services, particularly in view of some of the restrictions that the FAA is imposing upon general aviation aircraft.

Mr. MILLS. Perhaps I had better take the gentleman's individual case up with the Secretary, and tell him to treat him fairly.

Mr. BYRNES of Wisconsin. Mr. Chairman, I yield 10 minutes to the gentleman from Virginia (Mr. BROYHILL) a Member of the committee.

Mr. BROYHILL of Virginia. Mr. Chairman, I rise in support of H.R. 14465, a bill to meet the pressing needs of aviation transportation in the United States. The increased demand for aviation services has resulted in tremendous growth in aviation transportation in the last decade. This growth will continue in the 1970's, and the demand for increased aviation services will be met by increasingly sophisticated aircraft. The performance capabilities of these aircraft—both in terms of speed and navigation—will require more sophisticated equipment if controllers are to adequately monitor flight operations and insure the safety of the traveling public.

The great past and projected growth of all segments of aviation has been accompanied by tremendous technological advances. Early next year the 747 will begin carrying 400 passengers at over 600 m.p.h. The SST, which travels at nearly three times the speed of sound, is just over the horizon. In the aviation industry, tomorrow's problems must be solved today. Tomorrow may be too late.

The FAA estimates that the cost of providing for our airway facilities will nearly double in the next 10 years. The total projected expenditures for airport and airway facilities during the next decade are in excess of \$14 billion. It is impractical and unfair to assess this cost against the general taxpayer. It is impractical, because the investment required is simply not forthcoming from general revenues. It is unfair, because many of our citizens make little or no use of air transportation.

The expenditures will be made for the

convenience of the traveling public—whether the transportation is by commercial air carrier or an individual flies his own airplane. The expenditures are for their benefit and they should bear the cost. Under the highway trust fund, we have already established the precedent in the field of transportation for assessing the public expenditures required against the various users of the transportation system in proportion to their use. In addition to being equitable, this approach has the salutary affect of insuring those who stand to benefit from recommending expansion of Government programs will also be required to pay the taxes necessary to pay for this expansion. Since the users will be paying the costs as well as enjoying the benefits of public expenditures, their natural self-interest will insure that their recommendations to Congress not only take into account aviation needs, but also the costs associated with those needs.

Additionally, when user taxes are imposed to provide the necessary revenues, expenditures that are necessary for the safety and convenience of the traveling public will not be delayed because of other competing claims on the general funds which may be given priority at any given time. Finally, since the tax is being assessed against users, the taxpayers can be assured that their tax contributions will be spent for facilities that will directly benefit them.

If the expenditures to meet our current aviation needs are not made, those who will suffer will be the users of air transportation in this country. However, this does not relieve the committee of the obligation, which it has faithfully discharged, to insure that the taxes it imposes are fair both as respects the users of general aviation and the general public, and as concerns the various users. Since contributions from general revenue will be required to support this program during the next decade, no branch of aviation will be bearing an undue burden. Additionally, the committee's bill instructs the FAA to prepare a comprehensive study that will improve and update the cost accounting criteria on which the various user taxes are predicated. If some shift in the tax is necessary on the basis of future experience, the committee can make the required changes.

In view of this, the committee has carefully worked out a series of taxes to fairly assess the costs against all segments of aviation. The 5-percent ticket tax on commercial air transportation, with which we have had administrative experience, is increased to 8 percent. A 7-cent-per-gallon tax is imposed on aviation fuel used by noncommercial aviation. A new \$3 head tax on international flights, and a 5-percent airfreight waybill tax are imposed. Finally, a registration fee of \$25 per aircraft and 2½ cents per pound for piston-powered aircraft and 3½ cents per pound for turbine-powered aircraft is imposed.

These taxes insure that all aircraft will be paying a tax for the right to use our national airport and airway facilities. Additionally, they insure that the bulk of the taxes will vary in proportion to the use of these facilities by various

members of the aviation community. These taxes also insure that revenue will increase as aviation transportation increases, and as the expenditures necessary to service aviation transportation grow. This objective is accomplished without imposing an undue burden on any segment of our citizens who travel or ship by air.

I want to emphasize that the committee has established a trust fund which will insure that the taxes various users pay can only be spent for airway and airport development. If we are to assess the taxes of our airway and airport system against aviation users, we must keep faith with them by insuring that the revenues raised will be spent for their benefit. The new trust fund, entitled Airport and Airway Trust Fund, established by this bill, meets this need. It is based on the successful experience that we have had in financing our highway needs through the Highway Trust Fund.

Finally, Mr. Chairman, I would like to point out that in addition to meeting our national needs in the air transportation field, this bill corrects a glaring inequity concerning the operation of National Airport in present law that is particularly onerous to the citizens of Virginia. National Airport is owned and operated by the FAA. Although under the Buck Act commercial operations on Federal installations have been subject to State income tax in the same manner as other business operations, this national policy has not been applicable to National Airport. Thus, an individual who purchases a book in the bookstore at National Airport will pay no Virginia sales tax, while an individual who purchases the same book at a bookstore 4 miles away in Shirlington will be subject to the tax. There is no difference between the nature of these commercial operations, both of which are conducted in the State of Virginia, and they should both be subject to the sales tax.

The committee's bill will correct this inequity by subjecting commercial operations at National Airport to the State sales tax on the same basis as operations conducted elsewhere in Virginia. However, there is an exception with respect to taxes on aviation fuels, the servicing of aircraft, takeoff and landing fees, and other charges dealing with aircraft, passengers and freight. The provision also would not apply in the case of leases in existence on September 28, 1969. I am particularly pleased, Mr. Chairman, that the committee's bill includes this provision.

In summary, Mr. Chairman, the rapid pace of technological progress requires that we act on our aviation problems immediately. The committee's bill represents a sound approach to responsibly deal with these problems. If we do not act now, those who will suffer the most will be the various users of aviation services. I urge all my colleagues to join me in supporting this legislation.

Mr. BYRNES of Wisconsin. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, as we vote on this bill, let us focus on one basic point. We are already in a very critical situation. The amount of money we are spending to de-

velop navigational aids and the amount of money we are spending on landing strips and airports is already deficient. If we go on at the present pace, we are going to have a complete collapse of air transportation in this country as it affects both commercial aviation and general aviation.

The tremendous growth of all segments of aviation, the increased sophistication and improved performance capability of the aircraft flown, and the rapidly accelerating technological progress in the aviation industry require that we act now. This bill represents a practical attempt to meet our airway and airport needs while assessing the costs as fairly as possible against the various users of aviation services.

Technological progress is the salient feature of the American economic landscape. Each day we are simultaneously rewarded with its benefits and confronted with its burdens. Problems requiring a considerable expenditure of time and resources to solve are a concomitant of technological progress. Nowhere is this more evident than in the field of aviation.

It has been said that the Boeing 747—the first of which will be delivered to Pan Am in January—marks the advent of the second "jet age." Carrying from 352 to 498 passengers and flying 625 miles per hour, this 365-ton giant may reduce unit costs sufficiently to accelerate the already growing demand for aviation transportation.

The increased sophistication of large jets traveling at near supersonic speeds—the 727, the 707, and now the 747—increases the problem of traffic control. The closure rates between aircraft require greater separation on the part of radar controllers, and monitoring their progress requires more specialized electronic equipment. The increased performance capability of aircraft equipped to fly in almost any weather requires that the latest electronic surveillance equipment be available to FAA controllers.

Aside from the sophistication of modern aircraft, greater efficiency has dramatically increased utilization. The number of revenue passenger miles flown by scheduled air carriers has tripled in the past 10 years. Current projections indicate that passenger miles flown by air carriers will nearly double in the next 10. General aviation is growing at an even faster rate.

This growth alone—aside from the increased performance capabilities of the aircraft involved—will necessitate substantially higher expenditures for airport and airway facilities during the next decade. The FAA estimates that expenditures to expand and maintain our airway system in the next 10 years will double—from \$865 million in fiscal 1969 to \$1.7 billion in fiscal 1979. The 10-year projection of expenditures for these purposes totals \$14.8 billion. If the demand for continued aviation services is to be provided, consistent with the safety and the convenience of the traveling public, this commitment must be met.

The committee has provided the necessary revenue in the most equitable

manner—by assessing the costs of the airport and airway system against the various users in proportion to their use. The extensive costs associated with the growth of aviation should be met by the various segments of aviation for whose benefit these expenditures will be made.

If the problems are to be faced before they become critical, the necessary financing must be provided now. Since large contributions will be required from general revenue during the early years of the program—and indeed throughout the next decade—the various users will not be unfairly burdened. The civil aviation share of deficits to be made up from general revenues will be \$400 million in fiscal year 1970, and \$375 million in fiscal year 1971. This large general revenue contribution during the first few years of the program will substantially reduce the share of the total costs of our airway and airport systems borne by various segments of aviation.

However, the committee realizes that cost accounting techniques associated with imposing these taxes can be improved, and the committee's bill requires the FAA to conduct a comprehensive study, making an interim report to the Congress by March 1, 1971, and a final report. The new FAA study will enable us to review the taxes we are now imposing and develop any additional refinements in the tax structure that study and experience indicate are necessary.

The specific taxes the committee has developed are designed to insure that all aviation users will make a contribution to our airport and airway systems. The present 5-percent ticket tax imposed on commercial transportation by air is increased under the committee's bill to 8 percent. A new 5-percent tax is imposed on airfreight waybills, and a \$3 "head tax" on international commercial flights beginning in the United States. An excise tax of 7 cents per gallon will be imposed on all fuel used by general aviation. Additionally, an annual aircraft registration fee of \$25 plus 2 cents a pound for piston-powered aircraft and 3.5 cents a pound for turbine-powered aircraft is imposed. I feel that in addition to the tax on tickets, which is imposed on the passenger and collected by the airlines, a charge should be directly imposed on the commercial airlines. The registration fee imposes such a tax and also improves equity among various segments of general aviation industry. The fee represents a charge for the right of entry into the airway system, complementing the 7-cent-per-gallon fuel tax which assesses the costs in proportion to utilization.

The proceeds from the various user taxes imposed will go into a new trust fund that is created by this bill. This new trust fund—called the airport and airway trust fund—will insure that the taxes paid by the various users can only be expended for the development of airway and airport facilities that will directly benefit them. Over a decade ago—in 1956—we established the highway trust fund, and our experience with this procedure has been salutary. The committee's action in creating the airport and airway trust fund follows this precedent that experience has validated.

However, since considerable general revenue funds will be appropriated to the trust fund during its first 10 years of existence, provision has been made to limit the payment of interest to periods when unexpended balances represent contributions by the various users. When taxes assessed against the various users are not spent for the designated purpose, interest should, and will be, paid to the new trust fund.

The committee's solution is undoubtedly not perfect, Mr. Chairman, but represents our best efforts to deal with the difficult and pressing problems in this area. By following the precedent of the highway trust fund, a method has been established for meeting our airport and airway needs. The necessary financing is assessed against various users on the basis of the most recent data available to the committee. I think that the method recommended by the committee to raise this revenue from those that will benefit from the expenditures is fair. By providing for the continuing development of cost accounting data, the committee will be able to monitor the program to insure that contributions in the future are being assessed against the various users on the basis of the most recent data and in the most equitable manner possible.

Mr. Chairman, the bill responds to a most urgent need that must be met if the convenience and safety of our traveling public is given the priority it deserves. A healthy and growing air transport system in which our citizens place confidence is vital to the continued growth of our economy, to the needs of our citizens, and to our national security objectives. We cannot delay action any longer. This is vital legislation that moves us in the direction of coping with the growing problem of handling our air traffic. I trust the bill will have the unanimous approval of this House.

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

Mr. BYRNES of Wisconsin. I yield to the gentleman from New York.

Mr. FISH. Mr. Chairman, I understand that this bill imposes a tax of 7 cents a gallon on all general aviation fuel, a tax not paid by the commercial airlines. It further imposes an aircraft registration tax on all airplanes, general as well as commercial. And, that it transfers these two types of taxes and the presently existing taxes on all aircraft tires and tubes to a trust fund, the proceeds of which will be used for overcrowded airports.

As we move toward an important recognition of aviation's needs, I wonder if my colleagues are aware of the fact that the Federal Aviation Administration has proposed new rules, for Washington National Airport and for a long list of other airports, to be effective at a later date, that will severely restrict the use of these airports by general aviation?

Do not we end up with the unfair situation that general aviation will pay taxes to modernize facilities it will be restricted from using?

Mr. Chairman, looking at the list of airports where restrictions are to be imposed, it is obvious that these same airports will receive the lion's share of the tax money of modernization. There-

fore, it is apparent that general aviation will pay for, but not benefit from, the modernization.

Mr. Chairman, the record should show the list of the airports for which the general aviation restrictions are proposed.

Chicago, O'Hare; Atlanta; Los Angeles; San Francisco; New York complex: LaGuardia, Kennedy, Newark; Dallas; Boston; Miami; Detroit; Denver; Philadelphia; Pittsburgh; St. Louis; Cleveland; Minneapolis; Houston; Kansas City; Seattle; New Orleans; Cincinnati; Las Vegas.

Mr. BYRNES of Wisconsin. Mr. Chairman, I have no further requests for time.

Mr. MILLS. Mr. Chairman, I yield such time as he may consume to the gentleman from New Jersey (Mr. THOMPSON).

Mr. THOMPSON of New Jersey. Mr. Chairman, I thank the gentleman for yielding. I would like to associate myself with the remarks made earlier by the gentleman from New Jersey (Mr. FRELINGHUYSEN) to point out the degree of unanimity between those of us on the New Jersey delegation with regard to the problem as we see it. We believe that the mandatory language is a total unreasonable delegation of power, and we hope that it will be stricken. The Secretary of Transportation should never be given the absolute power to locate airports in areas where they are not wanted.

Mr. BOW. Mr. Chairman, I cannot support a measure that proposes to place heavy additional taxes upon the owners and operators of general aviation aircraft at a time when the FAA is discriminating against the general aviation aircraft by denying it free and equal access to facilities created by public funds.

I refer to the existing regulations which severely restrict the use of several major airports by general aviation. The FAA has imposed this discriminatory regulation in an effort to overcome congestion. The experience of the past few months demonstrates that this is not the solution to the problem of congestion, yet we are told that FAA has additional discriminatory regulations in preparation in what some members of the aviation fraternity believe is a Government vendetta against the man who flies a small aircraft.

And by small aircraft, I mean not only the one- to three-place aircraft but the entire range of private aircraft up to and including the business jet.

The taxes imposed upon general aviation by this bill are heavy indeed. For example, the registration alone would amount to nearly \$40 per year for the owner of a small single engine two-place aircraft. It would go up to nearly \$500 for the larger executive jets. Based upon average hours flown per year, the proposed new fuel tax would amount to from \$90 per year on the single engine two-place aircraft to more than \$10,000 for the business jet. We cannot in good conscience levy this additional burden upon these taxpayers when they are presently denied full use of airport facilities and when we have every reason to believe they would be denied fair access to the new facilities their taxes are supposed to create.

Moreover, I am most hesitant to see the Federal Government usurp a source of revenue that is of great importance to the States. The aviation programs of many States are financed by registration fees on general aviation aircraft and by local fuel taxes. In Ohio, for example, the registration fee is now \$3 for each seat in an aircraft up to five seats. This is a modest fee which has provided good support for the aviation program. Ohio has plans to increase it slightly to permit expansion of the program. Ohio will find it difficult to do so if a much larger Federal registration fee is now imposed. In fact, the size of the proposed taxes in this bill indicates to me a definite possibility that the growth of general aviation, which now means 5,600 aircraft in Ohio, will be stunted.

Let me tell you a bit about Ohio's aviation program. In the past 2½ years Ohio has built 65 general aviation airports and when the program is completed a year or so hence there will be one or more in every county in the State. These are modern facilities capable of accommodating the business jet. In fact, 19 of them have become the center of major new industrial parks. The financing for this program has come from a \$5 million bond issue plus the small charges I have mentioned. And, I might add, the administration of the entire program has been accomplished by a seven person staff under the director of Norman Crabtree at an administrative cost of under \$40,000 per year. The average cost of these airports is about \$165,000, and I might mention that we have underway not far from my hometown now an FAA-financed airport that is not as large and not as modern as these State airports, with a shorter runway, under construction for many, many months, at a cost of \$485,000.

Is it any wonder that I hesitate to see the Federal Government impose taxes which will deny Ohio the opportunity to go ahead with its progressive new airport development?

Mr. Chairman, it is my very strong feeling that this proposal needs more study. As the AOPA has argued, it needs reconsideration in the light of an overall policy of financing public facilities by user charges. General aviation is being singled out for special treatment in this regard. We should consider these new taxes only in the light of an overall policy of charges for users of other Federal services.

The bill should not be enacted without provision assuring equal access and equal use of all public facilities by all owners and operators of aircraft.

Finally, we should not usurp local sources of revenue to the extent that programs such as I have described in Ohio are inhibited. If the State of Ohio can build more and better airports faster and less expensively than the Government of the United States, the State of Ohio should be encouraged.

I make these statements as one who has supported for 20 years every possible advance in airway and airport facilities. Some of you will recall my efforts in years past in behalf of the construction of Dulles Airport. I think we can and must plan and build for the future. I

think we can and must do so without discrimination against, or unreasonable burdens upon, the men and women who fly 124,272 general aviation aircraft and account for the tremendous advance in aviation today.

Mr. CONABLE. Mr. Chairman, I support this bill and urge its passage.

We all know that airport and airway improvements are urgently needed if the Nation's air transportation system is to meet the requirements of the Nation's commerce. This bill embarks us on a significant new financial program—the funding of aviation facilities by the users.

Because the users of the facilities are being required to pay for the program, the special taxes levied will go into a new trust fund—the airport and airway trust fund—so that there is certainty that they will be used to provide the aviation facilities required.

Table 5 of the report shows that in the first full year of this program, the taxes produced will total \$652.4 million—including \$3 million of excises on aircraft tires and tubes. In 1979 the tax will produce over \$1.4 billion if aviation continues to grow as predicted.

Note should be taken of the fact, as the report points out—page 40, last paragraph—that “general aviation is expected to pay \$59 million of the total \$649 million in air user taxes, or 9.1 percent. Air carriers are expected to pay \$590 million, or 90.9 percent.”

The Secretary of Transportation is directed to make a study of the cost and use of aviation facilities—particularly the airways system—and report this information to Congress so that it can determine what adjustments may be required to attain an equitable distribution of the tax burden among the various classes of persons using the facilities or otherwise obtaining benefits from them.

This is a particularly important feature of the bill. The average person cannot afford to own a private plane and has to rely on the airlines for this transportation. When 91 percent of the total taxes collected are coming from airline passengers and shippers and the airlines themselves, and only 9 percent from all the other civil aircraft in the United States, there is some reason to believe that the average passenger may be paying a disproportionate share.

In addition, the committee had considerable testimony about the use by military and other Government aircraft of the airways and airspace and their priority, special services and special facilities. This factor needs to be examined more fully and the facts brought back to Congress for more careful evaluation.

Consequently, the study which is to be made by the Secretary of Transportation takes on considerable significance if equity is to be achieved and maintained in the new air user tax program on which we are embarking.

Mr. ROGERS of Florida, Mr. Chairman, during committee consideration of this legislation, I was distressed to learn that our need for en route air traffic control system facilities and equipment is drastically greater than our present operations, but I was more concerned

with the failure of the Federal Aviation Administration to request the necessary funds to permit us to close the gap.

For fiscal year 1970, the FAA requested \$321,500,000 for facilities and equipment when it submitted its budget to the Department of Transportation. In the budget submission to the Bureau of the Budget, the request for facilities and equipment was \$250 million. In the final submission to the Congress, the request was \$134 million.

During testimony before the Interstate and Foreign Commerce Committee, the FAA stated that we presently have 84 operating long-range radar in the United States, but we need 112. Yet, no funds were requested for these additional radar.

Moreover, based on the criteria established by the FAA for construction of air traffic control towers, 54 airports in the country qualify for air traffic control towers. Three of them are in my own State of Florida at Fort Lauderdale, Gainesville, and Vero Beach.

Yet, no money was requested for construction of air traffic control towers; in fact, no money has been requested for the past 3 years for tower construction. I do not understand the wisdom in this.

In fact there is no request in the fiscal year 1970 budget for long-range radar, even though we presently need 28 more; there is no request for terminal-area radar, though we need 121 new systems, 42 relocated, and 23 replaced; nor for terminal-area automation, nor for ILS—instrument landing systems—of which we need 81.

The entire \$134 million requested in the fiscal year 1970 budget will be used for automation equipment for the en route air traffic control system.

I am not arguing with the need for this automation, but I am concerned that we are not meeting our needs in these other service areas.

Last year, there were an estimated 4,000 near misses reported in the airspace over this Nation.

It is my understanding that the Department of Transportation appropriation bill will be reported to the House next Thursday. I am hopeful that the Appropriations Committee has taken a long, hard look at the need in this area, and that the appropriation measure will attempt to meet this problem.

Mr. HAGAN. Mr. Chairman, I rise in support of H.R. 14465 to improve the Nation's airports and airways system. This legislation is an important step forward in meeting the challenges presented by the jet age and in solving the problems of air congestion and air safety.

H.R. 14465 authorizes the establishment of an airport-airway trust fund financed by user charges. This will allow funds to be earmarked for grants to our Nation's airports, including reliever and general aviation airports.

In order to keep pace with the need for airport expansion during the next decade, we will have to spend at least twice as much per year as we are now spending. This bill recognizes that those who use the airways should carry a greater responsibility in meeting these costs.

Several new taxes are authorized by

this legislation that will enable use to meet the aviation needs of the next decade without placing an undue burden on the taxpayers and without going to Congress to request more money to administer the program.

This legislation will also aid the small airports, serving both commercial and general aviation to expand and modernize the facilities where necessary.

We must improve our airway system in the United States to eliminate inconveniences and unsafe conditions across the country resulting from congestion at major airports.

Airplanes are here to stay and as we once began to develop our highways, we now must establish a program to develop our airports and airways.

Mr. HORTON. Mr. Chairman, it is gratifying that the response of the House to the President's request for aviation facilities expansion legislation has come so promptly.

The Aviation Facilities Expansion Act of 1969 is the first step toward the comprehensive air transportation policies our country will need to keep pace with the growth of aviation and citizen needs in the next two decades.

I certainly support the concept of a trust fund for aviation facilities improvements. I do feel, however, that there are several areas where this basically good bill can be improved.

I am in agreement with the amendments that will be offered to establish air pollution standards for aircraft, to provide for funding over a longer period than 1 year for local facility improvements and to provide assistance for airport terminal structures. This is particularly vital if you look at the passenger growth prospects that will be brought on by the jumbo-jets.

There is one further improvement which I would support in this act, Mr. Chairman, but unfortunately, a closed rule has been adopted on the Airport and Airway Revenue Act, which appears as title II of H.R. 14465. I am deeply concerned about the apparent discrimination included in the imposition of aviation fuel taxes on general aviation, but not on commercial carriers. It is true that the passenger ticket taxes imposed, and the per-pound aircraft registration fees will collect substantial revenue from commercial carriers but it is also true that commercial carriers utilize more extensive and expensive aviation facilities than do noncommercial aircraft. In addition, the tax on passenger tickets is passed directly to the air traveler. It does not really increase the operating costs to the carrier. While aviation fuel taxes applied to carriers would at least in part affect the cost of air travel to the passenger, it seems fair to impose the fuel tax equally among all users of aviation fuel on a per-gallon basis.

We do not discriminate between privately owned passenger cars and business-owned cars and trucks in applying the tax on motor fuels. I do not feel this precedent should be set in the aviation field.

Perhaps, if the fuel tax were applied to all users, the rate could be reduced from the 7 cents provided in the committee bill.

Again, Mr. Chairman, I realize that this portion of the legislation is not open to floor amendments. But I do feel it is important to bring these points out during this debate, and I am hopeful that the Senate will give them full consideration.

Overall, I think this legislation is both responsible and necessary. It is none too soon for us to enact a comprehensive aviation facilities expansion and financing program.

Mr. FRASER. Mr. Chairman, the excessive taxes placed on general aviation by this bill are extremely unfair to the nonairline commercial operators, and private aircraft owners who use the airports and airways in their business, in farming or ranching, and for recreation and pleasure flying.

A new registration tax is placed on all of these aircraft and a heavy gas tax is added. As a result these lighter aircraft are paying the bill for complex airway equipment and long broad concrete runways built to heavy jet standards for the benefit of the airlines.

Testimony presented by Frank Kingston Smith, president of the National Aviation Trades Association, points this out clearly. He cited the example of an expensive new airport control tower installed at Trenton, N.J. Here is what Mr. Smith said:

A typical example can be found in Trenton, New Jersey, a so-called non-hub, air carrier airport, served by one local service carrier—Allegheny Airlines. In Fiscal Year 1968, Allegheny made 1,308 departures and enplaned 6,899 passengers, which works out to approximately 5.5 passengers per flight. The FAA, in the last two years, has constructed a new airport control tower at Trenton Airport. The facilities and equipment costs were in excess of \$300,000 and the continuing operation costs are substantial.

On the list of 281 airports with control towers, Trenton ranks number 238 with a total of 3,123 "in" and "out" operations in 1968. Trenton ranked number 107 as regards general aviation itinerant operations with 75,898, since there are two very fine fixed base operators on the airport. In addition, there are two very active flight training schools, so there are a great many movements by students doing practice take-offs and landings. Trenton is ranked number 113 on total aircraft operations with 181,882 movements. At Trenton, the airlines are running three or four flights per day and general aviation, which has no need for an expensive control tower, is being told: "you use the tower 84 percent of the time as compared with our 15 percent, and that is how much of that \$300,000 tower you should pay for with user charges."

This is the crux of our "fair share user tax" problem: the certificated carriers demand that all airports served by them should have control towers and ILS installations (not merely approved instrument approaches, but complete ILS including localizers, glide slope, marker beacons, approach lights and runway lights). Then, as at Trenton, they turn around and tell the Congress and the public that "general aviation is using 70 percent of the facilities and should therefore pay 70 percent of the costs." This is unfair.

The airlines have ordered steak and lobster; general aviation has ordered spaghetti and is getting stuck with the check.

It is very unfortunate that the taxation part of this bill comes to us with a closed rule so that we cannot have a record vote and reduce the excessive

taxes on general aviation included in this bill. I trust the other body will make changes that will treat all elements of aviation more fairly.

GENERAL LEAVE

Mr. MILLS. Mr. Chairman, I ask unanimous consent that all Members desiring to do so may extend their remarks in the RECORD at this point.

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

There was no objection.

Mr. CHAPPELL. Mr. Chairman, I agree there is a tremendous need for an upgrading of the airports and facilities of this Nation. H.R. 14465 is a bill which will go far in satisfying that need. I do wish, however, to call to the attention of the Members of the House what I consider to be the tremendous inadequacy of the bill as far as general service aviation is concerned. Since the bill is also a tax measure and no amendments can be offered on the floor, it is on a "take-it-or-leave-it" proposition; therefore, because of the tremendous need for improvements in airport facilities, I intend—reluctantly—to vote for this bill.

Here is what this bill does to general service aviation. There are some 125,000 general service owners and operators throughout this land of ours who contribute tremendously to the progress of aviation. What this bill will do to them is unnecessary and unfair. They all want to pay their part of the bill for providing adequate and safe airports and airway facilities, but let us not heed too much the cry of commercial aviation and too little the needs of the private owner and operator.

Let me point out some of the detriments which this bill will bring to our private aviation users with the hope that the conference committee can be persuaded to render some help, understanding, and relief to them.

Presently, the general service aviation user pays Federal tax on gas at the rate of 4 cents per gallon, 2 cents of which is refundable. Therefore, he actually pays 2 cents tax. H.R. 14465 increases that tax $3\frac{1}{2}$ times to 7 cents per gallon, Mr. Chairman. Presently he pays no registration fee and this bill provides for a registration fee of \$25 plus 2 cents per pound for the gross takeoff weight of his aircraft. Now let us see what this means to the small aviation user in dollars and cents, and let us assume an average use of his aircraft at 300 hours per year.

For the small aircraft owner, that is to say the owner of a Piper Cherokee, Cessna 180, Commanchee 250, or a like single-engine aircraft, approximately 4,500 gallons of gasoline are used. He will presently pay on that gasoline some \$90 tax, while under this bill he will pay \$315 gasoline tax. That is $3\frac{1}{2}$ times the current tax rate, Mr. Chairman. Add to this the new registration fee of \$25 plus 2 cents for 3,000 pounds takeoff weight of his aircraft, and he pays \$85 registration fee for a total of \$400 against \$90 under the present law.

Let us assume the small operator today does not pay his full share, should he now be penalized for that or should we try to extract from him a reasonable and fair

share? It is obvious this example reflects an increase of four times his present rate. The taxes a user will pay under this bill are, under the suggested increase, unreasonable and unfair, particularly when you extract from him an increase in tax on his gasoline while you exempt the commercial carrier by this bill from tax on the same kind of fuel.

Let us look at the light twin-engine owner and operator. Under like use, his tax will jump from \$250 as operators under present law, to better than \$750 under H.R. 14465, three times the present charge, Mr. Chairman.

What about the high performance turbo and jet owner and operators? Jet fuel has been free of tax, this bill provides for tax at the rate of 7 cents per gallon. This means high performance turbo and jet owner-operators will have his operating tax jump to an average of approximately \$7,500 a year—many, many times what he pays under the present law.

Let us go back, Mr. Chairman, to the small aircraft user. In addition to the tremendous increase in taxes, he is already being hit for ramp fees at the estimated rate of \$20 per month or \$240 per year, insurance at approximately \$30 a month or \$360 a year, inspection fees of \$125, and increasing maintenance costs at an average of \$275 per year.

This brings us to a minimum of \$1,000 plus the amortization, that is to say the monthly payments on the purchase of his aircraft. When we add the \$1,000 to the \$400 total you will understand this bill, when it becomes law, will virtually put many thousands of operators out of business as owners of small aircraft. The small owner and operator and general service aviators are each and all vital to the economy, the Nation, and to the progress of aviation and the private aircraft industry. I hope we will take note, serious note, at what this bill will do to general service aviation from the small to the large.

Again I say, I intend to vote for this bill because I recognize the tremendous need for adequate airports and aviation facilities, but I do hope the conference committee will review some of the things which particularly effect the general service aviation and that the conference committee will insist that at least a part of the registration fees be eliminated and the tax on fuel be increased not from 2 to 7 cents, but rather from 2 to 4 cents or a maximum of 5 cents per gallon.

If we are interested in the small aircraft owners in this Nation, our conference committee will take note of these points.

Mr. GUDE. Mr. Chairman, I am pleased to speak in support of the Airport and Airways Act of 1969. Of particular concern to me has been the proper utilization of the Washington regional airports of National, Dulles, and Friendship, along with assurance of the most efficient general aviation facilities in the Washington area. This legislation will accelerate the development of critically needed air facilities which have not kept pace with the growth of air traffic. It will go a long way toward relief of the problem of air traffic congestion just as Presi-

dent Eisenhower's 1956 Interstate Highway Act replaced the crowded two-lane intercity highways. The dependable and realistic funding of badly needed airway and airport facilities as covered in this legislation will provide for safer airways and will meet the growing aviation needs of the Nation.

No small part is the support this legislation will lend to the development of facilities to serve general aviation. We are not going to deal adequately with air transport problems unless we have a comprehensive approach such as this legislation provides.

Mr. MILLS. Mr. Chairman, I have no further requests for time.

The CHAIRMAN. There being no further requests for time on title II, under the rule, title I of the bill will be read for amendment under the 5-minute rule. No amendments will be in order to title II of the bill except amendments offered by the direction of the Committee on Ways and Means.

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,

TITLE I—AVIATION FACILITIES EXPANSION ACT OF 1969

PART I—SHORT TITLE, ETC.

SECTION 1. SHORT TITLE.

This Act may be cited as the "Aviation Facilities Expansion Act of 1969".

SEC. 2. DECLARATION OF POLICY.

The Congress hereby finds and declares— That the Nation's airport and airway system is inadequate to meet the current and projected growth in aviation.

That substantial expansion and improvement of the airport and airway system is required to meet the demands of civil aviation, the postal service, and the national defense.

That the annual obligational authority during the period January 1, 1970, through June 30, 1979, for the acquisition, establishment, and improvement of air navigational facilities under the Federal Aviation Act of 1958, as amended (49 U.S.C. 1301 et seq.), should be no less than \$250,000,000.

That the obligational authority during the period January 1, 1970, through June 30, 1979, for airport assistance under this title should be \$2,500,000,000.

SEC. 3. NATIONAL TRANSPORTATION POLICY.

(a) **FORMULATION OF POLICY.**—Within one year after the date of enactment of this title, the Secretary of Transportation shall formulate and recommend to the Congress for approval a national transportation policy. In the formulation of such policy, the Secretary shall take into consideration, among other things—

(1) the coordinated development and improvement of all modes of transportation, together with the priority which shall be assigned to the development and improvement of each mode of transportation; and

(2) the coordination of recommendations made under this Act relating to airport and airway development with all other recommendations to the Congress for the development and improvement of our national transportation system.

(b) **ANNUAL REPORT.**—The Secretary shall submit an annual report to the Congress on the implementation of the national transportation policy formulated under subsection (a) of this section. Such report shall include the specific actions taken by the Secretary with respect to (1) to coordina-

tion of the development and improvement of all modes of transportation, (2) the establishment of priorities with respect to the development and improvement of each mode of transportation, and (3) the coordination of recommendations under this Act relating to airport and airway development with all other recommendations to the Congress for the development and improvement of our national transportation system.

SEC. 4. COST ALLOCATION STUDY.

The Secretary of Transportation shall conduct a study respecting the appropriate method for allocating the cost of the airport and airway system among the various users, and shall identify the cost to the Federal Government that should appropriately be charged to the system and the value to be assigned to any general public benefit, including military, which may be determined to exist. In conducting the study the Secretary shall consult fully with and give careful consideration to the views of the users of the system. The Secretary shall report the results of the study to Congress within two years from the date of enactment of this title.

PART II—AIRPORT DEVELOPMENT

SEC. 11. DEFINITIONS.

As used in this part—

(1) "Airport" means any area of land or water which is used, or intended for use, for the landing and takeoff of aircraft, and any appurtenant areas which are used, or intended for use, for airport buildings or other airport facilities or rights-of-way, together with all airport buildings and facilities located thereon.

(2) "Airport development" means (A) any work involved in constructing, improving, or repairing a public airport or portion thereof, including the removal, lowering, relocation, and marking and lighting of airport hazards, and including navigation aids used by aircraft landing at, or taking off from, a public airport, and including safety equipment required by rule or regulation for certification of the airport under section 612 of the Federal Aviation Act of 1958, and (B) any acquisition of land or of any interest therein, or of any easement through or other interest in airspace, including land for future airport development, which is necessary to permit any such work or to remove or mitigate or prevent or limit the establishment of, airport hazards.

(3) "Airport hazard" means any structure or object of natural growth located on or in the vicinity of a public airport, or any use of land near such airport, which obstructs the airspace required for the flight of aircraft in landing or taking off at such airport or is otherwise hazardous to such landing or taking off of aircraft.

(4) "Airport master planning" means the development for planning purposes of information and guidance to determine the extent, type, and nature of development needed at a specific airport. It may include the preparation of an airport layout plan and feasibility studies, and the conduct of such other studies, surveys, and planning actions as may be necessary to determine the short-, intermediate-, and long-range aeronautical demands required to be met by a particular airport as a part of a system of airports.

(5) "Airport system planning" means the development for planning purposes of information and guidance to determine the extent, type, nature, location, and timing of airport development needed in a specific area to establish a viable and balanced system of public airports. It includes identification of the specific aeronautical role of each airport within the system, development of estimates of system-wide development costs, and the conduct of such studies, surveys, and other planning actions as may be necessary to determine the short-, intermediate-, and

long-range aeronautical demands required to be met by a particular system of airports.

(6) "Landing area" means that area used or intended to be used for the landing, take-off, or surface maneuvering of aircraft.

(7) "Military aircraft" means aircraft owned and operated by the United States Army, the United States Navy, the United States Air Force, the United States Coast Guard, or the United States Marine Corps.

(8) "Planning agency" means any planning agency designated by the Secretary which is authorized by the laws of the State or States (including the Commonwealth of Puerto Rico, the Virgin Islands, and Guam) or political subdivisions concerned to engage in areawide planning for the areas in which assistance under this part is to be used.

(9) "Project" means a project for the accomplishment of airport development, airport master planning, or airport system planning.

(10) "Project costs" means any costs involved in accomplishing a project.

(11) "Public agency" means a State, the Commonwealth of Puerto Rico, the Virgin Islands, or Guam, or any agency of any of them; a municipality or other political subdivision; or a tax-supported organization; or an Indian tribe or pueblo.

(12) "Public airport" means any airport which is used or to be used for public purposes, under the control of a public agency, the landing area of which is publicly owned.

(13) "Secretary" means the Secretary of Transportation.

(14) "Sponsor" means any public agency which, either individually or jointly with one or more other public agencies, submits to the Secretary, in accordance with this part, an application for financial assistance.

(15) "State" means a State of the United States, or the District of Columbia.

(16) "Terminal area" means that area used or intended to be used for such facilities as terminal and cargo buildings, gates, hangers, shops, and other service buildings; automobile parking, airport motels, and restaurants, and garages and automobile service facilities used in connection with the airport; and entrance and service roads used by the public within the boundaries of the airport.

(17) "United States share" means that portion of the project costs of projects for airport development approved pursuant to section 16 of this part which is to be paid from funds made available for the purposes of this part.

SEC. 12. NATIONAL AIRPORT SYSTEM PLAN.

(a) **FORMULATION OF PLAN.**—The Secretary is directed to prepare and publish, within two years after the date of enactment of this part, and thereafter to review and revise as necessary, a national airport system plan for the development of public airports in the United States. The plan shall follow the national air system guidelines developed as provided in subsection (h) of this section and shall set forth, for at least a ten-year period, the type and estimated cost of airport development considered by the Secretary to be necessary to provide a system of public airports adequate to anticipate and meet the needs of civil aeronautics, to meet requirements in support of the national defense as determined by the Secretary of Defense, and to meet the special needs of the postal service. The plan shall include all types of development eligible for Federal aid under section 14 of this part, and terminal area development considered necessary to provide for the efficient accommodation of persons and goods at public airports, and the conduct of functions in operational support of the airport. Airport development identified by the plan shall not be limited to the requirements of any classes or categories of public airports. In preparing the plan, the Secretary shall consider the needs of all segments of civil aviation.

(b) **CONSIDERATION OF OTHER MODES OF TRANSPORTATION.**—In formulating and revising the plan, the Secretary shall take into consideration, among other things, the relationship of each airport to the rest of the transportation system in the particular area, to the forecasted technological developments in aeronautics, and to developments forecasted in other modes of intercity transportation.

(c) **FEDERAL, STATE, AND OTHER AGENCIES.**—In developing the national airport system plan, the Secretary shall to the extent feasible consult with the Civil Aeronautics Board, the Post Office Department, the Department of the Interior regarding conservation and natural resource values, and other Federal agencies, as appropriate; with agencies designated by the States pursuant to section 22 of this part; with planning agencies, and airport operators; and with air carriers, aircraft manufacturers, and others in the aviation industry. The Secretary shall provide technical guidance to agencies engaged in the conduct of airport system planning and airport master planning to ensure that the national airport system plan reflects the product of interstate, State, and local airport planning.

(d) **COOPERATION WITH FEDERAL COMMUNICATIONS COMMISSION.**—The Secretary shall, to the extent possible, consult, and give consideration to the views and recommendations of the Federal Communications Commission, and shall make all reasonable efforts to cooperate with that Commission for the purpose of eliminating, preventing, or minimizing airport hazards caused by the construction or operation of any radio or television station. In carrying out this section, the Secretary may make any necessary surveys, studies, examinations, and investigations.

(e) **CONSULTATION WITH DEPARTMENT OF DEFENSE.**—The Department of Defense shall make military airports and airport facilities available for civil use to the extent feasible. In advising the Secretary of national defense requirements pursuant to subsection (a) of this section, the Secretary of Defense shall indicate the extent to which military airports and airport facilities will be available for civil use.

(f) **CONSULTATION CONCERNING ENVIRONMENTAL CHANGES.**—In carrying out this section, the Secretary shall consult with and consider the views and recommendations of the Secretary of the Interior, the Secretary of Health, Education, and Welfare, and the Secretary of Agriculture. The recommendations of the Secretary of the Interior, the Secretary of Health, Education, and Welfare, and the Secretary of Agriculture, with regard to the preservation of environmental quality, shall, to the extent that the Secretary of Transportation determines to be feasible, be incorporated in the national airport system plan.

(g) **COOPERATION WITH THE FEDERAL POWER COMMISSION.**—The Secretary shall, to the extent possible, consult, and give consideration to the views and recommendations of the Federal Power Commission, and shall make all reasonable efforts to cooperate with that Commission for the purpose of eliminating, preventing, or minimizing airport hazards caused by the construction or operation of power facilities. In carrying out this section, the Secretary may make any necessary surveys, studies, examinations, and investigations.

(h) **NATIONAL AIR SYSTEM GUIDELINES COMMISSION.**—

(1) There is hereby established a National Air System Guidelines Commission (hereafter in this subsection referred to as the "Commission"). The Commission shall be composed of nine members appointed by the President from private life as follows:

(A) One person to serve as Chairman of the Commission who is specially qualified

to serve as Chairman by virtue of his education, training, or experience.

(B) Eight persons who are specially qualified to serve on such Commission from among representatives of the commercial air carriers, general aviation, aircraft manufacturers, airport sponsors, State aeronautics agencies, and three major organizations concerned with conservation or regional planning. Not more than five members of the Commission shall be from the same political party. Any vacancy in the Commission shall not affect its powers but shall be filled in the same manner in which the original appointment was made, and subject to the same limitations with respect to party affiliations. Five members shall constitute a quorum.

(2) It shall be the duty of the Commission—

(A) to formulate guidelines for the national airport system plan described in subsection (a) of this section and for surrounding land uses, ground access, airways, air service, and aircraft compatible with such plan;

(B) to facilitate consideration of other modes of transportation and cooperation with other agencies and community and industry groups as provided in subsections (b) through (g) of this section.

In carrying out its duties under this subsection, the Commission shall establish such task forces as are necessary to include technical representation from the organizations referred to in this subsection, from Federal agencies, and from such other organizations and agencies as the Commission considers appropriate.

(3) Each member of the Commission may receive compensation at the rate of \$100 for each day such member is engaged in the work of the Commission, and shall be reimbursed for travel expenses, including per diem in lieu of subsistence, as authorized by law (5 U.S.C. 5703) for persons in the Government service employed intermittently.

(4) (A) The Commission is authorized, without regard to the provisions of title 5, United States Code, governing appointments in the competitive service, and without regard to the provisions of chapter 51 and subchapter III of chapter 53 of such title relating to classification and General Schedule pay rates, to appoint and fix the compensation of such personnel as may be necessary to carry out the functions of the Commission, but no individual so appointed shall receive compensation in excess of the rate authorized for GS-18 by section 5332 of such title.

(B) The Commission is authorized to obtain the services of experts and consultants in accordance with the provisions of section 3109 of title 5, United States Code, but at rates for individuals not to exceed \$100 per diem.

(C) Administrative services shall be provided the Commission by the General Services Administration on a reimbursable basis.

(D) The Commission is authorized to request from any department, agency, or independent instrumentality of the Government any information and assistance it deems necessary to carry out its functions under this subsection; and each such department, agency, and instrumentality is authorized to cooperate with the Commission and, to the extent permitted by law, to furnish such information and assistance to the Commission upon request made by the Chairman.

(5) The Commission shall submit to the President and to the Congress, on or before January 1, 1971, a final report containing the guidelines formulated by it under this subsection. The Commission shall cease to exist 60 days after the date of the submission of its final report.

(6) There are authorized to be appropriated from the Airport and Airway Trust Fund such sums, not to exceed \$2,000,000, as

may be necessary to carry out the provisions of this subsection.

SEC. 13. PLANNING GRANTS.

(a) **AUTHORIZATION TO MAKE GRANTS.**—In order to promote the effective location and development of airports and the development of an adequate national airport system plan, the Secretary may make grants of funds to planning agencies for airport system planning, and to public agencies for airport master planning.

(b) **AMOUNT AND APPORTIONMENT OF GRANTS.**—The award of grants under subsection (a) of this section is subject to the following limitations—

(1) The total funds obligated for grants under this section may not exceed \$50,000,000 and the amount obligated in any one fiscal year may not exceed \$10,000,000.

(2) No grant under this section may exceed two-thirds of the cost incurred in the accomplishment of the project.

(3) No more than 10 per centum of the funds made available under this section in any fiscal year may be allocated for projects within a single State, the Commonwealth of Puerto Rico, the Virgin Islands, or Guam. Grants for projects encompassing an area located in two or more States shall be charged to each State in the proportion which the number of square miles the project encompasses in each State bears to the square miles encompassed by the entire project.

(c) **REGULATIONS, COORDINATION WITH SECRETARY OF HOUSING AND URBAN DEVELOPMENT.**—The Secretary may prescribe such regulations as he deems necessary governing the award and administration of grants authorized by this section. The Secretary and the Secretary of Housing and Urban Development shall develop jointly procedures designed to preclude duplication of their respective planning assistance activities and to ensure that such activities are effectively coordinated.

SEC. 14. GENERAL AUTHORITY FOR FEDERAL-AID AIRPORT PROGRAM.

In order to bring about, in conformity with the national airport system plan, the establishment of a nationwide system of public airports adequate to meet the present and future needs of civil aeronautics, the Secretary is authorized, within the limits established in appropriation acts, to make grants for airport development by grant agreements with sponsors in aggregate amounts not to exceed the following:

(1) For the purpose of developing in the several States, the Commonwealth of Puerto Rico, and the Virgin Islands, airports served by air carriers certificated by the Civil Aeronautics Board, and airports the primary purpose of which is to serve general aviation and to relieve congestion at airports having a high density of traffic serving other segments of aviation, \$150,000,000 for fiscal year 1970, \$180,000,000 for fiscal year 1971, and \$240,000,000 for fiscal year 1972.

(2) For the purpose of developing in the several States, the Commonwealth of Puerto Rico, and the Virgin Islands, airports serving segments of aviation other than air carriers certificated by the Civil Aeronautics Board, \$25,000,000 for each of the fiscal years 1970, 1971, and 1972.

SEC. 15. DISTRIBUTION OF FUNDS, STATE APPORTIONMENT.

(a) **APPORTIONMENT OF FUNDS.**—

(1) As soon as possible after July 1 of each fiscal year for which any amount is authorized to be obligated for the purposes of paragraph (1) of section 14 of this part, the amount made available for that year shall be apportioned by the Secretary as follows:

(A) For fiscal year 1970, \$48,500,000, for fiscal year 1971, \$58,200,000, and for fiscal year 1972, \$77,600,000 for the several States, one-half in the proportion which the population of each State bears to the total pop-

ulation of all the States, and one-half in the proportion which the area of each State bears to the total area of all the States.

(B) For fiscal year 1970, \$1,500,000, for fiscal year 1971, \$1,800,000, and for fiscal year 1972, \$2,400,000 for Hawaii, the Commonwealth of Puerto Rico, and the Virgin Islands, to be distributed in shares of 40 per centum, 40 per centum, and 20 per centum, respectively.

(C) For fiscal year 1970, \$50,000,000, for fiscal year 1971, \$60,000,000, and for fiscal year 1972, \$80,000,000 to sponsors of airports served by air carriers certificated by the Civil Aeronautics Board in the same ratio as the number of passengers enplaned at each airport of the sponsor bears to the total number of passengers enplaned at all such airports.

(D) For fiscal year 1970, \$50,000,000, for fiscal year 1971, \$60,000,000, and for fiscal year 1972, \$80,000,000 to be distributed at the discretion of the Secretary.

(2) As soon as possible after July 1 of each fiscal year for which any amount is authorized to be obligated for the purposes of paragraph (2) of section 14 of this part, the amount made available for that year shall be apportioned by the Secretary as follows:

(A) \$18,375,000 for the several States, one-half in the proportion which the population of each State bears to the total population of all the States, and one-half in the proportion which the area of each State bears to the total area of all the States.

(B) \$375,000 for Hawaii, the Commonwealth of Puerto Rico, and the Virgin Islands, to be distributed in shares of 40 per centum, 40 per centum, and 20 per centum, respectively.

(C) \$6,250,000 to be distributed at the discretion of the Secretary.

(3) If, in any fiscal year, the amounts available for apportionment are less than the amounts stated in paragraphs (1) and (2) of this subsection, the amounts available shall be apportioned in accordance with the ratios indicated in paragraphs (1) and (2) for that fiscal year.

(4) Each amount apportioned to a State under paragraph (1)(A) or (2)(A) of this subsection shall, during the fiscal year for which it was first authorized to be obligated and the fiscal year immediately following, be available only for approved airport development projects located in that State, or sponsored by that State or some public agency thereof but located in an adjoining State. Each amount apportioned to an airport sponsor under paragraph (1)(C) of this subsection shall, during the fiscal year for which it was first authorized to be obligated and the two fiscal years immediately following, be available only for approved airport development projects located at airports sponsored by it. Thereafter, any portion of the amounts remaining unobligated shall be redistributed as provided in subsection (c) of this section.

(5) For the purposes of this section, the term "passengers enplaned" shall include United States domestic, territorial, and international revenue passenger enplanements in scheduled and nonscheduled service of air carriers and foreign air carriers in intrastate and interstate commerce as shall be annually compiled by the Civil Aeronautics Board.

(b) **DISCRETIONARY FUND.**—(1) The amounts authorized by subsection (a) of this section to be distributed at the discretion of the Secretary shall constitute a discretionary fund.

(2) The discretionary fund shall be available for such approved projects for airport development in the several States, the Commonwealth of Puerto Rico, the Virgin Islands, and Guam as the Secretary considers most appropriate for carrying out the national airport system plan, regardless of the location of the projects. In determining the projects for which the fund is to be used, the

Secretary shall consider the existing airport facilities in the several States, the Commonwealth of Puerto Rico, the Virgin Islands, and Guam, and the need for or lack of development of airport facilities in the several States, the Commonwealth of Puerto Rico, the Virgin Islands, and Guam. Amounts placed in the discretionary fund pursuant to subsection (a) or by redistribution pursuant to subsection (c) of this section, may be used only in accordance with the purposes for which originally appropriated.

(c) **REDISTRIBUTION OF FUNDS.**—Any amount apportioned for airport development projects in a State pursuant to paragraph (1)(A) or (2)(A) of subsection (a) of this section which has not been obligated by grant agreement at the expiration of the two fiscal years for which it was so apportioned shall be added to the discretionary fund established by subsection (b) of this section. Any amount apportioned to an airport sponsor under paragraph (1)(C) of subsection (a) of this section which has not been obligated by grant agreement at the expiration of the three fiscal years for which it was so apportioned shall be added to the discretionary fund established by subsection (b) of this section.

(d) **NOTICE OF APPORTIONMENT, DEFINITION OF TERMS.**—Upon making an apportionment as provided in subsection (a) of this section, the Secretary shall inform the executive head of each State, and any public agency which has requested such information, as to the amounts apportioned to each State. As used in this section, the term "population" means the population according to the latest decennial census of the United States and the term "area" includes both land and water.

SEC. 16. SUBMISSION AND APPROVAL OF PROJECTS FOR AIRPORT DEVELOPMENT.

(a) **SUBMISSION.**—Subject to the provisions of subsection (b) of this section, any public agency, or two or more public agencies acting jointly, may submit to the Secretary a project application, in a form and containing such information, as the Secretary may prescribe, setting forth the airport development proposed to be undertaken. No project application shall propose airport development other than that included in the then current revision of the national airport system plan formulated by the Secretary under this part, and all proposed development shall be in accordance with standards established by the Secretary, including standards for site location, airport layout, grading, drainage, seeding, paving, lighting, and safety of approaches.

(b) **PUBLIC AGENCIES WHOSE POWERS ARE LIMITED BY STATE LAW.**—Nothing in this part shall authorize the submission of a project application by any municipality or other public agency which is subject to the law of any State if the submission of the project application by the municipality or other public agency is prohibited by the law of that State.

(c) **APPROVAL.**—

(1) All airport development projects shall be subject to the approval of the Secretary, which approval may be given only if he is satisfied that—

(A) the project is reasonably consistent with plans (existing at the time of approval of the project) of planning agencies for the development of the area in which the airport is located and will contribute to the accomplishment of the purposes of this part;

(B) sufficient funds are available for that portion of the project costs which are not to be paid by the United States under this part;

(C) the project will be completed without undue delay;

(D) the public agency or public agencies which submitted the project application have

legal authority to engage in the airport development as proposed; and

(E) all project sponsorship requirements prescribed by or under the authority of this part have been or will be met. No airport development project may be approved by the Secretary with respect to any airport unless a public agency holds good title, satisfactory to the Secretary, to the landing area of the airport or the site therefor, or gives assurance satisfactory to the Secretary that good title will be acquired.

(2) No airport development project may be approved by the Secretary which does not include provision for installation of the landing aids specified in subsection (d) of section 17 of this part and determined by him to be required for the safe and efficient use of the airport by aircraft taking into account the category of the airport and the type and volume of traffic utilizing the airport.

(3) No airport development project may be approved by the Secretary unless he is satisfied that fair consideration has been given to the interest of communities in or near which the project may be located.

(4) It is hereby declared to be national policy that airport development projects authorized pursuant to this part shall provide for the protection and enhancement of the natural resources and the quality of environment of the Nation. In implementing this policy, the Secretary shall consult with the Secretaries of the Interior and Health, Education, and Welfare with regard to the effect that such project may have on natural resources including, but not limited to, fish and wildlife, natural, scenic, and recreation assets, water and air quality, and other factors affecting the environment, and shall authorize no project found to have adverse effect unless the Secretary shall render a finding, in writing, following a full and complete review, which shall be a matter of public record, that no feasible and prudent alternative exists and that all possible steps have been taken to minimize such adverse effect.

(d) **HEARINGS.**—

(1) No airport development project involving the location of an airport, an airport runway, or a runway extension may be approved by the Secretary unless the public agency sponsoring the project certifies to the Secretary that there has been afforded the opportunity for public hearings for the purpose of considering the economic, social, and environmental effects of the airport location and its consistency with the goals and objectives of such urban planning as has been carried out by the community.

(2) When hearings are held under paragraph (1) of this subsection, the project sponsor shall, when requested by the Secretary, submit a copy of the transcript to the Secretary.

(e) **AIRPORT SITE SELECTION.**—

(1) Whenever the Secretary determines (A) that a metropolitan area comprised of more than one unit of State or local government is in need of an additional airport to adequately meet the air transportation needs of such area, and (B) that an additional airport for such area is consistent with the national airport system plan prepared by the Secretary, he shall notify, in writing, the governing authorities of the area concerned of the need for such additional airport and request such authorities to confer, agree upon a site for the location of such additional airport, and notify the Secretary of their selection. If, within three years after the written notification by the Secretary referred to in the preceding sentence, he has not received notification from the governing authorities concerned of the selection of a site for the additional airport, he shall, after notice and opportunity for a hearing, select a site for such additional airport with respect to which the Secretary will accept project applications under this part for the construc-

tion of such additional airport. Unless the Secretary, after notice and opportunity for hearing, shall modify any site selection made by him under this section, no other site in such area shall be eligible for assistance under this part for the construction of an additional airport in such area. For the purposes of this subsection, the term "metropolitan area" means a standard metropolitan statistical area as established by the Bureau of the Budget, subject however to such modifications and extensions as the Secretary may determine to be appropriate for the purposes of this subsection.

(2) In the case of a proposed new airport serving any area, which does not include a metropolitan area, the Secretary shall not approve any airport development project with respect to any proposed airport site not approved by the community or communities in which the airport is proposed to be located.

SEC. 17. UNITED STATES SHARE OF PROJECT COSTS.

(a) GENERAL PROVISION.—Except as provided in subsections (b), (c), and (d) of this section, the United States share payable on account of any approved airport development project submitted under section 16 of this part may not exceed 50 per centum of the allowable project costs.

(b) PROJECTS IN PUBLIC LAND STATES.—In the case of any State containing unappropriated and unreserved public lands and non-taxable Indian lands (individual and tribal) exceeding 5 per centum of the total area of all lands therein, the United States share under subsection (a) shall be increased by whichever is the smaller of the following percentage thereof: (1) 25 per centum, or (2) a percentage equal to one-half of the percentage that the area of all such lands in that State is of its total area.

(c) PROJECTS IN THE VIRGIN ISLANDS.—The United States share payable on account of any approved project for airport development in the Virgin Islands shall be any portion of the allowable project costs of the project, not to exceed 75 per centum, as the Secretary considers appropriate for carrying out the provisions of this part.

(d) LANDING AIDS.—To the extent that the project costs of an approved project for airport development represent the cost of (1) land required for the installation of approach light systems, (2) touchdown zone and centerline runway lighting, or (3) high intensity runway lighting, the United States share shall be not to exceed 90 per centum of the allowable costs thereof.

SEC. 18. PROJECT SPONSORSHIP.

As a condition precedent to his approval of an airport development project under this part, the Secretary shall receive assurance in writing, satisfactory to him, that—

(1) the airport to which the project for airport development relates will be available for public use on fair and reasonable terms and without unjust discrimination;

(2) the airport and all facilities thereon or connected therewith will be suitably operated and maintained, with due regard to climatic and flood conditions;

(3) the aerial approaches to the airport will be adequately cleared and protected by removing, lowering, relocating, marking, or lighting or otherwise mitigating existing airport hazards and by preventing the establishment or creation of future airport hazards;

(4) appropriate action, including the adoption of zoning laws, has been or will be taken, to the extent reasonable, to restrict the use of land adjacent to or in the immediate vicinity of the airport to activities and purposes compatible with normal airport operations, including landing and takeoff of aircraft;

(5) all of the facilities of the airport developed with Federal financial assistance and

all those usable for landing and takeoff of aircraft will be available to the United States for use by military aircraft in common with other aircraft at all times without charge, except, if the use by military aircraft is substantial, a charge may be made for a reasonable share, proportional to such use, of the cost of operating and maintaining the facilities used;

(6) the airport operator or owner will furnish without cost to the Federal Government for use in connection with any air traffic control activities, or weather-reporting and communication activities related to air traffic control, any areas of land or water, or estate therein, or rights in buildings of the sponsor as the Secretary considers necessary or desirable for construction at Federal expense of space or facilities for such purposes;

(7) all project accounts and records will be kept in accordance with a standard system of accounting prescribed by the Secretary after consultation with appropriate public agencies;

(8) the airport operator or owner will maintain a fee and rental structure for the facilities and services being provided the airport users which will make the airport as self-sustaining as possible under the circumstances existing at that particular airport, taking into account such factors as the volume of traffic and economy of collection;

(9) the airport operator or owner will submit to the Secretary such annual or special airport financial and operations reports as the Secretary may reasonably request; and

(10) the airport and all airport records will be available for inspection by any duly authorized agent of the Secretary upon reasonable request.

To insure compliance with this section, the Secretary shall prescribe such project sponsorship requirements, consistent with the terms of this part, as he considers necessary. Among other steps to insure such compliance the Secretary is authorized to enter into contracts with public agencies, on behalf of the United States. Whenever the Secretary obtains from a sponsor any area of land or water, or estate therein, or rights in buildings of the sponsor and constructs space or facilities thereon at Federal expense, he is authorized to relieve the sponsor from any contractual obligation entered into under this part or the Federal Airport Act to provide free space in airport buildings to the Federal Government to the extent he finds that space no longer required for the purposes set forth in paragraph (6) of this section.

SEC. 19. GRANT AGREEMENTS.

Upon approving a project application for airport development, the Secretary, on behalf of the United States, shall transmit to the sponsor or sponsors of the project application an offer to make a grant for the United States share of allowable project costs. An offer shall be made upon such terms and conditions as the Secretary considers necessary to meet the requirements of this part and the regulations prescribed thereunder. Each offer shall state a definite amount as the maximum obligation of the United States payable from funds authorized by this part, and shall stipulate the obligations to be assumed by the sponsor or sponsors. If and when an offer is accepted in writing by the sponsor, the offer and acceptance shall comprise an agreement constituting an obligation of the United States and of the sponsor. Thereafter, the amount stated in the accepted offer as the maximum obligation of the United States may not be increased by more than 10 per centum. Unless and until an agreement has been executed, the United States may not pay, nor be obligated to pay, any portion of the costs which have been or may be incurred.

SEC. 20. PROJECT COSTS.

(a) ALLOWABLE PROJECT COSTS.—Except as provided in section 21 of this part, the United States may not pay, or be obligated to pay, from amounts appropriated to carry out the provisions of this part, any portion of a project cost incurred in carrying out a project for airport development unless the Secretary has first determined that the cost is allowable. A project cost is allowable if—

(1) it was a necessary cost incurred in accomplishing airport development in conformity with approved plans and specifications for an approved airport development project and with the terms and conditions of the grant agreement entered into in connection with the project;

(2) it was incurred subsequent to the execution of the grant agreement with respect to the project, and in connection with airport development accomplished under the project after the execution of the agreement. However, the allowable costs of a project may include any necessary costs of formulating the project (including the costs of field surveys and the preparation of plans and specifications, the acquisition of land or interests therein or easements through or other interests in airspace, and any necessary administrative or other incidental costs incurred by the sponsor specifically in connection with the accomplishment of the project for airport development, which would not have been incurred otherwise) which were incurred subsequent to May 13, 1964;

(3) in the opinion of the Secretary it is reasonable in amount, and if the Secretary determines that a project cost is unreasonable in amount, he may allow as an allowable project cost only so much of such project cost as he determines to be reasonable; except that in no event may he allow project costs in excess of the definite amount stated in the grant agreement; and

(4) it has not been included in any project authorized under section 13 of this part. The Secretary is authorized to prescribe such regulations, including regulations with respect to the auditing of project costs, as he considers necessary to effectuate the purposes of this section.

(b) COSTS NOT ALLOWED.—The following are not allowable project costs: (1) the cost of construction of that part of an airport development project intended for use as a public parking facility for passenger automobiles; or (2) the cost of construction, alteration, or repair of a hangar or of any part of an airport building except such of those buildings or parts of buildings intended to house facilities or activities directly related to the safety of persons at the airport.

SEC. 21. PAYMENTS UNDER GRANT AGREEMENTS.

The Secretary, after consultation with the sponsor with which a grant agreement has been entered into, may determine the times, and amounts in which payments shall be made under the terms of a grant agreement for airport development. Payments in an aggregate amount not to exceed 90 per centum of the United States share of the total estimated allowable project costs may be made from time to time in advance of accomplishment of the airport development to which the payments relate, if the sponsor certifies to the Secretary that the aggregate expenditures to be made from the advance payments will not at any time exceed the cost of the airport development work which has been performed up to that time. If the Secretary determines that the aggregate amount of payments made under a grant agreement at any time exceeds the United States share of the total allowable project costs, the United States shall be entitled to recover the excess. If the Secretary finds that the airport development to which the advance payments relate has not been accomplished within a reasonable time or the development is not completed, the United States may recover

any part of the advance payment for which the United States received no benefit. Payments under a grant agreement shall be made to the official or depository authorized by law to receive public funds and designated by the sponsor.

SEC. 22. STATE AGENCIES.

(a) **AUTHORIZATION TO MAKE GRANTS.**—In accordance with such terms and conditions as he may prescribe, the Secretary may make grants to agencies designated by the States for the purpose of assisting those agencies in carrying out the functions contained in subsection (b) of this section and in paying necessary administrative expenses incidental thereto.

(b) **FUNCTIONS OF AGENCIES.**—A State agency shall not be eligible to receive a grant under subsection (a) of this section unless it is empowered to—

(1) act as the agent of sponsors located in the State;

(2) accept in behalf of the sponsors and disburse to them all payments made pursuant to agreements under section 19 of this part;

(3) acquire by purchase, gift, devise, lease, condemnation, or otherwise, any property, real or personal, or any interest therein, including easements, necessary to establish or develop airports;

(4) engage in airport systems planning on a statewide basis; and

(5) undertake airport development, or provide financial assistance to public agencies within the State for carrying it out.

(c) **AMOUNT OF GRANTS.**—The total funds obligated for grants under this section may not exceed \$25,000,000, and the amount obligated in any one fiscal year may not exceed \$5,000,000.

(d) **APPORTIONMENT OF FUNDS.**—The funds made available each fiscal year for the purposes of making grants under this section shall be apportioned among the States, one-half in the proportion which the population of each State bears to the total population of all the States, and one-half in the proportion which the area of each State bears to the total area of all the States. No more than \$80,000 of the funds made available to any one State in any fiscal year may be used for administrative expenses. Any amount apportioned to a State which is not obligated by grant agreement at the expiration of the fiscal year for which it was so apportioned shall be added to the discretionary fund established by subsection (b) of section 15 of this part, and be available for use for the purposes stated in paragraph (1) of section 14 of this part.

(e) **DEFINITION OF TERMS.**—As used in this section, "State" means a State of the United States, the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, or Guam. For the purposes of this section, the terms "population" and "area" shall have the definitions given to such terms by section 15 of this part.

SEC. 23. PERFORMANCE OF CONSTRUCTION WORK.

(a) **REGULATIONS.**—The construction work on any project for airport development approved by the Secretary pursuant to section 16 of this part shall be subject to inspection and approval by the Secretary and in accordance with regulations prescribed by him. Such regulations shall require such cost and progress reporting by the sponsor or sponsors of such project as the Secretary shall deem necessary. No such regulation shall have the effect of altering any contract in connection with any project entered into without actual notice of the regulation.

(b) **MINIMUM RATES OF WAGES.**—All contracts in excess of \$2,000 for work on projects for airport development approved under this part which involve labor shall contain provisions establishing minimum rates

of wages, to be predetermined by the Secretary of Labor, in accordance with the Davis-Bacon Act, as amended (40 U.S.C. 276a—276a-5), which contractors shall pay to skilled and unskilled labor, and such minimum rates shall be stated in the invitation for bids and shall be included in proposals or bids for the work.

(c) **OTHER PROVISIONS AS TO LABOR.**—All contracts for work on projects for airport development approved under this part which involve labor shall contain such provisions as are necessary to insure (1) that no convict labor shall be employed; and (2) that, in the employment of labor (except in executive, administrative, and supervisory positions), preference shall be given, where they are qualified to individuals who have served as persons in the military service of the United States, as defined in section 101(1) of the Soldiers' and Sailors' Civil Relief Act of 1940, as amended (50 U.S.C. App. 511(1)), and who have been honorably discharged from such service. However, this preference shall apply only where the individuals are available and qualified to perform the work to which the employment relates.

SEC. 24. USE OF GOVERNMENT-OWNED LANDS.

(a) **REQUESTS FOR USE.**—Subject to the provisions of subsection (c) of this section, whenever the Secretary determines that use of any lands owned or controlled by the United States is reasonably necessary for carrying out a project for airport development under this part, or for the operation of any public airport, including lands reasonably necessary to meet future development of an airport in accordance with the national airport system plan, he shall file with the head of the department or agency having control of the lands a request that the necessary property interests therein be conveyed to the public agency sponsoring the project in question or owning or controlling the airport. The property interest may consist of the title to, or any other interest in, land or any easement through or other interest in airspace.

(b) **MAKING OF CONVEYANCES.**—Upon receipt of a request from the Secretary under this section, the head of the department or agency having control of the lands in question shall determine whether the requested conveyance is inconsistent with the needs of the department or agency, and shall notify the Secretary of his determination within a period of four months after receipt of the Secretary's request. If the department or agency head determines that the requested conveyance is not inconsistent with the needs of that department or agency, the department or agency head is hereby authorized and directed, with the approval of the President and the Attorney General of the United States, and without any expense to the United States, to perform any acts and to execute any instruments necessary to make the conveyance requested. A conveyance may be made only on the condition that, at the option of the Secretary, the property interest conveyed shall revert to the United States in the event that the lands in question are not developed for airport purposes or used in a manner consistent with the terms of the conveyance. If only a part of the property interest conveyed is not developed for airport purposes, or used in a manner consistent with the terms of the conveyance, only that particular part shall, at the option of the Secretary, revert to the United States.

(c) **EXEMPTION OF CERTAIN LANDS.**—Unless otherwise specifically provided by law, the provisions of subsections (a) and (b) of this section shall not apply with respect to lands owned or controlled by the United States within any national park, national monument, national recreation area, or similar area under the administration of the National Park Service; within any unit of the National Wildlife Refuge System or similar area under the jurisdiction of the Bureau of

Sport Fisheries and Wildlife; or within any national forest or Indian reservation.

SEC. 25. REPORTS TO CONGRESS.

On or before the third day of January of each year the Secretary shall make a report to the Congress describing his operations under this part during the preceding fiscal year. The report shall include a detailed statement of the airport development accomplished, the status of each project undertaken, the allocation of appropriations, and an itemized statement of expenditures and receipts.

SEC. 26. FALSE STATEMENTS.

Any officer, agent, or employee of the United States or any officer, agent, or employee of any public agency, or any person, association, firm, or corporation who, with intent to defraud the United States—

(1) knowingly makes any false statement, false representation, or false report as to the character, quality, quantity, or cost of the material used or to be used, or the quantity or quality of the work performed or to be performed, or the costs thereof, in connection with the submission of plans, maps, specifications, contracts, or estimates of project costs for any project submitted to the Secretary for approval under this part;

(2) knowingly makes any false statement, false representation, or false report or claim for work or materials for any project approved by the Secretary under this part; or

(3) knowingly makes any false statement or false representation in any report required to be made under this part;

shall, upon conviction thereof, be punished by imprisonment for not to exceed five years or by a fine of not to exceed \$10,000, or by both.

SEC. 27. ACCESS TO RECORDS.

(a) **RECORDKEEPING REQUIREMENTS.**—Each recipient of a grant under this part shall keep records as the Secretary may prescribe, including records which fully disclose the amount and the disposition by the recipient of the proceeds of the grant, the total cost of the plan or program in connection with which the grant is given or used, and the amount and nature of that portion of the cost of the plan or program supplied by other sources, and such other records as will facilitate an effective audit.

(b) **AUDIT AND EXAMINATION.**—The Secretary and the Comptroller General of the United States, or any of their duly authorized representatives, shall have access for the purpose of audit and examination to any books, documents, papers and records of the recipient that are pertinent to grants received under this part.

(c) **AUDIT REPORTS.**—In any case in which an independent audit is made of the accounts of a recipient of a grant under this Act relating to the disposition of the proceeds of such grant or relating to the plan or program in connection with which the grant was given or used, the recipient shall file a certified copy of such audit with the Comptroller General of the United States not later than six months following the close of the fiscal year for which the audit was made. On or before January 3 of each year the Comptroller General shall make a report to the Congress describing the results of each audit conducted or reviewed by him under this section during the preceding fiscal year. The Comptroller General shall prescribe such regulations as he may deem necessary to carry out the provisions of this subsection.

(d) **WITHHOLDING INFORMATION.**—Nothing in this section shall authorize the withholding of information by the Secretary or the Comptroller General of the United States, or any officer or employee under the control of either of them, from the duly authorized committees of the Congress.

SEC. 28. GENERAL POWERS.

The Secretary is empowered to perform such acts, to conduct such investigations and

public hearings, to issue and amend such orders, and to make and amend such regulations and procedures, pursuant to and consistent with the provisions of this part, as he considers necessary to carry out the provisions of, and to exercise and perform his powers and duties under, this part.

PART III—MISCELLANEOUS

SEC. 51. AMENDMENTS TO FEDERAL AVIATION ACT OF 1958.

(a) (1) **PROCUREMENT PROCEDURES.**—Section 303 of the Federal Aviation Act of 1958 (49 U.S.C. 1344) is amended by adding at the end thereof the following new subsection:

“NEGOTIATION OF PURCHASES AND CONTRACTS

“(e) The Secretary of Transportation may negotiate without advertising purchases of and contracts for technical or special property related to, or in support of, air navigation that he determines to require a substantial initial investment or an extended period of preparation for manufacture, and for which he determines that formal advertising would be likely to result in additional cost to the Government by reason of duplication of investment or would result in duplication of necessary preparation which would unduly delay the procurement of the property. The Secretary shall, at the beginning of each fiscal year, report to the Committee on Interstate and Foreign Commerce of the House of Representatives and the Committee on Commerce of the Senate all transactions negotiated under this subsection during the preceding fiscal year.”

(2) **TABLE OF CONTENTS.**—That portion of the table of contents contained in the first section of the Federal Aviation Act of 1958 which appears under the heading “SEC. 303. ADMINISTRATION OF THE AGENCY.” is amended by adding at the end thereof “(e) Negotiation of purchases and contracts.”

(b) (1) **AIRPORT CERTIFICATION.**—Title VI of the Federal Aviation Act of 1958 (49 U.S.C. 1421-1431), relating to safety regulation of civil aeronautics, is amended by adding at the end thereof the following new section:

“AIRPORT OPERATING CERTIFICATES

“POWER TO ISSUE

“SEC. 612. (a) The Administrator is empowered to issue airport operating certificates to airports, serving air carriers and to establish minimum safety standards for the operation of such airports.

“ISSUANCE

“(b) Any person desiring to operate an airport serving air carriers may file with the Administrator an application for an airport operating certificate. If the Administrator finds, after investigation, that such person is properly and adequately equipped and able to conduct a safe operation in accordance with the requirements of this Act and the rules, regulations, and standards prescribed thereunder, he shall issue an airport operating certificate to such person. Each airport operating certificate shall prescribe such terms, conditions, and limitations as are reasonably necessary to assure safety in air transportation, including but not limited to, terms, conditions, and limitations relating to—

“(1) the installation, operation, and maintenance of adequate air navigation facilities; and

“(2) the operation and maintenance of adequate safety equipment, including fire-fighting and rescue equipment capable of rapid access to any portion of the airport used for the landing, takeoff, or surface maneuvering of aircraft.”

(2) **TABLE OF CONTENTS.**—That portion of the table of contents contained in the first section of the Federal Aviation Act of 1958 which appears under the heading “Title VI—Safety Regulation of Civil Aeronautics” is amended by adding at the end thereof the following:

“Sec. 612. Airport operating certificates.

“(a) Power to issue.

“(b) Issuance.”

(3) **PROHIBITIONS.**—Section 610(a) of such Act (49 U.S.C. 1430(a)), relating to prohibitions, is amended—

(A) by striking out “and” at the end of paragraph (6);

(B) by striking out the period at the end of paragraph (7) and inserting in lieu thereof “; and”; and

(C) by adding at the end thereof the following new paragraph:

“(8) For any person to operate an airport serving air carriers without an airport operating certificate, or in violation of the terms of any such certificate.”

(4) **EFFECTIVE DATE.**—The amendments made by paragraph (3) of this subsection shall take effect upon the expiration of the two-year period beginning on the date of their enactment.

SEC. 52. REPEAL; SAVING PROVISIONS; AND SEPARABILITY.

(a) **REPEAL.**—The Federal Airport Act (49 U.S.C. 1101 et seq.) is repealed as of the close of June 30, 1970.

(b) **SAVING PROVISIONS.**—All orders, determinations, rules, regulations, permits, contracts, certificates, licenses, grants, rights, and privileges which have been issued, made, granted, or allowed to become effective by the President, the Secretary of Transportation, or any court of competent jurisdiction under any provision of the Federal Airport Act, as amended, which are in effect at the time this section takes effect, are continued in effect according to their terms until modified, terminated, superseded, set aside, or repealed by the Secretary of Transportation or by any court of competent jurisdiction, or by operation of law.

(c) **SEPARABILITY.**—If any provision of this Act or the application thereof to any person or circumstances is held invalid, the remainder of the Act and the application of the provision to other persons or circumstances is not affected thereby.

Mr. STAGGERS (during the reading). Mr. Chairman, I ask unanimous consent that title I 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 West Virginia?

There was no objection.

AMENDMENT OFFERED BY MR. ROSENTHAL

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

The Clerk read as follows:

Amendment offered by Mr. ROSENTHAL: On page 26, line 10, insert the new subsection (f) after subsection (e) (“AIRPORT SITE SELECTION”), as follows:

“(f) (1) **FOURTH NEW YORK JETPORT.**—The Secretary is hereby authorized and directed to construct, protect, operate, improve and maintain within or in the vicinity of New York City, a public airport (including all buildings and other structures necessary or desirable therefor).

“(2) For the purpose of carrying out this subsection, the Secretary is authorized to acquire by purchase, lease, condemnation or otherwise (including transfer with or without compensation from federal agencies, or any state or political subdivision thereof,) such lands and interest in lands and appurtenances thereto, including navigation easements or airspace rights, as may be necessary or desirable for the construction, maintenance, improvement, operation and protection of the airport.

“(3) The choice of site by the Secretary under this subsection shall be made only after consultation with the governing body in the county in which the airport is to be

located, with respect to the suitability of the site to be selected, and its possible impact on the vicinity.”

Mr. ROSENTHAL. Mr. Chairman, the aviation problems at New York are not New York's alone. They are national problems, both in their immediate effects on delays in other areas and in their imminent parallels at airports serving all of America's large cities.

The crisis in New York was both inherently predictable and actually forecast by legions of aviation experts for the past 10 years. One of the essential solutions to this crisis—the development of a fourth jetport—has been known to everyone concerned with metropolitan area problems. Yet, because there is no single governmental agency or official endowed with the effective power to select a site for this fourth jetport, we are no closer to it today than we were 10 years ago. This discouraging history of our intergovernmental relations is characterized not only by structural deficiencies but by public officials who react to problems only under pressure—and even at that stage are incapable of devising imaginative solutions.

The failure of our Government to maintain safe and efficient airways can be described by a few basic facts:

First. Agencies—at the Federal, regional, State, and local levels—with intersecting areas of responsibility for the operation of an airways system are reluctant to assume authority for shared tasks.

Second. The governmental agencies nominally charged with the responsibility of insuring air safety and a well-regulated flow of air traffic have been too concerned with insuring the growth of aviation.

Third. Everyone agrees that massive sums of money must be spent on developing new air traffic control systems and constructing and improving airports, but no group is willing to provide the funds.

Fourth. The specific interests that oppose jetports in particular areas are always more powerful than the general interests that think delays and inconvenience are a bad thing.

Fifth. A crisis situation is too often the only impetus for Government action. It has taken a series of midair collisions—with the threat of many more—and annoying, disruptive, and ultimately hazardous traffic delays to show us the seriousness of the situation which now makes immediate action imperative.

The inert and divisive structure of government must be replaced by a vigorous reorganization plan to reduce New York's air traffic to a manageable volume. Increases in that volume should be limited by strict controls until more sophisticated air traffic control equipment is developed and additional airports are constructed.

In the critical area of air safety, the principle of shared responsibility among government units has not worked. We have hidden the problem by needlessly dividing responsibility for its solution. Intersecting responsibilities in planning and financing have bred slack rather than initiative and foresight at all government levels.

Since no one unit of government has sole responsibility for maintaining the operational capacity of the airways; no unit has been willing to commit itself to costly programs that embroil it in bitter controversies with the airlines, general aviation, and other governmental agencies. Instead, each agency has been confident that other agencies charged with similar tasks were taking the necessary measures to keep pace with increasing air traffic. For example, the Federal Government is responsible for maintaining a safe and efficient air navigation system, but local government is authorized to build and operate airports. Yet obviously the two tasks are inextricably involved in the air congestion problem.

Although a czarlike "super" Federal agency could not possibly handle all of the problems posed by air traffic growth at specific airports, a new governmental approach is necessary to replace the present outmoded formula for allocating authority among Government agencies which are expected to but cannot direct their common efforts toward a smoothly functioning airways system.

A "no man's land" in governmental authority exists between these specific responsibilities—it is this no man's land that has allowed both a stalemate in the construction of a fourth jetport in the New York City area, and the continued uncontrolled growth of air traffic to and over the metropolitan area.

My amendment fills this gap in governmental authority. It authorizes the Federal Government to select a site, build and operate a fourth jetport in the New York area. The operation of two Federal airports in the capital area shows that under extraordinary circumstances, the Federal Government can and should operate a national airport.

The fourth New York jetport will be that kind of national airport. The international air transportation center that has developed in New York is a national, and not a State or regional, asset. Its future development—which is severely threatened today by the impasse on a fourth jetport site—is a national problem.

Ten years ago it was agreed that New York needed a fourth jetport. The Port of New York Authority, charged by bi-State compact with site selection, cannot do this job. For since site selection requires approval of both New York and New Jersey, each State has a veto over the site selection.

Four years ago the Governor of New Jersey, which contains several possible sites for the fourth jetport, made a campaign pledge that a jetport would not be built in northern New Jersey as long as he was Governor. He was reelected in that campaign.

Just this week, his successor was elected. Governor-elect CAHILL made a similar pledge in his campaign. Shall the question of the fourth New York jetport await the election of two Governors who can agree on a site? Surely this situation represents a breakdown in governmental operations which Congress cannot ignore.

My amendment will break that dead-

lock by requiring the Federal Government to select a site and build and operate the fourth New York jetport. It will ease the life of the two Governors and provide for the orderly growth and development of the country's major national and international transportation center.

The Governor elect of New Jersey is in the same political situation as his predecessor was. In his campaign he is opposed to building a fourth jet airport and, of course, it cannot be built.

My friend the gentleman from New Jersey (Mr. FRELINGHUYSEN) said it should not be in his district—but in south New Jersey or somewhere else. I have no special feeling as to where it should be built, I do know that the aviation authorities have built a circle around New York City and they have found the only place they can build an airport, consistent with the existing traffic pattern, is in the northern quadrant of the circle, which would be in the north central portion of New Jersey.

While the people residing in that area might find the new facility objectionable nevertheless it must be built. If we do not proceed at once there will be a serious interference with air commerce in the New York-New Jersey area. Additionally, the airport neighbors near LaGuardia and Kennedy Airports will have to suffer more than their fair share of inconvenience from noise and pollution.

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

Mr. ROSENTHAL. I yield to the gentleman.

Mr. ADDABBO. Mr. Chairman, I commend my colleague on introducing this amendment and I associate myself with him.

Every survey and every report shows that there is a serious crisis throughout the country right now about the need for additional airports and especially in New York. Every survey shows that once a site is selected, it would take at least 5 years to develop that airport. We have waited too long in New York, and with the new report showing the innumerable number of near collisions, we must get a site selected and I think this is the only way we can do it.

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

Mr. ROSENTHAL. Considering what transpired earlier, I am tempted to say "no," but nevertheless I say "yes"—I yield to the gentleman.

Mr. FRELINGHUYSEN. I thank the gentleman for yielding.

I want to correct the gentleman's statement when he said that I had said an airport should not be in my district but somewhere else in the State. I made no such statement. I said that it could not be in a wilderness area in my district because this bill protects the wilderness. Nor did I pass any judgment as to where it should be.

My question is: Does the gentleman think there is any place in the State of New York where a location might be found? And if that is the case, why has New York been stalling for 10 years?

I think the answer is obvious—that there is no easy place for the location of

a fourth airport. But if New Yorkers feel that it is essential, why do not they find one in their own State?

Mr. STAGGERS. Mr. Chairman, I should like to see if we can agree on a time limitation. I would like to ask the author of the amendment if 10 minutes would be sufficient time to debate the amendment which he has offered.

Mr. Chairman, I ask unanimous consent that debate on the amendment be limited to 10 minutes.

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

Mr. FRELINGHUYSEN. I object, I think in view of the number of Members standing, 10 minutes is too short a time.

Mr. STAGGERS. May I suggest a limitation of 20 minutes?

Mr. SPRINGER. I think the last 5 minutes should be reserved to the chairman.

Mr. STAGGERS. I would not insist on that at all. I can say what I have to say in whatever time other Members have.

Mr. Chairman, I ask unanimous consent that all debate on the amendment and all amendments thereto close in 20 minutes.

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

There was no objection.

(By unanimous consent Mr. HUNT and Mr. THOMPSON of Georgia yielded their time to Mr. SPRINGER.)

Mr. SPRINGER. Mr. Chairman, let me explain what this amendment does. I would not want to call this a Christmas tree, but I would say it is the closest thing to a Christmas tree that I know of. The amendment would order the Department of Transportation to construct an airport up in the New York area someplace and pay for it 100 percent. All in the world a community can get under this bill, the maximum anyone can get, is 50 percent. The proposal would violate all the principles that we have laid down in this bill that the Federal Government provides 50 percent, and the local community raises 50 percent, whatever their share is, which in this case would not be possible.

In this case the New York Port Authority, which has jurisdiction in the New York-New Jersey area under their compact, would be able to get an airport built for them 100 percent and, under the language as I read the amendment, it would order the Department of Transportation to do this and pay for it 100 percent.

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

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

Mr. ADDABBO. Is it not a fact that the Government built the Dulles International Airport, which is costing the taxpayers money, and we have proved that an airport in New York makes money, so the Government would not be losing anything by constructing the airport?

Mr. SPRINGER. There is no similarity between the Dulles Airport with the construction of an airport for another

community. Dulles Airport was constructed for the National Government in Washington; National Airport is in the same category. But we ought not to construct an airport in a community and pay for it 100 percent.

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

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

Mr. ROSENTHAL. This airport would be a bonanza for the Federal Government because the other two airports in our area, LaGuardia and Kennedy Airports, make a great deal of money. So if the Government invests its money and gets a substantial return on it, I think that the proposal provides a satisfactory solution to a very difficult problem.

Mr. SPRINGER. Certainly under the terms of this bill I would not support anything which would give any community more than 50 percent. We have to treat all communities the same under this bill. There are other airports in the country that make money too, but none of them are coming in and asking for 100 percent support for the airport.

Mr. ROSENTHAL. But the gentleman knows quite well many airports have not had this problem with the local authorities and their inability to fix a site. The gentleman knows about the problems involving the choice of an airport between Fort Worth and Dallas.

Mr. SPRINGER. That is not the point. This directs them to build an airport and fund it 100 percent, which is certainly treating the New York area more favorably than the rest of the country, which can get only 50 percent. So regardless of the merits or demerits of the remainder of the amendment, certainly I oppose any proposal which gives any community, 100 percent on payment for its airport.

Mr. ROSENTHAL. But the crisis we face in New York does not exist anywhere else.

Mr. SPRINGER. I can name a half dozen places where the crisis exists and we can argue whether one is worse than another. Certainly we have a crisis in Los Angeles, and certainly we have another crisis in the area of Chicago, at O'Hare, which is the biggest airport in the world. That is two. Certainly we have a crisis in Miami, Fla. at the present time, where they have been unable to get a second airport, and that has been going on for a year now. That is three I can name.

Mr. ROSENTHAL. This problem has been going on for 10 years. The gentleman is in agreement a fourth jet airport is necessary in the New York area?

Mr. SPRINGER. That probably is true. It is my understanding that not even New Jersey is finding fault with that. It is my understanding that both candidates for Governor of New Jersey thought there should be a fourth jet airport, but they were not sure where it ought to be located. This is my understanding of what they were talking about there, but as far as I know, everybody, generally speaking, believes there is need for another jet airport in the New York area. I would agree with the gentleman to that extent.

Mr. ROSENTHAL. But there is no way

to pick a site other than for the Federal Government to use its powers of eminent domain.

Mr. SPRINGER. But the gentleman has the first part of his amendment in his bill under the Murphy amendment. The gentleman is adding 100-percent payment on top of that, and I do not believe we can support it.

Mr. ROSENTHAL. But the gentleman from New York (Mr. MURPHY) does not meet this problem in his amendment.

Mr. SPRINGER. I believe the gentleman from New York (Mr. MURPHY) when he went about it got about the best amendment he could in the committee. In his amendment he did the best he could under the circumstances for the people he was representing.

The CHAIRMAN. The Chair recognizes the gentleman from Texas (Mr. PICKLE).

Mr. PICKLE. Mr. Chairman, I want to ask the author of the amendment if he will be willing to accept an amendment to include, in addition to New York City, the Dallas-Fort Worth area, and Nacogdoches, Waxahachie, and Dime Box, Tex.?

Mr. ROSENTHAL. Certainly, I would. I know the problems they have had in picking a site between Dallas and Fort Worth and the problems with Love Field there, and its inadequacy. The point I was trying to make is that nowhere in the country is the problem as acute as it is in the New York area.

Mr. PICKLE. I understand what the gentleman is trying to achieve. The city of Atlanta, Ga., is trying to get a new site in Atlanta. Would the gentleman accept an amendment for Atlanta?

Mr. ROSENTHAL. I would. Wherever the local authorities cannot resolve the difficulty, and it reaches the proportions it has in New York, then the matter warrants national intervention.

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

Mr. PICKLE. I yield to the gentleman from Louisiana (Mr. WAGGONNER).

Mr. WAGGONNER. I did not know the people in New York were having so much trouble getting along. Perhaps this is the answer to their Tuesday election, when they elected the mayor up there.

Mr. PICKLE. Would the gentleman accept an amendment, say, for New Orleans, La.?

Mr. ROSENTHAL. In any community where they cannot resolve a problem which has national implications I believe it would fit with this amendment. We do not have to specifically say so.

Mr. PICKLE. Mr. Chairman, how much time do I have left? I cannot yield to the gentleman from Illinois (Mr. YATES) because normally, he would take longer than any time I have remaining.

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

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

Mr. FRELINGHUYSEN. Mr. Chairman, I hope the absurdity of this amendment has already become apparent. This proposal would put the Federal Government into the airport business with a vengeance.

I would suggest that we should certainly oppose this amendment if we have reservations, and many of us have strong reservations, about the desirability of the Federal Government participating in the selection of a site 3 years from now if a decision cannot be reached by the governing authorities. This proposal would simply bypass any responsibility by any local government agency and hand over to Washington a decision that should be made within the New Jersey-New York area.

The fact that we have taken 10 years and have not reached a decision is no reason to abdicate our responsibility. If I were to point a finger I would point a finger at the Port of New York Authority. They are the entity which operates successful airports in the area. If they had their wits about them they would be able to come up with a reasonable recommendation. We certainly should not dump such far-reaching responsibility on the Federal Government.

There is so much in this proposal that would be undesirable. There would be no role for any community, no matter how big, and there would be no role for the State except that they would be consulted by the Secretary. What kind of abdication of responsibility would this represent? And what kind of financial burden would this mean to be transferred to the Federal Government?

I hope we can dispose of this amendment promptly and get down to more serious business.

The CHAIRMAN. The Chair recognizes the gentleman from Florida (Mr. ROGERS).

Mr. ROGERS of Florida. Mr. Chairman, I rise in opposition to this amendment. I believe it would be a great error for the Committee to adopt this amendment.

The Interstate and Foreign Commerce Committee has gone over this situation. We would not want the Federal Government coming in to select a site and to build at a cost of 100 percent to the Federal Government. This would completely destroy the whole program we have been trying to develop over the years. It is a complete antithesis to the intent of the legislation.

I hope the amendment will be overwhelmingly rejected.

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

Mr. SANDMAN. Mr. Chairman, I object to this amendment for many reasons.

The basic reason is it does what everybody says we do not want to do; it invades home rule, takes it away from the municipality and then the State, and brings it down here to let a bunch of people downtown handle a situation which ought to be handled back home. This in essence makes the whole idea wrong.

I want to tell my friend from New York that this does not do what he wants it to. I direct his attention to that enabling act which created the Port of New York Authority. There is not a blessed thing the Port of New York Authority can do unless the governors of

both States want them to do it. It is that simple.

The Governor-elect of New Jersey is committed to veto the minutes of the New York Port Authority if it endeavors to locate a jetport anywhere in the State of New Jersey.

This being the case, what earthly good can this amendment mean to the State of New York? It cannot happen. It would have no legal effect whatever. The compact is the governing authority.

No act of this Congress can change the original agreement between the two States. It stands as it was originally intended, and it cannot be violated.

The basic thing that is wrong with this whole idea is this: If we are going to decide where we are going to put a jetport, that can best be done by the people who live in that particular area.

Of course we have had a great deal of difficulty establishing a location. New York has had the same difficulty. This is not just a problem for New Jersey. New York is many times the size of New Jersey. If we have to have one, why do they not put it in the State of New York? They have not been able to agree themselves.

Second, I happen to be one of those people who feel there is something that can be done. We can live without a jetport in that area. Why can we not reroute some of these planes to Philadelphia? Philadelphia is only 15 percent of capacity. Why not fill up the other 85 percent at Philadelphia National? That is something we should be working on.

Mr. Chairman, I urge defeat of the amendment.

The CHAIRMAN. The Chair recognizes the gentleman from West Virginia (Mr. STAGGERS) to close debate.

Mr. STAGGERS. Mr. Chairman, I rise in opposition to the amendment, because we have had no hearings at all on this proposition and it would be very unfair to have such a major addition to the bill at this time.

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

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

Mr. WILLIAMS. Mr. Chairman, on page 26, line 4, it states:

In the case of a proposed new airport serving any area, which does not include a metropolitan area, the Secretary shall not approve any airport development project with respect to any proposed airport site not approved by the community.

You know, the Bureau of the Budget established SMSA, which stands for standard metropolitan statistical area, for every metropolitan area in this country. If any county is a part of an SMSA, would it be considered a part of a metropolitan area?

Mr. STAGGERS. It would have to be. Yes. And the intent of this bill is that this would not apply to this situation.

Mr. WILLIAMS. I thank the gentleman.

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

Mr. STAGGERS. I am glad to yield to the gentleman.

Mr. CABELL. I wish to thank the gentleman for yielding to me.

I rise to clarify the situation that was mentioned concerning Fort Worth and Dallas. It so happens that during my term as mayor of Dallas an agreement was reached on forming a bicity metropolitan airport authority. The authority has been formed. They have purchased a total of 18,000 acres to date, and all we are waiting on now is for the repeal of the tax-free rate on municipal bonds to be vacated so that we can sell our \$350 million of bonds and go to work.

Mr. STAGGERS. Mr. Chairman, in conclusion, on this amendment I recognize the intent of the gentleman from New York, of course, to supply an airport there and his zealotness in trying to achieve his goal. As chairman of the committee, I have to oppose the amendment, because, as I said before, we have had no hearings on a proposition such as this and it is a major diversion from what is in the bill.

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

Mr. THOMPSON of New Jersey. Mr. Chairman, I am sure that my friends from New York are very kind. They are all heart. They want this. I want to see it financed the way they suggest, but I would like to see it confined exclusively to New York, because we do not want it in New Jersey and particularly not Solberg, where it would end up in Hunterdon County in my district. If it were a possibility of getting it somewhere in south Jersey, in the pinelands or at the McGuire Air Force Base, which is using only 40 percent of its capacity, that is fine. I am reluctant to object to my good, kind-hearted friends only on the ground that they are not going to get this airport if this amendment is adopted. We are going to get it, and we are unanimous in our determination that we do not want it. We thank you, however, for your kindness and solicitude and wish you luck. You can have the airport at any time for New York. This amendment should be defeated.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York (Mr. ROSENTHAL).

The amendment was rejected.

AMENDMENT OFFERED BY MR. FRELINGHUYSEN

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

The Clerk read as follows:

Amendment offered by Mr. FRELINGHUYSEN: Page 25, beginning in line 10, strike out "If, within three years" and all that follows down through the period in line 22 and insert in lieu thereof the following: "In order to facilitate the selection of a site for an additional airport under the preceding sentence, the Secretary shall exercise such of his authority under this part as he may deem appropriate to carry out the provisions of this paragraph."

Mr. HUNT. Mr. Chairman, I make the point of order that a quorum is not present.

The CHAIRMAN. The Chair will count. Eighty-three Members are present, not a quorum. The Clerk will call the roll.

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

Anderson, Tenn.	Derwinski	Meeds
Baring	Diggs	Monagan
Bell, Calif.	Erlenborn	Morton
Berry	Fascell	Mosher
Betts	Flynt	Passman
Blanton	Ford,	Patman
Boggs	William D.	Philbin
Boland	Foreman	Pirnie
Bolling	Fulton, Tenn.	Powell
Bray	Gettys	Pucinski
Brock	Gialmo	Rallsback
Brotzman	Goldwater	Reid, N.Y.
Brown, Calif.	Hagan	Relfel
Brown, Ohio	Hall	Rhodes
Byrne, Pa.	Hansen, Idaho	Schneebell
Cahill	Hawkins	Steiger, Ariz.
Camp	Hébert	Steiger, Wis.
Celler	Horton	Symington
Chisholm	Jarman	Teague, Calif.
Clark	Jones, Tenn.	Teague, Tex.
Clay	Kirwan	Tunney
Colmer	Landrum	Ullman
Cramer	Lloyd	Utt
Culver	Long, La.	Waldie
Daddario	Lukens	Whalley
Dawson	McClory	Wiggins
de la Garza	McCloskey	Wilson, Bob
Denney	McMillan	Wyatt
	Mahon	Young

[Roll No. 263]

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. BURLESON of Texas, 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. 14465, and finding itself without a quorum, he had directed the roll to be called, when 346 Members responded to their names, a quorum, and he submitted herewith the names of the absentees to be spread upon the Journal.

The Committee resumed its sitting.

The CHAIRMAN. The Chair recognizes the gentleman from New Jersey (Mr. FRELINGHUYSEN) in support of his amendment.

Mr. FRELINGHUYSEN. Mr. Chairman, immediately prior to the quorum call I offered an amendment which would strike the language on page 25, beginning in line 10 and running through the period on line 22, from the bill. I also propose to substitute very simple language for the language deleted. Let me read the language which I propose as a substitute for the language in the bill.

In order to facilitate the selection of a site for an additional airport under the preceding sentence, the Secretary shall exercise such of his authority under this part as he may deem appropriate to carry out the provisions of this paragraph.

During general debate, Mr. Chairman, I pointed out that the entire delegation from the State of New Jersey has extreme reservations about the language in the bill which transfers the basic responsibility for the selection of a site from those who should have that responsibility to the Secretary of Transportation. The language reads that if there is a deadlock for a 3-year period, the Secretary shall, after notice and opportunity for a hearing, select an airport site.

It is our feeling that this is unrealistic, impractical, and most unwise. I might say that I am joined in that conviction by the next Governor of the State of New Jersey, our colleague, Mr. CAHILL. He is on his way down here. He has been delayed in Trenton because he has been conferring with our outgoing Governor.

He hopes to participate in the discussion of this provision, and will urge that the language in the bill be stricken.

Mr. Chairman, we recognize the advisability of a decision as to whether or not another airport in the New Jersey-New York metropolitan area should be constructed, and we realize also that the decision should be made with reasonable promptness. However, if there should be delay, the responsibility should not be given to a single individual here in Washington who could then proceed to reach a decision that might be in direct opposition to the views both of the Governor, the legislature, and the communities affected.

The importance of getting some degree of understanding and support from those affected is recognized in the bill itself. I refer to the language on page 26, beginning on line 4, which says in effect that any new airport in a nonmetropolitan area cannot be approved—cannot be approved—by the Secretary unless there is approval by the communities to be affected. This is a good idea. But we also say that in a metropolitan area with hundreds of thousands of people affected, you should not—and could not as a practical matter—get the Federal Government to impose a decision upon a State that does not want it.

So, Mr. Chairman, we may go along with the idea that there should be a reasonably prompt decision and recognize the reason for some needling of those for failure to come to a reasonably prompt decision. However, it would be futile to have this kind of language incorporated. It automatically, I assume, would be a dead letter.

But, Mr. Chairman, there is a role that the Secretary of the Department of Transportation could play and one I hope he will play from the very outset. That is, he could use persuasion and his influence to expedite a decision.

Very simply, the proposal that I am offering in this amendment, which I repeat, receives the support of the entire New Jersey delegation, would provide that the Secretary should facilitate the selection of the site. He should do whatever he can but not interfere with the basic responsibility or transfer basic responsibility away from the governing authorities which have that responsibility.

So, Mr. Chairman, I do not think we need to belabor the point. I would like to have seen agreement on the part of the committee or the committee members as a whole on this point.

Mr. Chairman, whatever the merits of a fourth jet airport in the New Jersey-New York area, or in other parts of the country, it is no solution to say it will no longer be a responsibility of the locality where the airport is to be located, but that it is the responsibility, after a 3-year period, of the Federal Government alone. There is no way by which you could reach a satisfactory conclusion if you should pursue that route.

It is for that reason that I urge support of this language.

Mr. CAHILL. Mr. Chairman, I wish to express my very strong opposition to the so-called Murphy amendment and to state at this time my support for the Fre-

linghuysen substitute amendment. I believe it is a serious error for this legislative body to consider an amendment which would attempt to impose a new global jetport upon the State of New Jersey—a jetport which the State does not need, and which its citizens certainly do not want.

I have already reviewed many times before in the House the factors which, in my judgment, dictate the need for New Jersey and other States to restructure their transportation priorities in favor of mass transportation and toward a solution of the many inefficiencies which plague our national air transportation system. I have in the past pointed out that the aircraft load factor or percentage of effective use of air carriers projected for 1969 is 50 percent. This means that, on average, all U.S. domestic flights in 1969 involve half empty planes.

I have pointed out that under present inadequate flight scheduling processes, over two-thirds of all U.S.-flag carrier transatlantic schedules originate, terminate, and operate via New York despite the fact that an overwhelming percentage of this traffic originates west of the Empire State Building. Thus, of the 1,063 flights a week to Europe, there are 664 departures from New York, while only 59 originate or call at Boston and 31 at Philadelphia. I have called for greater emphasis and use of the STOL—short for take off and landing aircraft. I have called for construction and expansion of small airports assisted by Federal and State grants in aid.

The extent to which some of the problems I have discussed, including load factors and inadequate scheduling, contribute to regional air congestion, becomes even more evident when it is recalled that 60 percent of international passengers are from other areas of the country and therefore must take connecting flights to the New York-New Jersey staging area.

These are some of the problems which in conjunction with my emphasis on mass transportation must be tackled by New Jersey and other States similarly situated before undertaking the commitment for the construction of new global jetports.

I introduced legislation last spring directed at the solution of some of these problems. My plan and proposals for new transportation priorities have been supported in two recent major studies: First, 15-month study by the Rand Corp. for the Port of New York Authority and, second, a recently completed study by the New Jersey Regional Planning Association.

Mr. Chairman, as the new chief executive of the State of New Jersey I call upon all Members of the Congress, and in particular, upon my New Jersey colleagues, to unite behind the Frelinghuysen substitute amendment and to defeat the Murphy amendment.

Mr. STAGGERS. Mr. Chairman, I rise to see if we can obtain some indication as to a time limitation on this amendment. I say this since the gentleman from New Jersey just now said that there is no need to belabor the issue.

Therefore, Mr. Chairman, I ask unanimous consent that all debate on this

amendment and all amendments thereto conclude in 20 minutes.

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

There was no objection.

The CHAIRMAN. The Chair recognizes the gentleman from New York (Mr. OTTINGER).

SUBSTITUTE AMENDMENT OFFERED BY MR. OTTINGER FOR THE AMENDMENT OFFERED BY MR. FRELINGHUYSEN

Mr. OTTINGER. Mr. Chairman, I offer a substitute amendment for the Frelinghuysen amendment.

The Clerk read as follows:

Amendment offered by Mr. OTTINGER as a substitute for the amendment offered by Mr. FRELINGHUYSEN: Page 24, line 25, strike the word, "a";

Page 25, line 1, strike the word, "metropolitan," and insert the word, "an";

Page 25, line 22, strike out, starting with the word, "For", through line 9, page 26.

Mr. OTTINGER. Mr. Chairman, I support the concept that is put forward in the committee bill inserted by my able colleague, Mr. MURPHY, for resolving jurisdictional disputes with respect to siting of airports, giving local communities 3 years to come up with a solution, and if they cannot, giving the Secretary the power after hearings to make a final decision.

I oppose the amendment offered by the gentleman from New Jersey (Mr. FRELINGHUYSEN), because I believe that the authorities in areas like New York will never agree voluntarily to a side without the prospect of eventual compulsion.

I not only agree with this concept for metropolitan areas, but I believe this concept should be extended to all jurisdictional disputes over airport siting. There are a great many cases in which there are jurisdictional disputes outside metropolitan areas where a State authority, for instance, will try to force an airport down the throat of a local community that does not want it, and this causes great problems. For instance, we have this kind of a situation in an area outside of New York City in the town of Somers, N.Y., where a State authority attempted to force an airport down the throat of a small residential community. In these situations, the local community should have some recourse.

There is a provision in the bill that was inserted by Mr. WATKINS starting on page 26, line 4, which gives rural communities the absolute veto over proposed airports. I believe this is too drastic. Few rural communities are ever going to want an airport. I believe the concept inserted by the gentleman from New York (Mr. MURPHY) for metropolitan areas is the correct one to apply to all communities. It gives those communities 3 years to resolve the problem, and if they fail the Federal Government would be empowered to act as the eventual arbitrator.

I believe this is the best solution not only for metropolitan areas but for the kind of problem Mr. WATKINS has in his own district, and that I have in my area. I know the same kind of problem is repeated throughout the country in many similar situations.

I want to make it clear that I do support the language in the bill as far as it

goes, and I oppose the amendment offered by the gentleman from New Jersey (Mr. FRELINGHUYSEN).

The CHAIRMAN. The Chair recognizes the gentleman from New York (Mr. MURPHY).

Mr. MURPHY of New York. Mr. Chairman, very simply, under attack in this bill, is language that merely does the following:

First of all, it does not say that any airport has to be placed in the State of New Jersey. This language is national in scope, and it is designed properly to resolve airport problems that are developing around the airports of this country.

Basically it says this: it says that when the Secretary of Transportation determines that an area is in vital need of airport facilities he will notify the jurisdictions involved that they should select a site to relieve that airport congestion problem. If after 3 years they have not exercised their responsibility to choose a site, he then convenes a conference with those jurisdictions and in that conference determines where the site will be.

This language is precisely the language that this House adopted by roll-call vote of 362 to 0 on amending the Clean Air Act. What it does—it brings the States together with the Federal Government to resolve the interstate problem.

I say that New Jersey does not have to feel in jeopardy. At the present time the FAA has just completed a detailed study of locating airports as offshore airports. I have recommended that the fourth airport problem of the New York-New Jersey area be placed in the lower reaches of New York Bay where it does not cause the problems of noise and congestion that have my colleagues from New Jersey so very upset.

The Port of New York Authority that has the responsibility to select airports to meet the need of the problem in this area would just about take any location at this stage. The Governor of New York has rejected all locations, the Governor-elect of New Jersey and the present Governor of New Jersey for the past 8 years have campaigned against airport locations. How do we resolve needed public works unless some mechanism is created to resolve these differences. I oppose the amendment and recommend the committee reject it.

The CHAIRMAN. The gentleman from New Jersey (Mr. SANDMAN) is recognized.

Mr. SANDMAN. Mr. Chairman, I am in favor of the Frelinghuysen amendment and I am in favor of this bill.

As I pointed out in my earlier remarks, the greatest difficulty I have in living with this kind of bill is that it does everything I have heard every person who campaigns for anything in the past say he does not want to do, and this allows it to happen.

We have heard Members on both sides of the aisle say that we have taken too much authority away from the municipalities and that we have invaded home rule too much and concentrated too much power in Washington and we should not do that. I think every Member of this House has said that.

But this provision does precisely what

you say you do not want to do. Let me illustrate to you in very simple language what this did one other time in my State—this kind of language. We passed a real good bill one time called green acres. We were going to make New Jersey green. We had the same provision in that particular bill. The commissioner of conservation would be allowed to take land and he would be able to decide where parks are going to be.

In one case a State commissioner who came from a big city in the north, and knowing very little about the economics of the county I live in, decided to take 54 acres of the finest beach in Ocean City, N.J., and make a park out of it.

Now this sounds very nice to people I suppose. But Ocean City, N.J., up to that time had already spent \$1½ million making their sewer plant larger and making its water plant larger so that this would be the choice part of the whole State. This kind of language allowed that State agency to take land from a municipality that should never have been taken.

It is the kind of language that is in this bill that would allow the very same thing to happen on a national basis. This, I think, is wrong and violates home rule and should be defeated.

Mr. Chairman, the amendment should pass.

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

Mr. THOMPSON of New Jersey. Mr. Chairman, I hope the substitute amendment offered by my friend, the gentleman from New York (Mr. OTTINGER) is defeated. Then I hope the members of the Committee will vote for the Frelinghuysen amendment.

As we see it, the inevitable immediate impact of this would affect New Jersey, but it would affect at some other time any other airport area in the United States. The effect of it is to give the Secretary of Transportation the power to locate an airport where he wants without regard to how the people feel about it.

In my district in New Jersey there is an area called Solberg, which the Port of New York Authority wants to extend its tentacles to. I am absolutely opposed to an airport at Solberg, as are the people I represent.

I do not take the position that New Jersey should not perhaps eventually be the site of a major airport. I do not go that far. But I certainly am against the Hunterdon County site.

Incidentally, Solberg would be the only airport in the world with 360° runways. The overflights would affect the whole surrounding area as would the takeoffs and landings. It would destroy our water resources potential there between the great Round Valley and the Tocks Island project.

So I ask you to join those of us who do not want to give this unlimited authority to the Secretary of Transportation. We think it is bad legislation and we think this is a very bad way to do it.

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

Mr. HUNT. Mr. Chairman, I rise in opposition to the Ottinger amendment and in favor of the Frelinghuysen amendment. Much has been said here in the past hour or so. Not too many moments ago I heard someone say at this very rostrum that what we needed was more vital Federal compulsions. I think we have had Federal compulsion up to our ears. That is exactly what is wrong with this country.

We have bureaucrats and bureaucrats and bureaucrats, and this portion of the bill, to which I am unalterably opposed, does not simply say to the Secretary that you may extend this vital Federal compulsion; this bill says you must project your vital Federal compulsion. In other words, it is a battering ram. It leaves no leeway for people who live in an area, who live in a county, who live in a State, who have objections to this airport to have their voice heard. They are simply trying to ram through something that never had a hearing before the committee. This was not discussed in the hearings, as near as I can find out. It was brought in by an agency who wanted it put in, and we know why they wanted it put in.

I am not objecting to an airport, a jetport in a respectable or a reasonable place, provided the people there are in accord with it. But I am certainly in accord with my colleague from New Jersey (Mr. THOMPSON) when he says, in all sincerity, to you today, "My people do not want it."

Now, is this to be a case of where adjoining States that have more Members to vote today are seeking to impose their will upon a smaller State, or is it something that you gentlemen want to perpetuate when you start talking about vital Federal compulsion?

The CHAIRMAN. The Chair recognizes the gentleman from West Virginia (Mr. HECHLER).

Mr. HECHLER of West Virginia. Mr. Chairman, this is obviously a little fight between New York and New Jersey. I was born and brought up in New York and I lived for several years in New Jersey, while teaching at Princeton University, in the district of the gentleman from New Jersey (Mr. THOMPSON). I now live in West Virginia. So perhaps I could try to be a little objective in this argument.

Mr. Chairman, we are one Nation. The people who use the airways come from each of the 50 States of the Union, and they have their rights, too. I think this provision as written into the bill is one of the best and most reasonable provisions in the entire bill. It allows consultation with the local authorities but still provides that final action cannot be blocked. We should not allow the kind of deadlock, inaction, and interminable argument that has caused an airport crisis in many areas of our Nation. Let us remember that we, the people of the United States, are attempting to form a more perfect Union.

I certainly hope that this provision of the bill will be retained as it is, that the Frelinghuysen amendment will be defeated, and that the committee bill will be supported.

The CHAIRMAN. The Chair recog-

nizes the gentleman from New York (Mr. FARBSTEIN).

Mr. FARBSTEIN. Mr. Chairman, I yield to the gentleman from New York (Mr. MURPHY).

Mr. MURPHY of New York. I thank my colleague from New York.

Mr. Chairman, the entire thrust of the bill before us today revolves around the question, "Who pays for the airports in this country?" And it is going to be the users under this bill who will pay for the airport and airways development of the United States. The greatest hub airport area in the United States is in New York-New Jersey region, the New York metropolitan area—La Guardia, Kennedy, and Newark Airports are presently serving that area. I think if this amendment is adopted, we will go back to the situation that has existed for the last 10 years, and once this legislation takes effect, we will have the users in the New York-New Jersey area paying for the airport and airways development in the other 48 States and not in their own States, where the most critical need exists today, and where it will exist in the other 24 hub airport regions in the future.

Therefore, it would be incumbent upon the gentlemen from New Jersey as well as the gentleman from New York and every Member in this Chamber to support the language of the committee bill and to reject the Frelinghuysen amendment.

I would like to quote from the newly appointed Chairman of the Civil Aeronautics Board, Mr. Secor Browne, who commented on this section of the bill just last week. He has hailed the section "as a useful stimulus for these people to reach an agreement." Mr. Chairman, "these people" means the Governors involved. Further, Mr. Secor Browne observed that New York has long since reached the point of no return in its needs for more facilities to relieve Kennedy, LaGuardia, and Newark Airports, which the CAB only last month described as critically saturated by air traffic.

Mr. Chairman, I have traveled with the gentleman from New Jersey many times through those airports. He knows as well as I do the critical situation in that area. Therefore, I urge this amendment be rejected.

Airport planners are facing a jetage air travel explosion which threatens to make most metropolitan airports in the United States obsolete almost overnight. The reason, quite simply, is that air transportation must now be considered as a mass-transit system in every respect.

Sometime in the mid-1970's—when a supersonic generation of commercial aircraft will be in use—air travelers will cross the United States faster than the sun, leaving New York at 8 a.m. and arriving in Los Angeles at 7 a.m. by the clock.

Unfortunately, the explosive growth of both airline and general aviation is outstripping the capacities of the Nation's airports and portions of its air traffic control system. The Nation, the States, the local communities and, above all, the air traveler, will suffer unless a determined effort is made to improve airways and airport capacity and safety.

Air access is the key to a community's economy and, therefore, airport location, efficiency and access must now be considered as one of the most important metropolitan and regional planning factors.

We have reached that time when it is no exaggeration to say that cities will thrive or decay on the basis of the facilities they provide for the movement of people and goods by air.

That is why we must end the near-sighted cycle of politically buckpassing that has stymied airport growth, particularly in the larger metropolitan areas like New York. I need not point out that the 10-year-old fight over where to locate a vitally needed fourth jetport for New York City was a dominant issue in the recently concluded gubernatorial campaign in New Jersey.

This section of the important Airport and Airways Modernization Act seems to have provoked a political furor when the real issue is future progress.

Simply stated, this section calls for the Transportation Secretary first to get all interested parties together in an effort to come to an agreement on a site for badly needed airports. If no progress is made after 3 years and further hearings do not then result in agreement, the Secretary can select the site himself.

The newly confirmed Chairman of the Civil Aeronautics Board, Sector D. Browne, has hailed the section "as a useful stimulus for these people to reach an agreement." He observed that New York has long since reached the point of no return in its needs for more facilities to relieve Kennedy, La Guardia and Newark airports, which the CAB only last month described as critically saturated by air traffic.

Concern over the metropolitan area's failure to nail down a fourth jetport site has spread to a number of editorials hailing my proposal. Most aviation officials have voiced support as have State and local leaders across the country who face similar time-consuming haggles. The New York situation is not unique. A number of cities are facing this same problem and more will join the list in the next decade.

This resolution will put an end to the political buckpassing that has stymied development of a fourth jetport in New York metropolitan area and caused a nightmarish bottleneck for air travel to the city.

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

Mr. HOWARD. Mr. Chairman, I urge defeat of the Ottinger substitute amendment and support for the Frelinghuysen amendment.

Mr. Chairman, the Port Authority of New York has been the one who has been holding back progress in the area of having a new jetport in the metropolitan area of New York. The port authority had narrowly decided some specific area as the only area in which they want to place it, and they would not consider other alternatives in either New York or New Jersey until just recently, when they began to look to other areas. This has caused the deadlock.

We have heard the statement that all

the people in the country use the airports. They are the ones who pay for them. I do not think that necessarily means they can buy them anywhere they want, whether the people want to sell or not.

What it boils down to is not whether or not there will be an airport in New Jersey rather than New York, as the gentlemen from New York would probably want it. What this boils down to is States' rights.

Are we to believe that once again the large Federal Government can point its finger at New Jersey and say: "This is good for you and this is where it is going to be whether you like it or not."

Mr. Chairman, as a consistent supporter of States' rights in New Jersey as well as throughout the country, I oppose the determination by one man in the Federal Government to tell all the people, including the legislature and Governor of the State of New Jersey, what New Jersey must have and where New Jersey must have it. I do not think one man should have that right.

Some people in New Jersey say there shall not be and never will be a jetport in the State of New Jersey. I disagree with that, but I think New Jersey ought to have some say in this matter, with the Port Authority of New York, and with the Department of Transportation, so I urge defeat of the Ottinger amendment and urge acceptance of the Frelinghuysen amendment.

The CHAIRMAN. The Chair recognizes the gentleman from West Virginia (Mr. STAGGERS).

Mr. STAGGERS. Mr. Chairman, in closing the debate, I certainly hesitate to rise and say anything one way or another except that I want to maintain the bill as it is. I would say I would have to be against the Ottinger amendment for the same reason, and also against the amendment offered by the gentleman from New Jersey.

In the discussion in the committee, this problem was brought up as to other areas, and the ranking minority Member on the committee, the gentleman from Illinois (Mr. SPRINGER), mentioned the same situation could apply in his area to some extent. Of course, New York, New Jersey, and other areas were mentioned. We did take some time in discussing the amendment itself. In fact, we laid it over for one day to try to resolve some differences.

This is not a broad mandate for the Secretary. It says, to start with, that after 3 years of failure to resolve the problem there will still be notice and opportunity for hearings, that the Secretary shall then make a selection, and after that, even, they do not have to accept it. It just says they will not get Federal money if they do not accept it. They do not have to accept it. I believe if we look at the language practically, it means they would not get an airport, that is all, if they are determined they do not want it.

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

Mr. STAGGERS. In my minute I yield briefly.

Mr. GROSS. What does the word "shall" mean? Is it not a mandate?

Mr. STAGGERS. It would have to be read in context with all other parts of this, I will say that to my friend, the gentleman from Iowa (Mr. GROSS).

Mr. GROSS. If this is not a mandate to the Secretary, I never want to see a mandate.

Mr. STAGGERS. Just a minute. It says, "he shall, after notice and opportunity for a hearing."

Mr. GROSS. Surely, but then he absolutely is mandated.

Mr. STAGGERS. It does that.

I would say this: under this section no other site shall be approved. If they do not accept it, no other site will be eligible for Federal funds.

In fairness I must be against both amendments. I hope both amendments will be voted down.

The CHAIRMAN. The question is on the substitute amendment offered by the gentleman from New York (Mr. ORTINGER) for the amendment offered by the gentleman from New Jersey (Mr. FRELINGHUYSEN).

The substitute amendment was rejected.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New Jersey (Mr. FRELINGHUYSEN).

The question was taken; and on a division (demanded by Mr. MURPHY of New York) there were—ayes 59, noes 49.

Mr. MURPHY of New York. Mr. Chairman, I demand tellers.

Tellers were ordered, and the chairman appointed as tellers Mr. FRELINGHUYSEN and Mr. MURPHY of New York.

The Committee again divided, and the tellers reported that there were—ayes 90, noes 54.

So the amendment was agreed to.

AMENDMENT OFFERED BY MR. ASPINALL

Mr. ASPINALL. Mr. Chairman, I have several amendments pertaining to the same thing at the desk. I ask unanimous consent that they be considered en bloc.

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

Mr. MATSUNAGA. Mr. Chairman, I object.

The CHAIRMAN. The Clerk will report the first amendment offered by the gentleman from Colorado.

The Clerk read as follows:

Amendment offered by Mr. ASPINALL: On page 16, line 6, after "Puerto Rico" insert "Guam."

Mr. ASPINALL. Mr. Chairman and members of the committee, the amendments which I asked to be considered en bloc and which would have been open, of course, to amendment at any point if it had not been for the objection, have to do with the same thing and that is the welfare of our bastion of the Pacific, the territory of Guam. My presentation at this time will go to all of the amendments.

Mr. Chairman, the amendments to H.R. 14465 which I have just offered propose merely to include the territory of Guam in this Federal program, on equal status with the territory of the Virgin Islands, which is included in this legislation.

Because of the rapid expansion of air transportation in the Pacific, Guam has

become a major hub of air traffic in this area. The expansion and growth of civilian air transportation on Guam since 1947 has been remarkable. Following World War II, Guam had no civilian air facilities. Through informal agreement and a facilities license, the government of Guam began using the Naval Air Station of Agana, Guam, as its civilian air facility. Some years ago, the government of Guam was able to obtain from the Department of the Navy some 27 acres of land which now comprise the civilian air facilities on Guam.

The territory of Guam has embarked upon a major endeavor to improve its economic development and tourist industry. In 1967, a new civilian airport terminal capable of handling the expanding Pacific air traffic was opened. This same new civilian air terminal was subjected to a volume of air traffic in 1968 of 92,250 passengers, 4,978,000 cargo pounds, and 6,175,000 pounds of mail. The projected figures of air traffic for 1974 are 332,000 passengers, 17,285,000 pounds of cargo, and 13,170,000 pounds of mail.

Following the opening of this new civilian terminal facility in 1967, twice weekly direct flights to Tokyo were inaugurated. Today, five weekly westbound flights from Honolulu arrive in Guam, with two continuing to Manila and three to Southeast Asia. Also, five weekly eastbound flights reverse this pattern. In 1968, the Guam-Tokyo flights were increased to a thrice weekly service.

As we all know, several major airlines have sought Pacific air routes with stopovers in Guam. At least two foreign air carriers have expressed interest in serving Guam. Also under consideration by the major airlines, both domestic and foreign, is a weekly flight to Sydney, Australia, linking Tokyo, Guam, and the Australian industrial center. Guam has thus become the focal point in Pacific air travel between Honolulu and the west coast, Tokyo, Manila, Southeast Asia, and Sydney, Australia.

As recent as the early part of this year, the Federal Aviation Administration has approved a master plan of proposed capital improvement projects for the Guam International Air Terminal Complex proposing an expenditure of \$17,859,000. But, the territory of Guam is faced with a serious problem in financing its civilian air terminal and ground facilities because the \$17,859,700 capital improvement requirement far exceeds possible funding by the territorial Government of Guam.

Heretofore, Federal aid to Guam for expansion of its civilian air terminal and ground facilities have been limited by legislation to general discretionary distribution. The Federal Airport Act, Public Law 79-377, as amended, provides preferential treatment for Hawaii, Puerto Rico, and the Virgin Islands, while Guam is eligible for only \$29,000 as a carryover from the 1968 allotment under the discretionary funding features of such legislation.

Mr. Chairman and members of the committee, I know of no reason why the territory of Guam should not be permitted to share in the Federal aid provided by H.R. 14465 on some basis.

Mr. Chairman, I know of no objection to what is proposed here except from the State of Hawaii. The State of Hawaii contends that they should have for their own territory 40 percent of these funds, even though they are considered as a State along with the other States.

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

(By unanimous consent, Mr. ASPINALL was allowed to proceed for 1 additional minute.)

Mr. ASPINALL. Guam is a territory of these United States, and occupies a most strategic position in our Pacific posture. In fact, it is our western bastion, and it became a territory of the United States before the Virgin Islands in the Caribbean. Its growth and expansion since World War II have been remarkable. Its importance in the future cannot be ignored.

If one of the purposes of H.R. 14465 is, as stated in the committee report, to provide for the expansion and improvement of the Nation's airport and airway system, then the territory of Guam should also share in the Federal aid provided by this legislation.

Mr. Chairman and members of the committee, I urge the adoption of all the amendments, and I am glad to yield to my colleague from Pennsylvania.

Mr. SAYLOR. Mr. Chairman, and members of the committee, I congratulate the gentleman from Colorado for having offered this amendment and those that will follow. I believe they are very worthwhile. I sincerely hope that the great territory of Guam will be given its rightful share of these moneys. We do not by this amendment try to take anything away from Hawaii; they share with the other States, but it is our responsibility as Congressmen to look after the territories, and these are good amendments and should be adopted.

Mr. ASPINALL. Mr. Chairman, the only thing it reduces is 5 percent for Hawaii and 5 percent for Puerto Rico under my amendment.

Mr. MATSUNAGA. Mr. Chairman, I rise in support of the amendment offered by the gentleman from Colorado (Mr. ASPINALL). I have no objection to this first amendment. I raised an objection earlier to the consideration of all four amendments being considered en bloc because I am opposed to certain amendments the gentleman proposes to offer later.

Again I say I have no objection to the first amendment, and I ask for the support of this amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Colorado (Mr. ASPINALL).

The amendment was agreed to.

AMENDMENT OFFERED BY MR. ASPINALL

Mr. ASPINALL. Mr. Chairman, I offer a second amendment.

The Clerk read as follows:

Amendment offered by Mr. ASPINALL: Page 16, line 14, after "Puerto Rico" insert "Guam".

Mr. ASPINALL. Mr. Chairman, I made the argument for all these amendments when I made my original presentation. I rest on that.

Mr. MATSUNAGA. Mr. Chairman, I rise in support of the amendment offered by the gentleman from Colorado and I urge a favorable vote.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Colorado (Mr. ASPINALL).

The amendment was agreed to.

AMENDMENT OFFERED BY MR. ASPINALL

Mr. ASPINALL. Mr. Chairman, I offer a third amendment.

The Clerk read as follows:

Amendment offered by Mr. ASPINALL: Page 17, line 11, after "Rico," insert "Guam".

Mr. ASPINALL. Mr. Chairman, I made the presentation for an equitable treatment. The only reason there should be, or there is, any objection to this amendment is that in order to equalize these four areas it takes 5 percent away from the State of Hawaii, as a territory operation, and it takes 5 percent away from Puerto Rico as a territory, and it takes 5 percent away from the Virgin Islands and sets up the equity situation whereby the territory of Guam will be entitled to a like amount as the Virgin Islands—15 percent.

Mr. MATSUNAGA. Mr. Chairman, I rise in opposition to the amendment offered by the gentleman from Colorado for the reason we have had no hearings on this matter in committee.

Hawaii, the Commonwealth of Puerto Rico and the Virgin Islands have been considered under this provision of the act ever since the act was enacted. To take away 5 percent from the State of Hawaii, 5 percent from the Commonwealth of Puerto Rico, and 5 percent from the Virgin Islands, without giving the State of Hawaii and the territories any chance to object, I think is unfair. At least they should be given a chance to be heard why they should not be reduced. Besides, Mr. Chairman, Guam shares in funds to be distributed at the discretion of the Secretary under subsection (D) on page 17; Hawaii, Puerto Rico and the Virgin Islands do not.

The amount here involved is so small that the shares of Hawaii, Puerto Rico and the Virgin Islands should not in any way be diminished. It is only \$1,500,000 for the first year, \$1,800,000 for the second year and \$2,400,000 for the third year; whereas, the discretionary funds amount to \$50,000,000—not \$1.5 million—but \$50,000,000 for the first year, for the second year \$60,000,000, and for the third year \$80,000,000.

Guam's just share will be provided by this discretionary fund. I am not against Guam. In fact, I consider myself a representative of Guam in many respects. Members will recall that time and time again I have risen on the floor of the House to offer an amendment for Guam to be included in benefits-providing legislation. I am for Guam, but I am also for Hawaii. I think Puerto Rico and the Virgin Islands also deserve fair treatment. We have had no hearings on this matter to allow representatives of Hawaii, Puerto Rico, or the Virgin Islands to present their views. They should at least be heard before their shares provided in this act are reduced.

For this reason alone if not for any other I ask the defeat of this amendment.

Mrs. MINK. Mr. Chairman, will the gentleman yield?

Mr. MATSUNAGA. I yield to my colleague, the gentlewoman from Hawaii.

Mrs. MINK. Mr. Chairman, I would like to join my colleague, the gentleman from Hawaii, in opposing this amendment which will take funds away from Hawaii, the Commonwealth of Puerto Rico, and the Virgin Islands.

I am advised by counsel that this paragraph (d) has been in existence since statehood for Hawaii as an equalizing formula.

Since Hawaii became a State 10 years ago, the formula for distribution of Federal aid funds for airports has been based upon land area. When Hawaii became a State it was subject to losing a considerable sum of money under this program. In order to make up for the tiny size of the new State of Hawaii, and recognizing our dependence upon airport facilities as an island State, the committee in their wisdom set aside a separate amount of money and continued this distribution formula of 40 percent each for Hawaii and Puerto Rico, and 20 percent to the Virgin Islands.

Mr. Chairman, I am a strong supporter of the development of Guam and all of the Pacific territories. But I do feel the committee should have been given an opportunity to add funds to paragraph (b) and, were that the case, and additional funds allotted, the percentage distribution could be rearranged to allow for Guam's inclusion, and I am sure Hawaii then would interpose no objection to any such changes made in committee so long as there was no loss of money to the three present participants.

Mr. Chairman, I am compelled to rise in opposition to the amendment and beg the support of this Chamber to consider the rather embarrassing predicament in which Congressmen from Hawaii are placed with the unexpected presentation of this amendment which takes away much-needed funds from us, and urge that the amendment be voted down.

Mr. THOMPSON of Georgia. Mr. Chairman, I move to strike out the last word and rise in support of the amendment.

Mr. Chairman, when this question came up in the committee, it was pointed out, of course, that Hawaii was sharing as were the other States, in the funds. I raised the question as to why Hawaii would be the only State to share twice from two separate portions of this bill. Really I was never given a satisfactory answer. Apparently, it went back to the point that Hawaii was at one time a territory as are Puerto Rico and the Virgin Islands, being left in here, of course, for some apportionment, and they will still share as any other State in the funds.

Bear in mind the apportionment that Hawaii will receive as a State is based not only on land area, but it is based one-third on land area and population as a factor, one-third on enplanements, the passenger traffic, and then one-third

is discretionary. So they are certainly treated equally with all the other States. In fact, they receive an additional sum under this particular section, and I support the amendment.

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

Mr. THOMPSON of Georgia. I yield to the gentleman from Colorado.

Mr. ASPINALL. Is it not true that this subject was considered in the deliberations of the committee?

Mr. THOMPSON of Georgia. The gentleman is correct. I raised the question.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Colorado.

The amendment was agreed to.

AMENDMENT OFFERED BY MR. ASPINALL

Mr. ASPINALL. Mr. Chairman, I offer a fourth amendment.

The Clerk read as follows:

Amendment offered by Mr. ASPINALL: Page 17, after line 11, strike out lines 12 and 13 and insert: "of 35 per centum, 35 per centum, 15 per centum, and 15 per centum, respectively."

The CHAIRMAN. The gentleman from Colorado is recognized.

Mr. ASPINALL. Mr. Chairman, I have already made my presentation on this subject. The same argument applies that I made on the last amendment.

Mr. MATSUNAGA. Mr. Chairman, I rise in opposition to the amendment offered by the gentleman from Colorado. I rise in all fairness to ask Members to consider the proposed amendment in a serious vein, not merely as something which should be voted upon immediately so that we can go home or catch a plane. The amendment before us is asking that Hawaii give up 5 percent of what it has been getting ever since the act came into being, and that Puerto Rico, which has no voting Representative, give up 5 percent, and that the Virgin Islands give up 5 percent, without any representation on the floor; and without, again, I repeat, adequate hearings as to the proper division of the funds appropriated under this section of the act.

I ask my colleagues in all fairness to vote down this amendment until such time as the proper committee has had an opportunity to consider what is a fair distribution, if Guam is to be included. I ask that you join me in opposing the amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Colorado (Mr. ASPINALL).

The amendment was agreed to.

AMENDMENT OFFERED BY MR. ASPINALL

Mr. ASPINALL. Mr. Chairman, I offer a fifth amendment.

The Clerk read as follows:

Amendment offered by Mr. ASPINALL: Page 18, line 12, after "Puerto Rico" insert "Guam."

The CHAIRMAN. The gentleman from Colorado is recognized.

Mr. ASPINALL. Mr. Chairman, I have already spoken on that subject. So far as I know, there is no argument against this one.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Colorado (Mr. ASPINALL).

The amendment was agreed to.

AMENDMENT OFFERED BY MR. ASPINALL

Mr. ASPINALL. Mr. Chairman, I offer a sixth and last amendment.

The Clerk read as follows:

Amendment offered by Mr. ASPINALL: Page 18, after line 12, strike out lines 13 and 14 and insert: "in shares of 35 per centum, 35 per centum, 15 per centum, and 15 per centum, respectively."

Mr. ASPINALL. Mr. Chairman, I have already spoken on this amendment and given the arguments on it.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Colorado (Mr. ASPINALL).

The amendment was agreed to.

AMENDMENT OFFERED BY MR. ROGERS OF FLORIDA

Mr. ROGERS of Florida. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. ROGERS of Florida: Page 45, after line 22, insert the following:

"(c) (1) CONTROL OF POLLUTION BY AIRCRAFT.—Title VI of the Federal Aviation Act of 1958 (49 U.S.C. 1421-1431) is amended by adding at the end thereof the following new section:

"CONTROL AND ABATEMENT OF POLLUTION OF AIR BY AIRCRAFT

"Sec. 613. (a) In order to afford present and future relief and protection to the public from unnecessary pollution of the air by aircraft, the Administrator of the Federal Aviation Administration, after consultation with the Secretary of Transportation, shall prescribe and amend standards for the measurement of pollution of the air by aircraft and shall prescribe and amend such rules and regulations as he may find necessary to provide for the control and abatement of pollution of the air by aircraft, including the application of such standards, rules, and regulations in the issuance, amendment, modification, suspension, or revocation of any type certificate, production certificate, or airworthiness certificate authorized by this title.

"(b) In prescribing and amending standards, rules, and regulations under this section, the Administrator shall—

"(1) consider relevant available data relating to pollution of the air by aircraft, including the results of research, development, testing, and evaluation activities conducted pursuant to this Act, the Department of Transportation Act, and the Clean Air Act;

"(2) consult with the Secretary of Health, Education, and Welfare, the National Air Pollution Control Administration, and such other Federal, State, and interstate agencies as he deems appropriate;

"(3) consider whether any proposed standard, rule, or regulation is consistent with the highest degree of safety in air commerce or air transportation in the public interest;

"(4) consider whether any proposed standard, rule, or regulation is economically reasonable, technologically practicable, and appropriate for the particular type of aircraft, aircraft engine, appliance, or certificate to which it will apply; and

"(5) consider the extent to which such standard, rule, or regulation will contribute to carrying out the purposes of this section."

"(2) TABLE OF CONTENTS.—That portion of the table of contents contained in the first section of the Federal Aviation Act of 1958 which appears under the center heading 'TITLE VI—SAFETY REGULATIONS OF CIVIL AERONAUTICS' is amended by adding at the end thereof the following:

"Sec. 613. Control and abatement of pollution of air by aircraft."

Mr. ROGERS of Florida (during the reading). Mr. Chairman, I ask unanimous consent that further reading of the amendment be dispensed with and that it be printed in the RECORD.

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

There was no objection.

Mr. ROGERS of Florida. Mr. Chairman, during committee consideration of H.R. 14465, which would provide for the expansion and improvement of the Nation's airport and airway system, an amendment was offered which would direct the Administrator of the Federal Aviation Administration, after consultation with the Secretary of Transportation, the Secretary of Health, Education, and Welfare, the National Air Pollution Control Administration, and appropriate State agencies, to prescribe standards for pollution of the air by aircraft and to prescribe rules and regulations necessary for control of air pollution by aircraft.

The committee, by one vote, failed to adopt the proposed amendment.

I offer this amendment today because I firmly believe we must embark on a meaningful effort to curb the present pollution emanating from aircraft, and to control, and eventually eliminate, future pollution from aircraft that will be developed.

It is argued that aircraft contribute only about 1 percent of all the man-made pollutants placed into the atmosphere. I do not find this particularly comforting, and I believe it is misleading because this is a percentage by weight of all pollutant emissions.

Although jet engines do not produce sulfur compounds which are the principal cause of urban pollution problems, these engines do produce extensive amounts of suspended particulate matter—unburned carbon particles—as well as aerosols—smoke—oxides of nitrogen, and carbon monoxide.

Moreover, the weight of emissions does not indicate the scope of the problem. Particulate emissions from jet aircraft are extremely small particles of carbon, and these very small particles create serious problems, although their weight is not great.

These small particles create much denser smoke plumes than do large particles; visibility is reduced by the very aircraft that depend so heavily upon good terminal visibility.

But, more importantly, these small particles are of such size that they remain airborne for long periods of time and most easily enter the lungs, thereby causing health problems, particularly emphysema, and other respiratory conditions.

These particulate emissions are concentrated primarily in flight paths and small areas of land at or near airports. Under conditions of heavy airport traffic, with exposures to high concentrations of exhaust, contaminants are likely to occur in aircraft loading areas and in the cabins of aircraft lined up awaiting take-off. Particular adverse conditions may

be seen in the health of ground personnel.

The National Air Pollution Control Administration estimates that 78 million pounds of pollutants from planes are dumped into the air over the United States every year.

An estimated 1,200 pounds of pollutants per day are released in Washington, D.C.; in New York City, the quantity is about 4,000 pounds per day; and in Los Angeles, about 3,000 per day.

These are 1968 figures, and it has been estimated that flight operations at airports equipped with control towers will double in 5 years and triple in 10.

I do not believe we can afford to wait any longer to meet this problem. Particularly when there are presently no laws or regulations which compel the aviation industry to move quickly to improve the conditions which exist, to improve turbine engine combustion design and to retrofit new burner designs.

The present state of the art makes it possible to substantially reduce the smoke emission from jet engines and thereby reduce also the particulate matter which is also emitted.

A low-smoke combustor which can be retrofitted to most existing jet engines and which will be standard equipment on all new engines made by one company as of February 1970, has been certified for safety by the Federal Aviation Administration. I urge the FAA to move swiftly, with safety in mind, to bring these new devices into service. We cannot wait 3, 4, or 5 years.

I emphasize the safety factor which must be considered because control of pollution from aircraft engines is inextricably related to the safety performance of these same engines.

It is because of my concern for the safety of air passengers as well as my concern for the quality of the air we breathe, that I am offering this amendment which would create uniform pollution standards throughout the United States by placing the responsibility for establishing standards, rules and regulations within the Federal Aviation Administration.

While some States and communities do experience more problems than others with respect to pollution from aircraft engines, I do not believe that all States and communities possess the necessary knowledge or expertise to assess the safety factors which must be considered when setting smoke density and anti-pollution standards.

Moreover, there is provided in the amendment ample opportunity for appropriate consultation with the States. If a State has designated certain air quality standards, or an air quality region established under the Air Quality Act of 1967 has designated air quality standards, these would be considered by the Administrator in setting the emission standards and considering abatement devices.

This amendment is similar to section 611 of the Federal Aviation Act of 1958, as amended, which provides for the control and abatement of aircraft noise and sonic boom.

That section of the act was adopted last year in the 90th Congress as Public Law 90-411, and the Federal Aviation Administration is presently working on the establishment of standards for measurement of aircraft noise and sonic boom and the appropriate rules and regulations for control of this problem.

One particular difference between the amendment that I am proposing and section 611 is that the language found in section 611(c) is not present in the amendment. This language pertains to the right of the National Transportation Safety Board to amend, modify, or reverse the order of the Administrator if the Board finds that the public interest does not require affirmation of the Administrator's order.

There is, I believe, ample provision for appropriate review of the Administrator's decision by the Board in section 609 of the act which also permits the Board to consider safety and the public interest.

Time is working against us in our efforts to clean up the air. I urge this body to adopt this amendment to bring us another step closer to our goal.

Mr. STAGGERS. Mr. Chairman, I think the issues are determined. I ask unanimous consent that we vote at 6 o'clock on this amendment.

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

There was no objection.

The CHAIRMAN. The Chair recognizes the gentleman from New York (Mr. FARBSTEIN).

Mr. FARBSTEIN. Mr. Chairman, I favor this legislation as much as I favor any legislation, because with the new wave of air pollution, despite the fact that the gentleman from Florida, who proposed this amendment, opposed my amendment to do away with air pollution by banning the use of internal combustion engines in automobiles, that would prevent the pollution, I support the amendment offered by the gentleman from Florida. By the use of internal combustion engines, we pollute the air more than we do by airplanes. Nevertheless, I will go along with the gentleman in the hopes that in the future he will see the light of preventing, in due time, the use of internal combustion engines in automobiles.

Mr. Chairman, I strongly support the amendment offered by the gentleman from Florida (Mr. ROGERS) to H.R. 14465 to empower the Administrator of the Federal Aviation Agency to prescribe standards for pollution of the air by aircraft and to prescribe rules and regulations necessary for control of air pollution by aircraft.

Air transportation has traditionally been considered interstate in nature and, therefore, subject to Federal regulation. Such regulation, however, has been oriented primarily toward the airborne vehicle itself with little regard to its environmental effects.

We must now recognize that this perspective must be broadened. Aircraft are now a part of our daily life, a part of our environment, and as every day passes, aircraft and their effects, both good and bad, grow closer to us.

We must recognize the responsibility to protect all Americans, who might be affected by the effects of the aircraft, whether or not they are actually using the vehicle.

Aircraft engine combustion can be clean. This is a demonstrated fact and not a research promise. Clean burning engines have already been demonstrated and will be available to replace those now in use.

Today, however, we do not see them. We see, instead, airports with jet liners arriving and departing every 2 minutes. At this frequency of operation we see the smoky combustion products of 2 million gallons of fuel ejected on or near these airports every 24 hours.

We also see aroused and angry cities planning their own regulations to solve this problem. Yet, we know that this problem is not for a city to solve—or for a State to solve. This is our problem.

Shall we stand by and watch a tangled morass of local and State regulations come into being? Shall we wait until the suppliers and users of aircraft equipment financially commit themselves to equipment we may later outlaw? We certainly should not.

We must act now. We must not only provide the needed authority to our regulatory agencies. We must also pass on our intent. We must convey to these agencies that we expect them to apply their broadened powers with effectiveness and without delay.

The CHAIRMAN. The Chair recognizes the gentleman from Georgia (Mr. THOMPSON).

Mr. THOMPSON of Georgia. Mr. Chairman, I rise in support of this amendment.

I should like to state also that the gentleman from Ohio (Mr. BROWN) would like to be recorded as being in favor of this amendment. Unfortunately, he had an emergency and had to leave to go back to the State of Ohio.

The amendment was offered in the committee. There was opposition to the amendment because of the feeling that air pollution should be handled under one agency and not a number of agencies. However, with respect to aircraft, I believe it is a different situation. There are technical factors involved. There are safety factors involved.

It is a good amendment and it is a much needed amendment, and I feel it should have the support of the Members of the House.

The CHAIRMAN. For what purpose does the gentleman from New York (Mr. OTTINGER) rise?

Mr. OTTINGER. To take my time, Mr. Chairman.

The CHAIRMAN. The gentleman's name is not on the list.

Mr. OTTINGER. I was standing, Mr. Chairman, at the time the limitation was entered.

I favor the amendment.

The CHAIRMAN. The Chair recognizes the gentleman from California (Mr. ANDERSON).

Mr. ANDERSON of California. Mr. Chairman, I rise in support of Congressman ROGERS' amendment directing the Administrator of the Federal Aviation

Administration to provide certain regulations to control aircraft pollution.

Generally, airplane smoke accounts for 1 percent of all air pollution by weight. In the vicinity of our airports and in the corridors where airplanes take off and land, this percentage is much higher. In Los Angeles, it is reported that almost 1 ton of pollutants per day is dumped from airplanes.

We must take action necessary to eliminate the pollutants from our environment. Industry has developed the technology to prevent air pollution for airplanes. We must take advantage of this technology. The Rogers amendment will place responsibility with a Federal regulatory agency for action. This is a progressive step in eliminating the pollutants in the air.

The CHAIRMAN. The Chair recognizes the gentleman from West Virginia (Mr. STAGGERS) to close debate on the amendment.

Mr. STAGGERS. Mr. Chairman, I reluctantly rise to oppose the amendment. It seems as though everyone else is for it.

Of course I am against air pollution. We discussed this in the committee, and we said that this is a safety bill, not a health bill. Pollution is a health matter.

There is another agency, the Department of Health, Education, and Welfare, which has the Clean Air Act. That will come before our committee again very soon. It will take care of this situation.

The Government and the industry are working on this problem with all the devices they have. They have given a directive to hurry up.

As I say, this is now under the jurisdiction of HEW. That is where it ought to stay. If we pass this amendment then we may have two or three different agencies considering the problem.

For those reasons I do oppose the amendment. I share the concern expressed by those who have spoken for the amendment, but I feel that we should in orderly fashion carry on the laws of the Congress, and we ought to keep health matters in the health field, and safety matters in the safety field, and reject the amendment. We can bring this up when we consider the Clean Air Act and deal with it then.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Florida (Mr. ROGERS).

The question was taken; and on a division (demanded by Mr. ROGERS of Florida) there were—ayes 35, noes 56.

So the amendment was rejected.

The CHAIRMAN. Under the rule, title II shall be considered as having been read for amendment.

Title II is as follows:

TITLE II—AIRPORT AND AIRWAY REVENUE ACT OF 1969

SEC. 201. SHORT TITLE, ETC.

(a) SHORT TITLE.—This title may be cited as the "Airport and Airway Revenue Act of 1969".

(b) AMENDMENT OF 1954 CODE.—Except as otherwise expressly provided, whenever in this title an amendment or repeal is expressed in terms of an amendment to, or repeal of, a section or other provision, the reference shall be considered to be made to a section or other provision of the Internal Revenue Code of 1954.

SEC. 202. TAX ON AVIATION FUEL.

(a) IMPOSITION OF TAX.—Section 4041 (relating to tax on special fuels) is amended by striking out subsections (c), (d), and (e) and inserting after subsection (b) the following new subsections:

"(c) NONCOMMERCIAL AVIATION.—

"(1) IN GENERAL.—There is hereby imposed a tax of 7 cents a gallon upon any liquid (other than any product taxable under section 4081) —

"(A) sold by any person to an owner, lessee, or other operator of an aircraft, for use as a fuel in such aircraft in noncommercial aviation; or

"(B) used by any person as a fuel in an aircraft in noncommercial aviation, unless there was a taxable sale of such liquid under this section.

"(2) GASOLINE.—There is hereby imposed a tax (at the rate specified in paragraph (3)) upon any product taxable under section 4081—

"(A) sold by any person to an owner, lessee, or other operator of an aircraft, for use as a fuel in such aircraft in noncommercial aviation; or

"(B) used by any person as a fuel in an aircraft in noncommercial aviation, unless there was a taxable sale of such product under subparagraph (A).

The tax imposed by this paragraph shall be in addition to any tax imposed under section 4081.

"(3) RATE OF TAX.—The rate of tax imposed by paragraph (2) is as follows:

"3 cents a gallon for the period ending September 30, 1972; and

"5½ cents a gallon for the period after September 30, 1972.

"(4) DEFINITION OF NONCOMMERCIAL AVIATION.—For purposes of this chapter, the term 'noncommercial aviation' means any use of an aircraft, other than use in a business of transporting persons or property for compensation or hire by air. The term also includes any use of an aircraft, in a business described in the preceding sentence, which is properly allocable to any transportation exempt from the taxes imposed by sections 4261 and 4271 by reason of section 4282 or 4283.

"(d) ADDITIONAL TAX.—If a liquid on which tax was imposed on the sale thereof is taxable at a higher rate under subsection (c) (1) of this section on the use thereof, there is hereby imposed a tax equal to the difference between the tax so imposed and the tax payable at such higher rate.

"(e) RATE REDUCTION.—On and after October 1, 1972—

"(1) the taxes imposed by subsections (a) and (b) shall be 1½ cents a gallon, and

"(2) the second and third sentences of subsections (a) and (b) shall not apply.

"(f) EXEMPTION FOR FARM USE.—

"(1) EXEMPTION.—Under regulations prescribed by the Secretary or his delegate, no tax shall be imposed under this section on any liquid sold for use or used on a farm for farming purposes.

"(2) USE ON A FARM FOR FARMING PURPOSES.—For purposes of paragraph (1) of this subsection, use on a farm for farming purposes shall be determined in accordance with paragraphs (1), (2), and (3) of section 6420(c).

"(g) EXEMPTION FOR USE AS SUPPLIES FOR VESSELS.—Under regulations prescribed by the Secretary or his delegate, no tax shall be imposed under this section on any liquid sold for use or used as supplies for vessels or aircraft (within the meaning of section 4221(d) (3)).

"(h) REGISTRATION.—If any liquid is sold by any person for use as a fuel in an aircraft, it shall be presumed for purposes of this section that a tax imposed by this section applies to the sale of such liquid unless the purchaser is registered in such manner (and furnishes such information in respect

of the use of the liquid) as the Secretary or his delegate shall by regulations provide."

(b) CONFORMING AND TECHNICAL AMENDMENTS.—Section 4041(b) (relating to imposition of tax on special motor fuels) is amended—

(1) by striking out "motor vehicle, motorboat, or airplane" each place it appears and inserting in lieu thereof "motor vehicle or motorboat", and

(2) by striking out "for the propulsion of" each place it appears and inserting in lieu thereof "in".

SEC. 203. TAX ON TRANSPORTATION OF PERSONS BY AIR.

(a) 8 PERCENT TAX.—Section 4261 (relating to imposition of tax) is amended by striking out "November 15, 1962" each place it appears and by substituting in lieu thereof "November 15, 1962, and before January 1, 1970, and 8 percent of such amount for transportation which begins on or after January 1, 1970".

(b) \$3 HEAD TAX.—Section 4261 is amended by adding at the end thereof the following new subsection:

"(e) \$3 HEAD TAX.—There is hereby imposed upon any amount paid (whether within or without the United States) for any transportation which begins in the United States after December 31, 1969, of any person by air a tax equal to \$3. This subsection shall not apply to any transportation all of which is taxable under subsection (a) or (b) (determined without regard to sections 4281, 4282, and 4283)."

(c) DEFINITION OF TRANSPORTATION.—Section 4262 (relating to definition of taxable transportation) is amended by adding at the end thereof the following new subsection:

"(d) TRANSPORTATION.—For purposes of this part, the term 'transportation' includes layover or waiting time and movement of the aircraft in deadhead service."

SEC. 204. TAX ON TRANSPORTATION OF PROPERTY BY AIR.

Subchapter C of chapter 33 (relating to transportation by air) is amended by adding at the end thereof the following new part:

"PART II—PROPERTY

"Sec. 4271. Imposition of tax.

"Sec. 4272. Shipment for export.

"Sec. 4271. IMPOSITION OF TAX.

"(a) IN GENERAL.—There is hereby imposed upon the amount paid within or without the United States for the transportation of property by air from one point in the United States to another, a tax equal to 5 percent of the amount so paid for transportation which begins after December 31, 1969. The tax imposed by this subsection shall apply only to amounts paid to a person engaged in the business of transporting property for hire by air.

"(b) TRANSPORTATION OF PROPERTY INTO THE UNITED STATES.—There is hereby imposed upon the amount paid within or without the United States for the transportation of property by air from a point within the United States to a point within the United States, a tax equal to 5 percent of that portion of the amount so paid for transportation (which begins after December 31, 1969) which takes place within the United States. The tax imposed by this subsection shall apply only to amounts paid to a person engaged in the business of transporting property for hire by air.

"(c) TRANSPORTATION.—For purposes of this part, the term 'transportation' includes layover or waiting time and movement of the aircraft in deadhead service.

"(d) BY WHOM PAID.—The taxes imposed by this section shall be paid by the person making the payment subject to the tax. To the extent that the taxes imposed by this section upon any amount paid within the United States are not paid by

the person making the payment subject to such taxes, such taxes shall be paid by the person to whom the property is consigned at its destination within the United States.

"Sec. 4272. SHIPMENT FOR EXPORT.

"Under regulations prescribed by the Secretary or his delegate, no tax shall be imposed under section 4271 upon amounts paid for the transportation of property in the course of exportation (including shipment to a possession of the United States) by continuous movement, and in due course so exported or shipped."

SEC. 205. MISCELLANEOUS AMENDMENTS RELATING TO TAXES ON TRANSPORTATION BY AIR.**(a) Exemptions and Special Rules.—**

(1) Subchapter C of chapter 33 (relating to transportation by air) is amended by adding at the end thereof the following new part:

"PART III—SPECIAL PROVISIONS APPLICABLE TO TAXES ON TRANSPORTATION BY AIR

"Sec. 4281. Certain organizations.

"Sec. 4282. Small aircraft on nonestablished lines.

"Sec. 4283. Transportation by air for other members of affiliated group.

"SEC. 4281. CERTAIN ORGANIZATIONS.

"The taxes imposed by sections 4261 and 4271 shall not apply to amounts paid for transportation or facilities furnished to an international organization (as defined in section 7701(a) (18)) or to any corporation created by act of Congress to act in matters of relief under the treaty of Geneva of August 22, 1864.

"SEC. 4282. SMALL AIRCRAFT ON NONESTABLISHED LINES.

"The taxes imposed by sections 4261 and 4271 shall not apply to transportation by an aircraft having a maximum certificated take-off weight (as defined in section 4492(b) of 6,000 pounds or less, except when such aircraft is operated on an established line.

"SEC. 4283. TRANSPORTATION BY AIR FOR OTHER MEMBERS OF AFFILIATED GROUP.

"(a) GENERAL RULE.—Under regulations prescribed by the Secretary or his delegate, if—

"(1) one member of an affiliated group is the owner or lessee of an aircraft, and

"(2) such aircraft is not available for hire by persons who are not members of such group,

no tax shall be imposed under section 4261 or 4271 upon any payment received by one member of the affiliated group from another member of such group for services furnished to such other member in connection with the use of such aircraft.

"(b) AFFILIATED GROUP.—For purposes of subsection (a), the term 'affiliated group' has the meaning assigned to such term by section 1504(a), except that all corporations shall be treated as includible corporations (without any exclusion under section 1504 (b))."

(2) Section 4292 (relating to State and local governmental exemption) is amended by striking out "or 4261".

(3) Section 4293 (relating to exemption for United States and possessions) is amended by striking out "subchapters B and C" and inserting in lieu thereof "subchapter B".

(4) Section 4294(a) (relating to exemption for nonprofit educational organizations) is amended by striking out "or 4261".

(b) CREDITS AND REFUNDS.—

(1) (A) Section 6421(a) (relating to non-highway use of gasoline) is amended by adding the following sentence at the end thereof: "Except as provided in paragraph (3) of subsection (e) of this section, in the case of gasoline used as a fuel in an aircraft, the Secretary or his delegate shall pay (without interest) to the ultimate purchaser of such

gasoline an amount equal to the amount determined by multiplying the number of gallons of gasoline so used by the rate at which tax was imposed on such gasoline under section 4081."

(B) Section 6421(e) (relating to exempt sales; other payments of refunds available) is amended by adding at the end thereof the following new paragraph:

"(3) GASOLINE USED IN NONCOMMERCIAL AVIATION.—This section shall not apply in respect of gasoline which is used as a fuel in an aircraft in noncommercial aviation (as defined in section 4041(c)(4)):"

(2) Section 6415 (relating to credits or refunds to persons who collected certain taxes) is amended by striking out "section 4251 or 4261" each place it appears and inserting in lieu thereof "section 4251, 4261, or 4271".

(3) Subparagraph (A) of section 6416(a)(2) (relating to exceptions) is amended by striking out "section 4041 (a) (2) or (b) (2) (use of diesel and special motor fuels)" and inserting in lieu thereof "section 4041 (relating to tax on special fuels) on the use of any liquid".

(4) Paragraph (2) of section 6416(b) (relating to special cases in which tax payments considered overpayments) is amended—

(A) by striking out "(or under section 4041 (a) (1) or (b) (1))" and inserting in lieu thereof "(or under section 4041 on the sale of any liquid)";

(B) by amending subparagraph (G) to read as follows:

"(G) In the case of a liquid in respect of which tax was paid under section 4041 on the sale thereof (whether such sale occurred on, before, or after December 31, 1969), if (1) the vendee used such liquid other than for the use for which sold, or resold such liquid, or (ii) such liquid was (within the meaning of paragraphs (1), (2), and (3), of section 6420(c)) used on a farm for farming purposes; except that the amount of any overpayment by reason of this subparagraph shall be reduced by an amount equal to the amount of tax applicable on the use thereof under section 4041 on the date used;"

(C) by striking out subparagraphs (I) and (J); and

(D) by amending subparagraph (M) to read as follows:

"(M) in the case of gasoline, used or sold for use in the production of special fuels referred to in section 4041;"

(c) OTHER TECHNICAL AND CLERICAL AMENDMENTS.—

(1) Section 4263 (relating to exemptions) is hereby repealed.

(2) Section 4264 (relating to special rules) is redesignated as section 4263.

(3) Section 4261(d) is amended by striking out "section 6264" and inserting in lieu thereof "section 4263".

(4) Section 4291 is amended by striking out "section 4264(a) and inserting in lieu thereof "section 4263(a)".

(5) So much of subchapter C of chapter 33 (relating to transportation of persons) as precedes section 4261 is amended to read as follows:

"SUBCHAPTER C—TRANSPORTATION BY AIR
Part I. Persons.

Part II. Property.

Part III. Special provisions relating to taxes on transportation by air.

"PART I—PERSONS

"Sec. 4261. Imposition of tax.

"Sec. 4262. Definition of taxable transportation.

"Sec. 4263. Special rules."

(6) The table of subchapters for chapter 33 is amended by striking out "SUBCHAPTER C. Transportation of Persons by Air." and inserting in lieu thereof "SUBCHAPTER C. TRANSPORTATION BY AIR."

(7) Section 4082(c) (relating to certain uses defined as sales) is amended by striking out "or of special motor fuels referred

to in section 4041(b)" and inserting in lieu thereof "or of special fuels referred to in section 4041".

(8) Section 6420(i)(1) (relating to cross references) is amended—

(A) by striking out "diesel fuel and special motor fuels" and inserting in lieu thereof "special fuels"; and

(B) by striking out "section 4041(d)" and inserting in lieu thereof "section 4041(f)".

(9) Section 6421(j) (relating to cross references) is amended to read as follows:

"(j) CROSS REFERENCES.—

"(1) For rate of tax in case of special fuels used in noncommercial aviation or for non-highways purposes, see section 4041.

"(2) For refund or partial refund of tax in case of special fuels used for certain purposes or resold, see section 6416(b)(2).

"(3) For civil penalty for excessive claims under this section, see section 6675.

"(4) For fraud penalties, etc., see chapter 75 (section 7201 and following, relating to crimes, other offenses, and forfeitures)."

SEC. 206. REGISTRATION TAX.

(a) IMPOSITION OF TAX.—Chapter 36 (relating to certain other excise taxes) is amended by adding at the end thereof the following new subchapter:

"SUBCHAPTER E—TAX ON USE OF CIVIL AIRCRAFT

"Sec. 4491. Imposition of tax.

"Sec. 4492. Definitions.

"Sec. 4493. Cross reference.

"SEC. 4491. IMPOSITION OF TAX.

"(a) IMPOSITION OF TAX.—A tax is hereby imposed on the use of any taxable civil aircraft during any year at the rate of—

"(1) \$25, plus

"(2) 2 cents a pound for each pound of the maximum certificated takeoff weight of the aircraft.

In the case of any turbine engine powered aircraft, the rate under paragraph (2) shall be 3½ cents a pound in lieu of 2 cents.

"(b) BY WHOM PAID.—The tax imposed by this section shall be paid—

"(1) in the case of a taxable civil aircraft described in section 4492(a)(1), by the person in whose name the aircraft is, or is required to be, registered, or

"(2) in the case of a taxable civil aircraft described in section 4492(a)(2), by the United States person by or for whom the aircraft is owned.

"(c) PRORATION OF TAX.—If in any year the first use of the taxable civil aircraft is after the first month in such year, that portion of the tax which is determined under subsection (a)(2) shall be reckoned proportionately from the first day of the month in which such use occurs to and including the last day in such year.

"(d) ONE TAX LIABILITY PER YEAR.—

"(1) IN GENERAL.—To the extent that the tax imposed by this section is paid with respect to any taxable civil aircraft for any year, no further tax shall be imposed by this section for such year with respect to such aircraft.

"(2) CROSS REFERENCE.—

"For privilege of paying tax imposed by this section in installments, see section 6156.

"(e) SPECIAL RULES FOR PERIOD BEGINNING JANUARY 1, 1970, AND ENDING JUNE 30, 1970.—For purposes of this section, in the case of the year ending June 30, 1970—

"(1) there shall not be taken into account any use before January 1, 1970, and

"(2) that portion of the tax which is determined under subsection (a)(1) shall be \$12.50 in lieu of \$25.

"SEC. 4492. DEFINITIONS.

"(a) TAXABLE CIVIL AIRCRAFT.—For purposes of this subchapter, the term 'taxable civil aircraft' means any engine driven aircraft—

"(1) registered, or required to be registered, under section 501(a) of the Federal Aviation Act of 1958 (49 U.S.C., sec. 1401(a)), or

"(2) which is not described in paragraph

(1) but which is owned by or for a United States person.

"(b) WEIGHT.—For purposes of this subchapter, the term 'maximum certificated takeoff weight' means the maximum such weight contained in the type certificate or airworthiness certificate.

"(c) OTHER DEFINITIONS.—For purposes of this subchapter—

"(1) YEAR.—The term 'year' means the one-year period beginning on July 1.

"(2) USE.—The term 'use' means use in the navigable airspace of the United States.

"(3) NAVIGABLE AIRSPACE OF THE UNITED STATES.—The term 'navigable airspace of the United States' has the definition given to such term by section 101(24) of the Federal Aviation Act of 1958 (49 U.S.C., sec. 1301(24)), except that such term does not include the navigable airspace of the Commonwealth of Puerto Rico or of any possession of the United States.

"SEC. 4493. CROSS REFERENCE.

"For penalties and administrative provisions applicable to this subchapter, see subtitle F."

(b) INSTALLMENT PAYMENT OF TAX.—

(1) Section 6156(a) (relating to installment payments of tax on use of highway motor vehicles) is amended by inserting "or 4491" after "4481".

(2) Paragraph (2) of section 6156(e) is amended to read as follows:

"(2) July, August, or September of 1972, in the case of the tax imposed by section 4481."

(c) REFUND FOR CERTAIN FOREIGN AIR COMMERCE.—Subchapter B of chapter 65 (relating to rules of special application) is amended by adding at the end thereof the following new section:

"SEC. 6426. REFUND OF AIRCRAFT USE TAX WHERE PLANE TRANSPORTS FOR HIRE IN FOREIGN AIR COMMERCE.

"(a) GENERAL RULE.—In the case of any aircraft used in the business of transporting persons or property for compensation or hire by air, if any of such transportation during any period is transportation in foreign air commerce, the Secretary or his delegate shall pay (without interest) to the person who paid the tax under section 4491 for such period the amount determined by multiplying that portion of the amount so paid for such period which is determined under section 4491(a)(2) with respect to such aircraft by a fraction—

"(1) the numerator of which is the number of airport-to-airport miles such aircraft traveled in foreign air commerce during such period while engaged in such business, and

"(2) the denominator of which is the total number of airport-to-airport miles such aircraft traveled during such period.

"(b) DEFINITIONS.—For purposes of this section—

"(1) FOREIGN AIR COMMERCE.—The term 'foreign air commerce' means any movement by air of the aircraft which does not begin and end in the United States; except that any segment of such movement in which the aircraft traveled between two parts or stations in the United States shall be treated which is not foreign air commerce.

"(2) AIRPORT-TO-AIRCRAFT MILES.—The term 'airport-to-airport miles' means the official mileage distance between airports as determined under regulations prescribed by the Secretary or his delegate.

"(c) TIME FOR FILING CLAIM.—Not more than one claim may be filed under this section by any person with respect to any year. No claim shall be allowed under this subsection with respect to any year unless filed on or before the first September 30 after the end of such year.

"(d) REGULATIONS.—The Secretary or his delegate may by regulations prescribe the conditions, not inconsistent with the provisions of this section, under which payments may be made under this section."

(d) CLERICAL AMENDMENTS.—

(1) The table of subchapters for chapter 36 is amended by adding at the end thereof the following:

"Subchapter E. Tax on use of civil aircraft."

(2) The heading for section 6156 is amended by inserting "AND CIVIL AIRCRAFT" after "HIGHWAY MOTOR VEHICLES".

(3) The table of sections for subchapter A of chapter 62 is amended by inserting "and civil aircraft" after "highway motor vehicles" in the item relating to section 6156.

(4) The table of sections for subchapter B of chapter 65 is amended by adding at the end thereof the following:

"Sec. 6426. Refund of aircraft use tax where plane transports for hire in foreign air commerce."

SEC. 207. AIRPORT AND AIRWAY TRUST FUND.

(a) **CREATION OF TRUST FUND.**—There is established in the Treasury of the United States a trust fund to be known as the "Airport and Airway Trust Fund" (hereinafter in this section referred to as the "Trust Fund"), consisting of such amounts as may be appropriated or credited to the Trust Fund as provided in this section.

(b) **TRANSFER TO TRUST FUND OF AMOUNTS EQUIVALENT TO CERTAIN TAXES.**—There is hereby appropriated to the Trust Fund—

(1) amounts equivalent to the taxes received in the Treasury after December 31, 1969 (under subsections (c) and (d) of section 4041 (taxes on aviation fuel) and under sections 4261, 4271, and 4491 (taxes on transportation by air and on use of civil aircraft) of the Internal Revenue Code of 1954;

(2) amounts determined by the Secretary of the Treasury to be equivalent to the taxes received in the Treasury after December 31, 1969, under section 4081 of such Code, with respect to gasoline used in aircraft; and

(3) amounts determined by the Secretary of the Treasury to be equivalent to the taxes received in the Treasury after December 31, 1969, under paragraphs (2) and (3) of section 4071(a) of such Code, with respect to tires and tubes of the types used on aircraft.

The amounts appropriated by paragraphs (1), (2), and (3) shall be transferred at least quarterly from the general fund of the Treasury to the Trust Fund on the basis of estimates made by the Secretary of the Treasury of the amounts referred to in paragraphs (1), (2), and (3) received in the Treasury. Proper adjustments shall be made in the amounts subsequently transferred to the extent prior estimates were in excess of or less than the amounts required to be transferred.

(c) **TRANSFER OF UNEXPENDED FUNDS.**—At the close of June 30, 1970, there shall be transferred to the Trust Fund all unexpended funds which have been appropriated before July 1, 1970, out of the general fund of the Treasury to meet obligations of the United States (1) described in subparagraph (B) or (C) of subsection (f) (1) of this section, or (2) incurred under the Federal Airport Act (49 U.S.C., sec. 1101 et seq.).

(d) **APPROPRIATION OF ADDITIONAL SUMS.**—There are hereby authorized to be appropriated to the Trust Fund such additional sums as may be required to make the expenditures referred to in subsection (f) of this section.

(e) MANAGEMENT OF TRUST FUND.—

(1) **REPORT.**—It shall be the duty of the Secretary of the Treasury to hold the Trust Fund, and (after consultation with the Secretary of Transportation) to report to the Congress each year on the financial condition and the results of the operations of the Trust Fund during the preceding fiscal year and on its expected condition and operations during the next five fiscal years. Such report shall be printed as a House document of the session of the Congress to which the report is made.

(2) INVESTMENT.—

(A) **IN GENERAL.**—It shall be the duty of

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

(B) **SALE OF OBLIGATIONS.**—Any obligation acquired by the Trust Fund (except special obligations issued exclusively to the Trust Fund) may be sold by the Secretary of the Treasury at the market price, and such special obligations may be redeemed at par plus accrued interest.

(C) **INTEREST AND CERTAIN PROCEEDS.**—The interest on, and the proceeds from the sale or redemption of, any obligations held in the Trust Fund shall be credited to and form a part of the Trust Fund.

(3) **APPLICABILITY OF PARAGRAPH (2).**—Paragraph (2) of this subsection shall not apply until the beginning of the fiscal year immediately following the first fiscal year beginning after June 30, 1970, in which the receipts of the Trust Fund under subsection (b) exceed 80 percent of the expenditures from the Trust Fund under subsection (f) (1).

(f) EXPENDITURES FROM TRUST FUND.—

(1) **AIRPORT AND AIRWAY PROGRAM.**—Amounts in the Trust Fund shall be available, as provided by appropriation Acts, for making expenditures after December 31, 1969, to meet those obligations of the United States—

(A) hereafter incurred under title I of this Act (as in effect on the date of the enactment of this Act), or incurred at any time before July 1, 1970, under the Federal Airport Act (49 U.S.C., sec. 1101 et seq.);

(B) heretofore or hereafter incurred under the Federal Aviation Act of 1958, as amended (49 U.S.C., sec. 1301 et seq.), which are attributable to planning, research and development, construction, or operation and maintenance of—

- (i) air traffic control,
- (ii) air navigation,
- (iii) communications, or
- (iv) supporting services,

(C) for those portions of the administrative expenses of the Department of Transportation which are attributable to activities described in subparagraph (A) or (B).

(2) **TRANSFERS FROM TRUST FUND ON ACCOUNT OF CERTAIN REFUNDS.**—The Secretary of the Treasury shall pay from time to time from the Trust Fund into the general fund of the Treasury amounts equivalent to—

(A) the amounts paid after December 31, 1969, in respect of fuel used in aircraft, under sections 6420 (relating to amounts paid in

respect of gasoline used on farms) and 6421 (relating to amounts paid in respect of gasoline used for certain nonhighway purposes) of the Internal Revenue Code of 1954, and

(B) the amounts paid under section 6426 of such code (relating to refund of aircraft use tax where plane transports for hire in foreign air commerce),

on the basis of claims filed for periods beginning after December 31, 1969.

(3) **TRANSFERS FROM TRUST FUND ON ACCOUNT OF CERTAIN SECTION 39 CREDITS.**—The Secretary of the Treasury shall pay from time to time from the Trust Fund into the general fund of the Treasury amounts equivalent to the credits allowed under section 39 of the Internal Revenue Code of 1954 with respect to gasoline used in aircraft during taxable years beginning after December 31, 1969. Such amounts shall be transferred on the basis of estimates by the Secretary of the Treasury, and proper adjustments shall be made in amounts subsequently transferred to the extent prior estimates were in excess of or less than the credits allowed.

(g) **HIGHWAY TRUST FUND AMENDMENT.**—Subsection (c) of section 209 of the Highway Revenue Act of 1956 (23 U.S.C., sec. 120 note) is amended by adding at the end thereof the following new paragraph:

"(5) **ADJUSTMENTS FOR AVIATION USES.**—The amounts described in paragraphs (1) (A) and (3) (A) with respect to any period shall (before application of this subsection) be reduced by appropriate amounts to reflect any amounts transferred to the Airport and Airway Trust Fund under section 207(b) of the Airport and Airway Revenue Act of 1969 with respect to such period, and subsection (f) (3) of this section shall not apply to amounts so transferred. The amounts described in paragraphs (1) (E) and (3) (C) with respect to any period shall (before the application of this subsection) be reduced by appropriate amounts to reflect any amounts transferred to the Airport and Airway Trust Fund under section 207(b) (3) of the Airport and Airway Revenue Act of 1969 with respect to such period."

SEC. 208. INVESTIGATION AND REPORT TO CONGRESS.

(a) **STUDY AND INVESTIGATION.**—The Secretary of Transportation is hereby authorized and directed, in cooperation with such other Federal officers and agencies as may be designated by the President, to make a study and investigation to make available to the Congress information on the basis of which it may determine what revisions, if any, of the taxes imposed by the United States should be made in order to assure, insofar as practicable, an equitable distribution of the tax burden among the various classes of persons using the airports and airways of the United States or otherwise deriving benefits from such airports and airways.

(b) **REPORTS.**—The Secretary of Transportation shall report to the Congress the results of the study and investigation required by subsection (a). The final report shall be made as soon as possible but in no event later than March 1, 1972. On or before March 1, 1971, the Secretary of Transportation shall report to the Congress the progress that has been made in carrying out the study and investigation required by subsection (a). Each such report shall be printed as a House document of the session of the Congress to which the report is made.

(c) **FUNDS FOR STUDY AND INVESTIGATION.**—There are hereby authorized to be appropriated out of the Airport and Airway Trust Fund such sums as may be necessary to enable the Secretary of Transportation to carry out the provisions of this section.

SEC. 209. APPLICATION OF CERTAIN OTHER TAX PROVISIONS.

(a) Nothing in this title or in any other law of the United States shall prevent the application of sections 104 through 110 of

title 4 of the United States Code to civil airports owned by the United States.

(b) Subsection (a) shall not apply to—

(1) sales or use taxes in respect of fuels for aircraft or in respect of other servicing of aircraft, or

(2) taxes, fees, head charges, or other charges in respect of the landing or taking off of aircraft or aircraft passengers or freight.

(c) In the case of any lease in effect on September 28, 1969, subsection (a) shall not authorize the levy or collection of any tax in respect of any transaction occurring, or any service performed, pursuant to such lease before the expiration of such lease (determined without regard to any renewal or extension of such lease made after September 28, 1969). For purposes of the preceding sentence, the term "lease" includes a contract.

SEC. 210. EFFECTIVE DATE.

(a) GENERAL RULE.—Except as provided in subsection (b), the amendments made by this title shall take effect on January 1, 1970.

(b) EXCEPTION.—The amendments made by sections 203 and 204 shall apply to transportation beginning after December 31, 1969.

The CHAIRMAN. Are there any committee amendments to title II?

Mr. MILLS. There are no committee amendments to title II.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. BURLESON of Texas, 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. 14465) to provide for the expansion and improvement of the Nation's airport and airway system, for the imposition of airport and airway user charges, and for other purposes, pursuant to House Resolution 610, he reported the bill back to the House with sundry amendments 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? 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. KYL

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

The SPEAKER. Is the gentleman opposed to the bill?

Mr. KYL. I am opposed to the bill, Mr. Speaker.

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

The Clerk read as follows:

Mr. KYL moves to recommit the bill H.R. 14465 to the Committee on Interstate and Foreign Commerce.

Mr. STAGGERS. 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 question was taken; and the

Speaker announced that the ayes appeared to have it.

Mr. SPRINGER. 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—yeas 337, nays 6, not voting 88, as follows:

[Roll No. 264]

YEAS—337

Abbitt	Dickinson	Kazen
Abernethy	Diggs	Kee
Aclair	Dingell	Keith
Adams	Donohue	Kleppe
Addabbo	Down	Kluczynski
Albert	Dowdy	Koch
Alexander	Downing	Kuykendall
Anderson	Dulski	Kyros
Anderson, Calif.	Duncan	Landgrebe
Anderson, Ill.	Dwyer	Landrum
Andrews, Ala.	Eckhardt	Langen
Andrews, N. Dak.	Edwards, Ala.	Latta
Annunzio	Edwards, Calif.	Leggett
Arendt	Edwards, La.	Lennon
Ashley	Ellberg	Lipscomb
Aspinall	Esch	Long, Md.
Ayres	Eshleman	Lowenstein
Baring	Evans, Colo.	Lujan
Barrett	Evins, Tenn.	McCarthy
Beall, Md.	Farbstein	McCulloch
Belcher	Feighan	McDade
Bennett	Findley	McDonald,
Bevill	Fish	Mich.
Biaggi	Flood	McEwen
Blester	Flowers	McFall
Blackburn	Ford, Gerald R.	McKneally
Blatnik	Ford,	Macdonald,
Boggs	William D.	Mass.
Bow	Fountain	MacGregor
Brademas	Fraser	Madden
Brasco	Frelinghuysen	Mailliard
Brinkley	Frey	Mann
Brooks	Friedel	Marsh
Broomfield	Fulton, Pa.	Martin
Brown, Mich.	Fuqua	Mathias
Broyhill, N.C.	Gallfanakis	Matsunaga
Broyhill, Va.	Gallagher	McClintock
Buchanan	Garmatz	Mayne
Burke, Fla.	Gaydos	Meskill
Burke, Mass.	Gialmo	Michel
Burleson, Tex.	Gibbons	Miller, Calif.
Burlison, Mo.	Gilbert	Miller, Ohio
Burton, Calif.	Gonzalez	Mills
Burton, Utah	Goodling	Minish
Bush	Gray	Mink
Button	Green, Oreg.	Minshall
Byrnes, Wis.	Green, Pa.	Mize
Cabell	Griffin	Mizell
Caffery	Griffiths	Mollohan
Cahill	Grover	Montgomery
Carter	Gubser	Moorhead
Casey	Gude	Morgan
Cederberg	Haley	Morse
Chamberlain	Halpern	Moss
Chappell	Hamilton	Murphy, Ill.
Clancy	Hammer-	Murphy, N.Y.
Clark	schmidt	Myers
Clausen,	Hanley	Natcher
Don H.	Hanna	Nedzi
Clawson, Del.	Hansen, Wash.	Nichols
Clay	Harsha	Nix
Cleveland	Hastings	Obey
Cohelan	Hathaway	O'Konski
Collier	Hays	Olsen
Collins	Hechler, W. Va.	O'Neal, Ga.
Colmer	Helstoski	O'Neill, Mass.
Conable	Henderson	Ottinger
Conte	Hogan	Patman
Conyers	Holifield	Patten
Corbett	Hosmer	Pelly
Corman	Howard	Pepper
Coughlin	Hull	Perkins
Cowger	Hungate	Pettis
Cramer	Hunt	Pickle
Cunningham	Hutchinson	Pike
Daniel, Va.	Ichord	Poage
Daniels, N.J.	Jacobs	Podell
Davis, Ga.	Johnson, Calif.	Poff
Davis, Wis.	Johnson, Pa.	Follock
Dellenback	Jonas	Freyer, N.C.
Dennis	Jones, Ala.	Price, Ill.
Dent	Jones, N.C.	Price, Tex.
Devine	Karh	Pryor, Ark.
	Kastenmeyer	Purcell

Qule	Scherle	Udall
Quillen	Scheuer	Van Deerlin
Randall	Schwengel	Vander Jagt
Barick	Scott	Vanik
Rees	Sebellus	Vigorito
Reid, Ill.	Shriver	Waggonner
Reid, N.Y.	Sikes	Wampler
Reuss	Sisk	Watkins
Riegle	Skubitz	Watson
Rivers	Slack	Watts
Roberts	Smith, Calif.	Weicker
Robison	Smith, Iowa	Whalen
Rodino	Smith, N.Y.	White
Rogers, Colo.	Snyder	Whitehurst
Rogers, Fla.	Springer	Whitten
Rooney, N.Y.	Stafford	Widnall
Rooney, Pa.	Staggers	Williams
Rosenthal	Stanton	Wilson,
Rostenkowski	Stephens	Charles H.
Roth	Stokes	Winn
Roudebush	Stratton	Wold
Roybal	Stubblefield	Wolf
Ruppe	Sullivan	Wright
Ruth	Taft	Wyder
Ryan	Talcott	Wyllie
St Germain	Taylor	Wyman
St. Onge	Thompson, Ga.	Yates
Sandman	Thompson, N.J.	Zablocki
Satterfield	Thomson, Wis.	Zion
Saylor	Tiernan	Zwach
Schadeberg		

NAYS—6

Ashbrook	Gross	Hicks
Foley	Harrington	Kyl

NOT VOTING—88

Anderson, Tenn.	Fisher	Morton
Bell, Calif.	Flynt	Mosher
Berry	Foreman	Nelsen
Betts	Fulton, Tenn.	O'Hara
Bingham	Gettys	Passman
Blanton	Goldwater	Philbin
Boland	Hagan	Pirnie
Bolling	Hall	Powell
Bray	Hansen, Idaho	Pucinski
Brock	Harvey	Rallsback
Brotzman	Hawkins	Reifel
Brown, Calif.	Hébert	Rhodes
Brown, Ohio	Heckler, Mass.	Schneebeli
Byrne, Pa.	Horton	Shipley
Camp	Jarman	Steed
Carey	Jones, Tenn.	Steiger, Ariz.
Celler	King	Steiger, Wis.
Chisholm	Kirwan	Symington
Culver	Lloyd	Teague, Calif.
Daddario	Long, La.	Teague, Tex.
Dawson	Lukens	Tunney
de la Garza	McClary	Ullman
Delaney	McCloskey	Unger
Denney	McClure	Waldie
Derwinski	McMillan	Whalley
Edmondson	Mahon	Wiggins
Erlenborn	Meeds	Wilson, Bob
Fallon	Melcher	Wyatt
Fascell	Mikva	Young
	Monagan	

So the bill was passed.

The Clerk announced the following pairs:

Mr. Hébert with Mr. Rhodes.
 Mr. Teague of Texas with Mr. Bob Wilson.
 Mr. Passman with Mr. Berry.
 Mr. Philbin with Mr. Pirnie.
 Mrs. Chisholm with Mr. Pucinski.
 Mr. Boland with Mr. Bray.
 Mr. Steed with Mr. Hall.
 Mr. Flynt with Mr. Utt.
 Mr. Fisher with Mr. Derwinski.
 Mr. Waldie with Mr. Bell.
 Mr. Melcher with Mr. Whalley.
 Mr. Monagan with Mr. Betts.
 Mr. O'Hara with Mrs. Heckler of Massachusetts.
 Mr. Shipley with Mr. Brock.
 Mr. Fallon with Mr. Morton.
 Mr. Hogan with Mr. Foreman.
 Mr. Delaney with Mr. Denney.
 Mr. Daddario with Mr. Horton.
 Mr. Byrne of Pennsylvania with Mr. Erlenborn.
 Mr. Blanton with Mr. Brotzman.
 Mr. Carey with Mr. Goldwater.
 Mr. Celler with Mr. Reifel.
 Mr. Edmondson with Mr. Camp.
 Mr. Long of Louisiana with Mr. McClure.
 Mr. Kirwan with Mr. Brown of Ohio.
 Mr. Fulton of Tennessee with Mr. Teague of California.
 Mr. Gettys with Mr. Hansen of Idaho.

Mr. Hawkins with Mr. Ullman.
 Mr. Tunney with Mr. de la Garza.
 Mr. Anderson of Tennessee with Mr. King.
 Mr. Bingham with Mr. McClory.
 Mr. Brown of California with Mr. Powell.
 Mr. Culver with Mr. Harvey.
 Mr. Fascell with Mr. Wiggins.
 Mr. Mikva with Mr. Wyatt.
 Mr. Meeds with Mr. Lloyd.
 Mr. Mahon with Mr. Schneebell.
 Mr. Jarman with Mr. Nelsen.
 Mr. Railsback with Mr. McCloskey.
 Mr. Young with Mr. Lukens.
 Mr. Symington with Mr. Mosher.
 Mr. Jones of Tennessee with Mr. Steiger of Wisconsin.
 Mr. McMillan with Mr. Steiger of Arizona.

The result of the vote was announced as above recorded.

The doors were opened.

A motion to reconsider was laid on the table.

GENERAL LEAVE TO EXTEND

Mr. STAGGERS. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days in which to extend their remarks on the bill just passed.

The SPEAKER pro tempore (Mr. ALBERT). Is there objection to the request of the gentleman from West Virginia?

There was no objection.

Mr. STAGGERS. Mr. Speaker, I ask unanimous consent that the chairman of the Committee on Ways and Means (Mr. MILLS) and I have 5 legislative days in which to extend our remarks on the bill just passed and to include therein extraneous matter pertaining to the subject matter which was under debate.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from West Virginia?

There was no objection.

CONFERENCE REPORT ON H.R. 11271, NATIONAL AERONAUTICS AND SPACE ADMINISTRATION AUTHORIZATION, 1970

Mr. MILLER of California submitted the following conference report and statement on the bill (H.R. 11271) to authorize appropriations to the National Aeronautics and Space Administration for research and development, construction of facilities, and research and program management, and for other purposes:

CONFERENCE REPORT (H. REPT. No. 91-609)

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 11271) to authorize appropriations to the National Aeronautics and Space Administration for research and development, construction of facilities, and research and program management, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following:

That there is hereby authorized to be appropriated to the National Aeronautics and Space Administration:

(a) For "Research and development," for the following programs:

- (1) Apollo, \$1,691,100,000;
 - (2) Space flight operations, \$225,627,000;
 - (3) Advanced missions, \$2,500,000;
 - (4) Physics and astronomy, \$117,600,000;
 - (5) Lunar and planetary exploration, \$138,800,000;
 - (6) Bioscience, \$20,400,000;
 - (7) Space applications, \$128,400,000;
 - (8) Launch vehicle procurement, \$112,600,000;
 - (9) Sustaining university program, \$9,000,000;
 - (10) Space vehicle systems, \$27,500,000;
 - (11) Electronics systems, \$33,550,000;
 - (12) Human factor systems, \$22,100,000;
 - (13) Basic research, \$20,250,000;
 - (14) Space power and electric propulsion systems, \$36,950,000;
 - (15) Nuclear rockets, \$50,000,000;
 - (16) Chemical propulsion, \$22,850,000;
 - (17) Aeronautical vehicles, \$77,700,000;
 - (18) Tracking and data acquisition, \$278,000,000;
 - (19) Technology utilization, \$5,000,000.
- (b) For "Construction of facilities," including land acquisitions, as follows:
- (1) Electronics Research Center, Cambridge, Massachusetts, \$8,088,000;
 - (2) Goddard Space Flight Center, Greenbelt, Maryland, \$670,000;
 - (3) John F. Kennedy Space Center, NASA, Kennedy Space Center, Florida, \$12,500,000;
 - (4) Langley Research Center, Hampton, Virginia, \$4,767,000;
 - (5) Manned Spacecraft Center, Houston, Texas, \$1,750,000;
 - (6) Wallops Station, Wallops Island, Virginia, \$500,000;
 - (7) Various locations, \$26,425,000;
 - (8) Facility planning and design not otherwise provided for, \$3,500,000.
- (c) For "Research and program management," \$637,400,000.

(d) Appropriations for "Research and development" may be used (1) for any items of a capital nature (other than acquisition of land) which may be required for the performance of research and development contracts, and (2) for grants to nonprofit institutions of higher education, or to nonprofit organizations whose primary purpose is the conduct of scientific research, for purchase or construction of additional research facilities; and title to such facilities shall be vested in the United States unless the Administrator determines that the national program of aeronautical and space activities will best be served by vesting title in any such grantee institution or organization. Each such grant shall be made under such conditions as the Administrator shall determine to be required to insure that the United States will receive therefrom benefit adequate to justify the making of that grant. None of the funds appropriated for "Research and development" pursuant to this Act may be used for construction of any major facility, the estimated cost of which, including collateral equipment exceeds \$250,000, unless the Administrator or his designee has notified the Speaker of the House of Representatives and the President of the Senate and the Committee on Science and Astronautics of the House of Representatives and the Committee on Aeronautical and Space Sciences of the Senate of the nature, location, and estimated cost of such facility.

(e) When so specified in an appropriation Act, (1) any amount appropriated for "Research and development" or for "Construction of facilities" may remain available without fiscal year limitation, and (2) maintenance and operation of facilities, and support services contracts may be entered into under the "Research and program management" appropriation for periods not in excess of twelve months beginning at any time during the fiscal year.

(f) Appropriations made pursuant to subsection 1(c) may be used, but not to exceed \$35,000, for scientific consultations or extraordinary expenses upon the approval or

authority of the Administrator and his determination shall be final and conclusive upon the accounting officers of the Government.

(g) No part of the funds appropriated pursuant to subsection 1(c) for maintenance, repairs, alterations, and minor construction shall be used for the construction of any new facility the estimated cost of which, including collateral equipment, exceeds \$100,000.

(h) No part of the funds appropriated pursuant to subsection (a) of this section may be used for grants to any nonprofit institution of higher learning unless the Administrator or his designee determines at the time of the grant that recruiting personnel of any of the Armed Forces of the United States are not being barred from the premises of property of such institution except that this subsection shall not apply if the Administrator or his designee determines that the grant is a continuation or renewal of a previous grant to such institution which is likely to make a significant contribution to the aeronautical and space activities of the United States. The Secretary of Defense shall furnish to the Administrator or his designee within sixty days after the date of enactment of this Act and each January 30 and June 30 thereafter the names of any nonprofit institutions of higher learning which the Secretary of Defense determines on the date of each such report are barring such recruiting personnel from premises or property of any such institution.

(i) Notwithstanding any other provision of law, authorizations to the National Aeronautics and Space Administration, enacted for fiscal years 1967, 1968, and 1969, for which appropriations have not been made, totaling \$327,070,000, are hereby canceled, effective June 30, 1969, or the date of this Act, whichever is later.

SEC. 2. Authorization is hereby granted whereby any of the amounts prescribed in paragraphs (1), (2), (3), (4), (5), (6), and (7) of subsection 1(b) may, in the discretion of the Administrator of the National Aeronautics and Space Administration, be varied upward 5 per centum to meet unusual cost variations, but the total cost of all work authorized under such paragraphs shall not exceed the total of the amounts specified in such paragraphs.

SEC. 3. Not to exceed one-half of 1 per centum of the funds appropriated pursuant to subsection 1(a) hereof may be transferred to the "Construction of facilities" appropriation, and, when so transferred, together with \$10,000,000 of the funds appropriated pursuant to subsection 1(b) hereof (other than funds appropriated pursuant to paragraph (8) of such subsection) shall be available for expenditure to construct, expand, or modify laboratories and other installations at any location (including locations specified in subsection 1(b)), if (1) the Administrator determines such action to be necessary because of changes in the national program of aeronautical and space activities or new scientific or engineering developments, and (2) he determines that deferral of such action until the enactment of the next authorization Act would be inconsistent with the interest of the Nation in aeronautical and space activities. The funds so made available may be expended to acquire, construct, convert, rehabilitate, or install permanent or temporary public works, including land acquisition, site preparation, appurtenances, utilities, and equipment. No portion of such sums may be obligated for expenditure or expended to construct, expand, or modify laboratories and other installations unless (A) a period of thirty days has passed after the Administrator or his designee has transmitted to the Speaker of the House of Representatives and to the President of the Senate and to the Committee on Science and Astronautics of the House of Representatives and to the Committee on Aeronautical and Space Sciences of the Senate a written report containing a full and complete statement concerning (1) the nature of such construction, ex-

pansion, or modification, (2) the cost thereof including the cost of any real estate action pertaining thereto, and (3) the reason why such construction, expansion, or modification is necessary in the national interest, or (B) each such committee before the expiration of such period has transmitted to the Administrator written notice to the effect that such committee has no objection to the proposed action.

SEC. 4. Notwithstanding any other provision of this Act—

(1) no amount appropriated pursuant to this Act may be used for any program deleted by the Congress from requests as originally made to either the House Committee on Science and Astronautics or the Senate Committee on Aeronautics and Space Sciences,

(2) no amount appropriated pursuant to this Act may be used for any program in excess of the amount actually authorized for that particular program by sections 1(a) and 1(c), and

(3) no amount appropriated pursuant to this Act may be used for any program which has not been presented to or requested of either such committee,

unless (A) a period of thirty days has passed after the receipt by the Speaker of the House of Representatives and the President of the Senate and each such committee of notice given by the Administrator or his designee containing a full and complete statement of the action proposed to be taken and the facts and circumstances relied upon in support of such proposed action, or (B) each such committee before the expiration of such period has transmitted to the Administrator written notice to the effect that such committee has no objection to the proposed action.

SEC. 5. It is the sense of the Congress that it is in the national interest that consideration be given to geographical distribution of Federal research funds whenever feasible, and that the National Aeronautics and Space Administration should explore ways and means of distributing its research and development funds whenever feasible.

SEC. 6. (a) As used in this section—

(1) The term "aerospace contractor" means any individual, firm, corporation, partnership, association, or other legal entity, which provides services and materials to or for the National Aeronautics and Space Administration in connection with any aerospace system.

(2) The term "services and materials" means either services or materials or services and materials which are provided as a part of or in connection with any aerospace system.

(3) The term "aerospace system" includes, but is not limited to, any rocket, launch vehicle, rocket engine, propellant, spacecraft, command module, service module, landing module, tracking device, communications device, or any part or component thereof, which is used in either manned or unmanned space-flight operations.

(b) Any former employee of the National Aeronautics and Space Administration who at any time during the five-year period immediately preceding his termination of employment with the National Aeronautics and Space Administration was directly engaged in the procurement of any aerospace system or directly engaged in the negotiation, renegotiation, approval, or disapproval of any contract for the procurement of services or materials for or in connection with any aerospace system; or who served during the five-year period immediately preceding his termination of employment with the National Aeronautics and Space Administration at the factory or plant of an aerospace contractor in connection with work performed by such contractor or any aerospace system; or who was employed by the National Aeronautics and Space Administration during the five-

year period preceding the termination of his employment at an annual salary rate of GS-15 or higher, and who

(1) was employed for any period of time during any calendar year by an aerospace contractor,

(2) represented any aerospace contractor during any calendar year at any hearing, trial, appeal, or other action in which the United States was a party and which involved services and materials provided or to be provided to the United States by such contractor, or

(3) represented any such contractor in any transaction with the National Aeronautics and Space Administration involving services or materials provided or to be provided by such contractor to the National Aeronautics and Space Administration,

shall file with the Administrator, in such form and manner as the Administrator may prescribe, not later than March 1 of the next succeeding calendar year, a report containing the following information:

(1) His name and address.

(2) The name and address of the aerospace contractor by whom he was employed or whom he represented.

(3) The title of the position held by him with the aerospace contractor.

(4) A brief description of his duties with the aerospace contractor.

(5) A brief description of his duties while employed by the National Aeronautics and Space Administration during the three-year period immediately preceding his termination of employment.

(6) A description of any work performed by him in connection with any aerospace system while employed by the National Aeronautics and Space Administration, if the aerospace contractor by whom he is employed is providing substantial services or materials for such aerospace system, or is negotiating or bidding to provide substantial services or materials for such aerospace system.

(7) The date of the termination of his employment with the National Aeronautics and Space Administration, and the date on which his employment with the aerospace contractor began and, if no longer employed by such aerospace contractor, the date on which his employment with such aerospace contractor terminated.

(8) Such other pertinent information as the Administrator may require.

(c) Any employee of the National Aeronautics and Space Administration who was previously employed by an aerospace contractor in any calendar year and—

(1) who is directly engaged in the procurement of any aerospace system or is directly engaged in the negotiation, renegotiation, approval, or disapproval of any contract for the procurement of services or materials for or in connection with any aerospace system, or

(2) who is serving or has served as a representative of the National Aeronautics and Space Administration at the factory or plant of an aerospace contractor in connection with work being performed by such contractor on any aerospace system, shall file with the Administrator, in such form and manner as the Administrator may prescribe, not later than March 1 of the next succeeding calendar year, a report containing the following information:

(1) His name and address.

(2) The title of his position with the National Aeronautics and Space Administration.

(3) A brief description of his duties with the National Aeronautics and Space Administration.

(4) The name and address of the aerospace contractor by whom he was employed.

(5) The title of his position with such aerospace contractor.

(6) A brief description of his duties at the time he was employed by such aerospace contractor.

(7) A description of any work performed by him in connection with any aerospace system while he was employed by the aerospace contractor or while performing any legal services for such contractor, if such contractor is providing substantial services or materials for such aerospace system or is negotiating or bidding to provide substantial services or materials for such aerospace system.

(8) The date on which his employment with such contractor terminated and the date on which his employment with the National Aeronautics and Space Administration began thereafter.

(9) Such other pertinent information as the Administrator may require.

(d) (1) No former employee of the National Aeronautics and Space Administration shall be required to file a report under this section any year in which he was employed by an aerospace contractor if the total cost to the United States of services and materials provided the United States by such contractor during such year was less than \$10,000,000; and no employee of the National Aeronautics and Space Administration shall be required to file a report under this section if the total cost to the United States of services and materials provided the United States by the aerospace contractor by whom such employee was employed was less than \$10,000,000 in each of the applicable calendar years that he was employed by such contractor.

(2) No former National Aeronautics and Space Administration employee shall be required to file a report under this section for any calendar year on account of employment with the National Aeronautics and Space Administration if such active duty or employment was terminated three years or more prior to the beginning of such calendar year; and no employee of the National Aeronautics and Space Administration shall be required to file a report under this section for any calendar year on account of employment with or services performed for an aerospace contractor if such employment was terminated or such services were performed three years or more prior to the beginning of such calendar year.

(e) The Administrator shall not later than May 1 of each year, file with the President of the Senate and the Speaker of the House of Representatives a report containing a list of the names of persons who have filed reports with him for the preceding calendar year pursuant to sections (b) and (c) of this section. The Administrator shall include after each name so much information as he deems appropriate, and shall list the names of such persons under the aerospace contractor for whom they worked or for whom they performed services.

(f) Any former employee of the National Aeronautics and Space Administration whose employment with an aerospace contractor terminated during any calendar year shall be required to file a report pursuant to subsection (b) of this section for such year if he would otherwise be required to file under such subsection; and any person whose employment with the National Aeronautics and Space Administration terminated during any calendar year shall be required to file a report pursuant to subsection (c) of this section for such year if he would otherwise be required to file under such subsection.

(g) The Administrator shall maintain a file containing the information filed with him pursuant to subsections (b) and (c) of this section and such file shall be open for public inspection at all times during the regular workday.

(h) Any person who fails to comply with the filing requirements of this section shall be guilty of a misdemeanor and shall, upon

conviction thereof, be punished by not more than six months in prison or a fine of not more than \$1,000, or both.

(i) No person shall be required to file a report pursuant to this section for any year prior to the calendar year 1970.

SEC. 7. (a) If an institution of higher education determines, after affording notice and opportunity for hearing to an individual attending, or employed by, such institution, that such individual has been convicted by any court of record of any crime which was committed after the date of enactment of this Act and which involved the use of (or assistance to others in the use of) force, disruption, or the seizure of property under control of any institution of higher education to prevent officials or students in such institution from engaging in their duties or pursuing their studies, and that such crime was of a serious nature and contributed to a substantial disruption of the administration of the institution with respect to which such crime was committed, then the institution which such individual attends, or is employed by, shall deny for a period of two years any further payment to, or for the direct benefit of, such individual under any of the programs authorized by the National Aeronautics and Space Act of 1958, the funds for which are authorized pursuant to this Act. If an institution denies an individual assistance under the authority of the preceding sentence of this subsection, then any institution which such individual subsequently attends shall deny for the remainder of the two-year period any further payment to, or for the direct benefit of, such individual under any of the programs authorized by the National Aeronautics and Space Act of 1958, the funds for which are authorized pursuant to this Act.

(b) If an institution of higher education determines, after affording notice and opportunity for hearing to an individual attending, or employed by, such institution, that such individual has willfully refused to obey a lawful regulation or order of such institution after the date of enactment of this Act, and that such refusal was of a serious nature and contributed to a substantial disruption of the administration of such institution, then such institution shall deny, for a period of two years, any further payment to, or for the direct benefit of, such individual under any of the programs authorized by the National Aeronautics and Space Act of 1958, the funds for which are authorized pursuant to this Act.

(c) (1) Nothing in this Act shall be construed to prohibit any institution of higher education from refusing to award, continue, or extend any financial assistance under any such Act to any individual because of any misconduct which in its judgment bears adversely on his fitness for such assistance.

(2) Nothing in this section shall be construed as limiting or prejudicing the rights and prerogatives of any institution of higher education to institute and carry out an independent, disciplinary proceeding pursuant to existing authority, practice, and law.

(3) Nothing in this section shall be construed to limit the freedom of any student to verbal expression of individual views or opinions.

SEC. 8. The flag of the United States, and no other flag, shall be implanted or otherwise placed on the surface of the moon, or on the surface of any planet, by the members of the crew of any spacecraft making a lunar or planetary landing as a part of a mission under the Apollo program or as a part of a mission under any subsequent program, the funds for which are provided entirely by the Government of the United States. This act is intended as a symbolic gesture of national pride in achievement and is not to be construed as a declaration of national appropriation by claim of sovereignty.

SEC. 9. This Act may be cited as the "Na-

tional Aeronautics and Space Administration Authorization Act, 1970".

And the Senate agree to the same.

GEORGE P. MILLER,
OLIN E. TEAGUE,
JOSEPH E. KARTH,
KEN HECHLER,
JAMES G. FULTON,
CHARLES A. MOSHER,
RICHARD L. ROUDEBUSH,

Managers on the Part of the House.

CLINTON P. ANDERSON,
SPESSARD L. HOLLAND,
HOWARD W. CANNON,
MARGARET CHASE SMITH,
CARL T. CURTIS,

Managers on the Part of the Senate.

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 11271) to authorize appropriations to the National Aeronautics and Space Administration for research and development, construction of facilities, and research and program management and for other purposes submit the following statement in explanation of the effect of the action agreed upon by the conferees and recommended in the accompanying conference report:

The amendment of the Senate struck all after the enacting clause in the House bill and substituted new language. The Committee of conference agreed to accept the Senate amendment with certain amendments and stipulations proposed by the managers on the part of the House:

In Fiscal Year 1970 the National Aeronautics and Space Administration requested authorization in the amount of \$3,715,527,000. The House approved authorization in the amount of \$3,966,377,000. The Senate approved \$3,715,527,000.

As a result of the conference the total amount of appropriations to be authorized was adjusted to \$3,715,527,000. To this sum, the managers on the part of the House agreed. Thus, the total amount to be authorized to the National Aeronautics and Space Administration for Fiscal Year 1970 is exactly the amount requested by the Administration. The amount agreed to by the conferees is \$250,850,000 less than was passed by the House for authorization. The managers on the part of the House agreed to the Senate amendment because of the following constraints: (a) the appropriations approved by the House, prior to passage of the Authorization Act by the House totaled \$3,696,983,000, or \$269,394,000 less than passed by the House for authorization and \$18.4 million less than the authorization agreed to by the conferees; (b) the report of the President's Space Task Group concerning the future of the nation's space effort released subsequent to the House action on the Fiscal Year 1970 authorization bill, indicated that a re-evaluation of space priorities appears to be in order; and (c) the heavy demands on the nation's resources for other programs dictate that economic restraints be exercised in the national space effort. The authorization was held to the level requested by the Administration.

However, in receding to the Senate position with regard to the amount of funds to be authorized, stipulations were introduced on certain items by the House conferees to assure that the intent of Congress be firmly emphasized concerning selected specific programs:

(a) NASA requested a total of \$1,691,100,000 for the Apollo program. The House Committee increased this by \$75,700,000 noting the need to provide funds for Saturn V vehicle improvement and additional funds for lunar exploration and Apollo operations. The Senate approved the amount requested by NASA, \$1,691,100,000. The House receded and agreed to a reduction of \$75,700,000 in the

Apollo program bringing the authorized total to \$1,691,100,000.

Although agreeing to the reduced funding level contained in the Senate amendment, the Managers on the part of the House insisted that there is an urgent and continuing need to upgrade the Saturn V launch vehicle.

The House passed bill included \$32.1 million for these purposes. These added funds were intended to permit NASA to uprate the Saturn V hydrogen-oxygen engines, develop modification kits for increased reliability, and to simplify Saturn V operations.

At the present NASA in-house rate of effecting improvements to the Saturn V vehicle, and present funding constraints, a more effective and efficient vehicle will not be available until vehicle number SA518. If the \$32.1 million were made available improvements could be effected on vehicle number SA514 thereby achieving increased reliability at an early date.

The Managers on the part of the House urge that NASA marshal its resources within available funds and pursue a vigorous program designed to uprate the Saturn V at the earliest possible date. This will prevent the freezing of the state of the art and bring about improved reliability.

(b) The National Aeronautics and Space Administration requested \$25,100,000 for the Earth Resources Survey Program of which \$14,100,000 was designated for the Earth Resources Technology Satellite (ERTS) Project. The House authorized \$35,100,000, of which \$24,100,000 was designated for the ERTS Project in order to accelerate development of this important experimental satellite system.

The Senate authorized the amount requested by the Administration, \$25,100,000.

The managers on the part of the House agreed to the amount of the Administration request, based upon an agreement that the report of the Committee of Conference contain the strongest recommendation that research and development work under NASA's Space Applications Program, particularly ERTS, should be emphasized in the future, and that future resources committed to the Space Applications Program should be greatly increased. The managers on the part of the Senate concurred completely in this position.

(c) NASA requested \$22,850,000 for research in Chemical Propulsion. The House increased this amount by \$5,250,000 to be used primarily for research in Large Solid Rocket Booster Technology. The Senate approved the requested budget figure. In Conference, the House agreed to the NASA-requested level of \$22,850,000 as the authorized amount. However, the House Conferees insisted upon emphasizing their continued concern that the Chemical Propulsion research area is not being funded at a level adequate to provide the technology required in the nation's future space program. This is particularly true for the high strength steels needed for the Large Solid Rocket Motor and for high-energy rocket engine technology utilizing space-storable fuels, including tripropellants, such as lithium-fluorine-hydrogen and also high impulse boron fuels.

The House Conferees, together with various Senate Conferees, were in agreement on the need for the continued research and development of the Large Solid Rocket Motor. The House Science and Astronautics Committee has through the years strongly favored the continued research and development of the Large Solid Rocket Motor. The recent successful firings of this booster have shown excellent progress and confirm the judgment of the House in stressing this project. The Congress has specifically urged NASA over many years to complete this research effort leading to a more reliable, relatively inexpensive and economical first stage booster.

(d) NASA requested \$77,700,000 for the

Aeronautical Vehicles Program. The House increased this request by \$3,200,000. The Senate approved the NASA request. The managers on the part of the House and Senate agreed on the NASA-requested level of \$77,700,000 as the authorized amount.

Additionally, the House and Senate Conferees unanimously agreed to expressing strong approval of the increased funding trend over the past several years for aeronautics research by NASA—a trend repeatedly urged on NASA by the Congress. Further, the Conferees agreed to supporting substantially increased effort in this field.

However, only about \$180 million out of a \$3.7 billion authorization for NASA is directly related to aeronautics. This allocation of less than five percent of NASA's budget does not represent adequate funding to carry out research on the crucial problems in aeronautics now facing our nation.

In addition to specific programs and projects in Conference, six general legislative amendments were in disagreement. Differences between the House and Senate versions were resolved as follows:

(a) The Senate amendment to H.R. 11271 contained a provision which would bar the use of any funds appropriated pursuant to the fiscal year 1970 National Aeronautics and Space Administration Authorization Act for grants to universities which prohibit the recruiting of military personnel on campuses unless the Administrator determines that such action would have an adverse effect on aeronautics and space programs. The provision is similar to language contained in the National Aeronautics and Space Administration Authorization Act, 1969. The managers on the part of the House agreed to the Senate provision.

(b) The House bill contained a provision which would cancel all authorizations to the National Aeronautics and Space Administration, enacted for fiscal years 1967, 1968 and 1969, for which appropriations have not been made, totaling \$327,070,000. The House took this action in order to tighten up authorization and enable closer congressional supervision over NASA programs. The Senate-approved bill did not contain this provision. In conference the managers on the part of the Senate agreed to the House provision.

(c) A provision included in H.R. 11271 as passed by the House states that "no part of the funds authorized by this Act shall be used to provide payment, assistance, or services to any person who is convicted by a court of competent jurisdiction of an act to overthrow the Government of the United States." The Senate amendment contained no such provision. The Managers on the part of the House receded to the Senate position and agreed to strike the provision, recognizing that such a provision could involve serious questions of interpretation of existing laws, and may require further legislative hearings and review in both Houses. Nevertheless, although receding to the Senate position, the Managers on the part of the House still support the principle expressed in this provision and wish to make it crystal clear that they believe that a comparable provision should be enacted into law at the earliest possible time. In the interim the National Aeronautics and Space Administration should be governed by the intent expressed above.

(d) The House bill contained a provision which would deny payment of any amount (as salary, as a loan or grant of any kind, or otherwise) from funds appropriated pursuant to authorizations contained in the National Aeronautics and Space Administration Authorization Act, 1970, to any individual who participates in campus disorders, willfully disobeys lawful regulations or orders causing disruption, is convicted by a court of competent jurisdiction of inciting, promoting or carrying on a riot, or is convicted of any group activity resulting in

material damage to property or injury to persons.

In conference, the managers on the part of the House offered a substitute provision which would accomplish the same objective, but would limit the denial of further payments to a period of two years when evoked. The managers on the part of the House offered the substitute amendment in order that the provision in the National Aeronautics and Space Administration Authorization Act, 1970 conform to similar provisions contained in the Education and National Science Foundation Acts for 1970. The managers on the part of the Senate agreed to the House substitute provision.

(e) The House bill contained an amendment which provides that "the flag of the United States, and no other flag, shall be implanted or otherwise placed on the surface of the moon, or on the surface of any planet, by the members of the crew of any spacecraft making a lunar or planetary landing as a part of a mission under the Apollo program or as a part of a mission under any subsequent program, the funds for which are provided entirely by the Government of the United States".

The Senate amendment contained no such provision. The managers on the part of the House further clarified the intent of this provision during the conference by stipulating that this section should not be construed to mean that the American flag must necessarily be implanted or otherwise placed on the surface of the Moon or the surface of any planet on each and every landing subsequent to an initial landing. The managers on the part of the Senate receded, agreeing to the House provision.

(f) The Senate amendment contains a provision which would require former employees of the National Aeronautics and Space Administration, who worked on procurement or other contractual work, and who now work for companies under contract with the agency involving more than \$10,000,000 annually, to disclose certain facts to the Administrator by March 1st of each year. Facts to be disclosed would include names, titles and description of their work for the agency during the preceding five years, and a declaration of any work performed regarding planning, research, or decision making. The provision also applies to present employees of the agency who previously worked for an aerospace contractor doing more than \$10,000,000 in business annually under contract with the agency. The House bill, contained no such provision.

The managers on the part of the House, recognizing that the language is identical (except for minor modifications) to a provision recently passed as part of the Military Authorization Bill accepted the Senate provision.

GEORGE P. MILLER,
OLIN E. TEAGUE,
JOSEPH E. KARTH,
KEN HECHLER,
JOSEPH G. FULTON,
CHARLES A. MOSHER,
RICHARD L. ROUDEBUSH,

Managers on the Part of the House.

Mr. MILLER of California. Mr. Speaker, pursuant to the unanimous-consent agreement, I call up the conference report on the bill (H.R. 11271) to authorize appropriations to the National Aeronautics and Space Administration for research and development, construction of facilities, and research and program management, and for other purposes, and ask unanimous consent that the statement of the managers on the part of the House be read in lieu of the report.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

The Clerk read the statement.

(For conference report and statement, see proceedings of the House of today.)

Mr. MILLER of California (during the reading). Mr. Speaker, I ask unanimous consent that further reading of the statement of the managers on the part of the House be dispensed with.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

The SPEAKER pro tempore. The gentleman from California is recognized for 1 hour.

Mr. MILLER of California. Mr. Speaker, the amendment of the Senate struck all after the enacting clause in the House bill and substituted new language. The committee of conference agreed to accept the Senate amendment with certain amendments and stipulations proposed by the managers on the part of the House:

In fiscal year 1970 the National Aeronautics and Space Administration requested authorization in the amount of \$3,715,527,000. The House approved authorization in the amount of \$3,966,377,000. The Senate approved \$3,715,527,000.

As a result of the conference the total amount of appropriations to be authorized was adjusted to \$3,715,527,000. To this sum, the managers on the part of the House agreed. Thus, the total amount to be authorized to the National Aeronautics and Space Administration for fiscal year 1970 is exactly the amount requested by the administration. The amount agreed to by the conferees is \$250,850,000 less than was passed by the House for authorization. The managers on the part of the House agreed to the Senate amendment because of the following constraints: First, the appropriations approved by the House, prior to passage of the authorization act by the House totaled \$3,696,983,000, or \$269,394,000 less than passed for authorization and \$18.4 million less than the authorization agreed to by the conferees; second, the report of the President's Space Task Group concerning the future of the Nation's space effort released subsequent to the House action on the fiscal year 1970 authorization bill, indicated that a reevaluation of space priorities appears to be in order; and third, the heavy demands on the Nation's resources for other programs dictate that economic restraints be exercised in the national space effort. The authorization was held to the level requested by the administration.

Mr. TEAGUE of Texas. Mr. Speaker, the Committee on Science and Astronautics, under the direction of our distinguished chairman, the gentleman from California (Mr. MILLER) has worked long and hard in analyzing and reporting to the House the NASA fiscal year 1970 authorization. This bill passed the House on June 10 without basic change. I consider this a vote of confidence in the leadership of our chairman (Mr. MILLER), our ranking minority member, the

gentleman from Pennsylvania (Mr. FULTON) and all the members of the committee who have dedicated themselves to a thorough and searching review of the NASA program. It is important to note the action of the committee and the House in approving this bill largely anticipated the results and recommendations of the President's Space Task Group report released in September. It anticipated additional funding for continued lunar exploration following the Apollo 11 flight. It anticipated provision for funding for the continued procurement of long leadtime items for production of the Saturn V launch vehicle, the largest launch vehicle available to the free world. In addition to this, funds were added for the initiation of technology development as well as design studies for a space station and low cost space shuttle system necessary to a progressive and adequate space program in the 1970's. I commend all of my colleagues in the House who supported this authorization. In my view it was a statesman's approach to the future of our national space program.

The difference between the President's Space Task Group recommendations and the actions of the committee and the House largely involves differences in timing rather than emphasis and intent. The Space Task Group report endorses essentially the approach that the Committee on Science and Astronautics has taken in analyzing the future needs of our Nation in space. However, in the case of the space station and space shuttle the Task Group report has essentially recommended a later start than would have been accomplished by appropriation of funds equivalent to the authorization approved by the House.

In this period of increased demands upon Federal funds it is important, as we all know, to carefully analyze the stress and direction of not only our national space program but all of the vast area of essential tasks that must be performed through Federal initiative. The bill which has been returned to the House by the Senate is \$250,850,000 less than the House-passed version. The increase in funding was largely centered on starting development of a space station and space shuttle beyond the preliminary design level. Since a reasonable time table for this and other programs has been provided by NASA and the President's Space Task Group Report it is possible to accept the Senate level of authorization which equals the total amount requested by the administration. However, I believe it is important to point out that both the Committee on Science and Astronautics and the House have, by their previous actions, endorsed a vigorous and continuing national space program and that in the ensuing authorization for fiscal year 1971 it is incumbent upon NASA to assure that the general guidelines provided by the President's Space Task Group Report and the recommendations made and the actions taken by the committee and the House on fiscal year 1970 NASA authorization are fully considered and developed. Therefore, I view the acceptance of the Senate version of the NASA authoriza-

tion bill as an opportunity for the executive branch and NASA to demonstrate their vigorous support for our national space program in the months ahead.

We face a crucial turning point in our national space program. As the Soviets have so well demonstrated within recent weeks, space is an arena in which we can ill afford to be second. As our Apollo program has well demonstrated the technological growth and economic well-being of our Nation is materially enhanced by a strong national space effort. The budget as provided for in the conference report represents an absolute minimum funding essential to maintain the critical technical skills, capabilities and teams of engineers, scientists and managers in industry and within NASA necessary to our future national space program. To do less would be a disservice to the Nation. To do more will be a necessity in the future.

Mr. FULTON of Pennsylvania. Mr. Speaker, will the gentleman yield?

Mr. MILLER of California. I yield to the gentleman from Pennsylvania.

Mr. FULTON of Pennsylvania. Mr. Speaker, I would like to say to the House we have in here the same provisions on riots in educational institutions that were in the education bill and already law.

Second, we have cut \$327 million from the NASA authorization in the budget.

There are two points I would like to emphasize and stress particularly that I have insisted upon in the preparation of the statements of the managers on the part of the House. NASA requested a total of \$1,691,100,000 for the Apollo program. The House committee increased this by \$75,700,000, noting the need to provide funds for Saturn V vehicle improvement and additional funds for lunar exploration and Apollo operations. The Senate approved the amount requested by NASA, \$1,691,100,000. The House receded and agreed to a reduction of \$75,700,000 in the Apollo program bringing the authorized total to \$1,691,100,000.

Although agreeing to the reduced funding level contained in the Senate amendment, the managers on the part of the House insisted that there is an urgent and continuing need to upgrade the Saturn V launch vehicle.

The House passed bill included \$32.1 million for these purposes. These funds added were intended to permit NASA to uprate the Saturn V hydrogen-oxygen engines, develop modification kits for increased reliability, and to simplify Saturn V operations.

At the present NASA in-house rate of effecting improvements to the Saturn V vehicle, and present funding constraints, a more effective and efficient vehicle will not be available until vehicle No. SA-518. If the \$32.1 million were made available improvements could be effected on vehicle No. SA-514 thereby achieving increased reliability at an early date.

The managers on the part of the House urge that NASA marshal its resources within available funds and pursue a vigorous program designed to uprate the Saturn V at the earliest possible date.

This will prevent the freezing of the state of the art and bring about improved reliability and increase the margin of safety for our astronauts.

NASA requested \$22,850,000 for research in chemical propulsion. The House increased this amount by \$5,250,000 to be used primarily for research in large solid rocket booster technology. The Senate approved the requested budget figure. In conference, the House agreed to the NASA-requested level of \$22,850,000 as the authorized amount. However, the House conferees insisted upon emphasizing their continued concern that the chemical propulsion research area is not being funded at a level adequate to provide the technology required in the Nation's future space program. This is particularly true for the high strength steels needed for the large solid rocket motor and for high-energy rocket engine technology utilizing space-storable fuels, including tripropellants, such as lithium-fluorine-hydrogen and also high impulse boron fuels.

The House conferees, together with various Senate conferees, were in agreement on the need for the continued research and development of the large solid rocket motor. The House Science and Astronautics Committee has through the years strongly favored the continued research and development of the large solid rocket motor. The recent successful firings of this booster have shown excellent progress and confirm the judgment of the House in stressing this project. The Congress has specifically urged NASA over many years to complete this research effort leading to a more reliable, relatively inexpensive and economical first stage booster.

Mr. MILLER of California. Mr. Speaker, I move the previous question on the conference report.

The previous question was ordered.

The conference report was agreed to.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. MILLER of California. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on the conference report just passed.

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

There was no objection.

CONFERENCE REPORT ON H.R. 10595, GREAT PLAINS PROGRAM EXTENSION

Mr. POAGE. Mr. Speaker, I call up the conference report on the bill (H.R. 10595) to amend the act of August 7, 1956, 70 Stat. 1115, as amended, providing for a Great Plains conservation program, and ask unanimous consent that the statement of the managers on the part of the House be read in lieu of the report.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there

objection to the request of the gentleman from Texas?

There was no objection.

The Clerk read the statement.

(For conference report and statement, see proceedings of the House of October 21, 1969).

Mr. POAGE. Mr. Speaker, this conference report simply works out the differences between the House and Senate on the Great Plains bill. It extends the Great Plains program for a 10-year period and continues it at the same rate of funding as it has been funded in the past. The differences between the House and Senate related to the method by which those payments should be made. We have continued the program, which is substantially today that which we have had in the past. We believe it is a good program and should be continued. Every Member on both sides joined in signing the report.

Mr. Speaker, I move the previous question on the conference report.

The previous question was ordered.

The conference report was agreed to.

A motion to reconsider was laid on the table.

PERMISSION FOR COMMITTEE ON FOREIGN AFFAIRS TO FILE REPORT ON H.R. 14580

Mr. MORGAN. Mr. Speaker, I ask unanimous consent that the Committee on Foreign Affairs have until midnight tonight to file a report on the bill H.R. 14580.

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

Mr. EDWARDS of California. Mr. Speaker, reserving the right to object, I very respectfully ask the chairman of the committee does this have anything to do with the so-called Hayes-Wright resolution?

Mr. MORGAN. This is the foreign aid bill for fiscal year 1970.

Mr. EDWARDS of California. Is the Hayes-Wright resolution a portion of the bill?

Mr. MORGAN. No, it is not a portion of the bill.

Mr. EDWARDS of California. It is a separate resolution?

Mr. MORGAN. That is right.

Mr. EDWARDS of California. And it was reported out today?

Mr. MORGAN. That is correct.

The SPEAKER pro tempore (Mr. ALBERT). Is there objection to the request of the gentleman from Pennsylvania?

Mr. GROSS. Mr. Speaker, reserving the right to object—and I shall not object—if anything is really needed to be objected to it is this and just simply kill it. That would be fine.

Mr. Speaker, I withdraw my reservation of objection.

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

There was no objection.

LEGISLATIVE PROGRAM

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

Mr. GERALD R. FORD. Mr. Speaker, I have requested this time for the purpose of asking the distinguished majority leader the program for the remainder of this week, if any, and the program for next week.

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

Mr. GERALD R. FORD. I yield to the gentleman from Oklahoma.

Mr. ALBERT. Mr. Speaker, in response to the inquiry of the distinguished minority leader we have finished the business for the week. As the gentleman from Michigan knows, we have passed the adjournment resolution which is pending in the other body. We expect to hear from the other body shortly on that resolution and to adjourn over under the terms of the resolution until Wednesday next at 12 o'clock noon.

Mr. Speaker, the program for Wednesday is as follows:

H.R. 2777, the Potato Research and Promotion Act, under an open rule with 1 hour of general debate; and

House Joint Resolution 589, expressing the support of Congress for the International Biological Program, under an open rule with 1 hour of debate.

For Thursday and the balance of the week, the program is as follows:

The military construction appropriation bill for fiscal year 1970; and

H.R. 14705, to extend and improve the Federal-State unemployment compensation program, subject to a rule being granted.

This announcement is made subject to the usual reservation that conference reports may be brought up at any time and that any further program may be announced later.

Mr. GERALD R. FORD. I thank the distinguished majority leader.

AUTHORIZING CLERK TO RECEIVE MESSAGES FROM THE SENATE AND THE SPEAKER TO SIGN ENROLLED BILLS AND JOINT RESOLUTIONS NOTWITHSTANDING ADJOURNMENT

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that notwithstanding the adjournment of the House until Wednesday, November 12, 1969, the Clerk be authorized to receive messages from the Senate and that the Speaker be authorized to sign any enrolled bills and joint resolutions passed by the two Houses and found truly enrolled.

The SPEAKER pro tempore (Mr. BURKE of Massachusetts). Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

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 on Wednesday, November 12, 1969, may be dispensed with.

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

There was no objection.

REMOVE NATIONAL DEFENSE RESEARCH FROM MIT

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

Mr. ABERNETHY. Mr. Speaker, the news media last night and this morning carried ugly reports and photographs of riotous conduct by radicals protesting Defense Department research on the campus of the Massachusetts Institute of Technology. This was their second day of irresponsible conduct against national defense activity on the MIT campus. No doubt such will continue or at least arise again and again at intermittent intervals.

More than 200 police were called in to repel the protestors. The police were outfitted with helmets, riot batons, guns, tear-gas grenades, and dogs. Amid scuffles, pushing, and shoving, the protestors refused to heed orders from campus authorities and police. They were finally shoved down the street and away from the scene by antiriot squads.

The demonstrators are demanding immediate halt and removal of the Pentagon projects from MIT structures and laboratories. Well, why not accommodate them? Removal will likewise accommodate the entire Nation.

I am informed, Mr. Speaker, that MIT received something over \$119 million worth of prime military contracts for national defense research and development in 1968 and that its current allocations for such approximate \$108 million.

Why should the Federal Government be expending defense research funds in an area where such is so unwelcome by a substantial number of radical protestors? Indeed, it is impossible, in such an atmosphere as exists at MIT, for the American taxpayer and the Department of Defense to get dollar-for-dollar return for its program. So, why not withdraw from such an area? Why not move the programs to areas and institutions where they are welcome, where it is possible to carry on this important work without interruption from radical demonstrators, where the taxpayers and our Government will get full return for the expenditures and, most important of all, get the best results for the defense of this Nation from its Communist enemies?

I suggest, Mr. Speaker, that there are institutions in our great country where the leadership, personnel, and students would welcome the presence of these essential research activities. And I also might suggest that the administration and Department of Defense would not have to go beyond my own State to find what it needs and is looking for, for instance, at the University of Mississippi, Mississippi State University, University of Southern Mississippi, Delta State College, and other Mississippi educational and research institutions.

ADDRESS BY SENATOR MATHIAS BEFORE HADASSAH

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

Mr. FRIEDEL. Mr. Speaker, a few

days ago, one of our former colleagues, and now the junior Senator from my State of Maryland, the honorable CHARLES M. MATHIAS, was the guest speaker at a luncheon held in Baltimore at the Hebrew College in that city, before Hadassah, a Jewish women's group. The topic of his address was the ratification by the Senate of the now 20-year-old Genocide Convention adopted by the General Assembly of the United Nations.

Senator MATHIAS could not have spoken before a more appropriate group than the Hadassah, nor one that has a greater knowledge of what the term "genocide" means. I venture to say that many of the ladies present had a relative or relatives that were victims of Nazi Germany's gas chambers or the salt mines in Siberia of Communist Russia under the late Premier Josef Stalin. The Senator's promise to this group of ladies to lead the fight for ratification of the International Genocide Convention by the other body is most commendable.

Mr. Speaker, I insert at this point the text of Senator MATHIAS' remarks because I believe they will be of interest to my colleagues, as well as the public:

It comes as a surprise to most Americans to learn that their nation shares certain unsavory political distinctions with countries like Saudi Arabia, Paraguay, South Africa, and Yemen. To put it bluntly, we join them in what appears to the world as a certain fuzziness about genocide. We seem unable to decide whether it is a domestic matter—like tax policy or zoning laws; or whether it is not such an egregious transgression of the appropriate limits of government that United Nations intervention is justified.

This lurid issue arises from the long failure of the United States to ratify the Genocide Convention, passed by the General Assembly over twenty years ago and signed by more than 80 other nations. The Convention defines genocide, declares it a crime under international law and provides for litigation by a world tribunal. Needless to say, communist countries—and the more fevered realms of the new left—have interpreted our refusal to sign as a reflection of racist indifference toward mass racial murder and oppression. Needless to say, also the real reasons are more complicated, though not convincing.

The Genocide Convention poses the issue of individual rights and national sovereignty in the starkest possible terms. But it is only one of a number of human rights covenants designed by the Assembly to put into effect its universal Declaration of Human Rights. Although the universal Declaration was patterned on the American Bill of Rights and largely authorized by Americans—including Eleanor Roosevelt and Jacob Blaustein—the United States has ratified only two of the implementing covenants—those on refugees and slavery. All the rest, including covenants on racial discrimination, forced labor, and women's rights remain without American subscription. The Convention on Racial Discrimination went into effect this year without our endorsement. Most of the other covenants we refuse to ratify are merely restatements internationally of long-accepted Anglo-Saxon precepts of common law.

There are a number of ironies in this situation. For example, the list of countries that readily sign these covenants includes states like Haiti, Albania and the Soviet Union, hardly world renowned for their respect for human rights. It is a fact that America's reluctance to sign these covenants stems in large part from our true reverence for the law and our experience with the implications

of precedent. American lawyers scrutinizing the Genocide Convention are immediately struck by the ambiguous sweep of its language and the nebulous means of administration. The majority of the law is of such importance to some lawyers that they will not approve statutes not fully equipped with complete regalia, and will not accept a crown without sword and scepter. They will not accept the direction or moral force of law without clear provisions for enforcement. On the other hand, when the Soviet Union signs the Convention on Women's Rights, assuring to the distaff the right to vote, it does not mean that either women or men in the USSR will be granted the right to vote for anyone not approved by the communist party. And though Haiti avers its profound and unending commitment to just legal processes, it does not follow that Ernesto Miranda or Danny Escobedo had they been captured by the Tonton Macoutes rather than by American police would have been instructed of their right to counsel.

One concludes, in fact, that a great many signatories to these treaties did not know or care what they were signing. It is clear, moreover, that the covenants would have no effect whatever on conditions in the United States, a non-signatory where all the rights enumerated are already law. But the covenants would require a revolution in the Soviet Union, which has signed most of them as blithely as it violates them. The Bar Association is fair in asking whether the United States is to enforce the Bill of Rights in the Soviet Union. The chief likely effect of enacting the covenants would be intensified pressure on the United States to intervene militarily in South Africa. And, of course, there would be renewed efforts by American blacks and new leftists to prove that the U.S. Government is following a genocidal policy in the ghettos: a policy that is—to quote the Genocide Convention—"deliberately inflicting on the racial group conditions of life calculated to bring about its physical destruction in whole or in part."

While we can be sure that the United States will be asked to defend itself from extreme charges, underdeveloped countries receive a number of special exemptions. They have to fulfill the various economic injunctions—such as the right to employment with paid vacations and social security—only to the extent their development plans permit. This reservation is realistic, of course, but it somewhat compromises the legal majesty of the covenants.

You can see that I can understand the case against American accession to these covenants. Yet I believe, nonetheless, that our failure to sign them is ultimately an outrage. Perfection is not a suitable standard in politics and particularly in international politics; and it ill befits the United States to shrink from such minor compromises of sovereignty at a time when we are attempting to get other countries to respect international law.

In a deeper sense, the refusal to sign is a rejection of the mandate of our history. The Declaration of Independence proclaimed that "all men are created equal, that they are endowed by their creator with certain inalienable rights." The American Revolution was fought, the Constitution enacted, the Civil War engaged—not merely to ensure the self-indulgence of a few Americans in the midst of a world of privation servitude. Rather, we committed ourselves to raise the hope of freedom, in Lincoln's words, "for all men everywhere, for all future time." A distinguished Briton, Alastair Buchan said to me only this week that if the U.S. ever loses this vision of its special mission in the world, there will be dark days ahead for the country and the world.

The failure of the United States to sign now gives encouragement to opponents of human rights around the world. This is an

intolerable position for this country to take; it is a betrayal of our Lincolnian legacy. Therefore, I promise to do what I can in the Senate to secure ratification of these treaties. Six of them are currently before the Foreign Relations Committee, but no action is currently scheduled. I hope that the Nixon Administration will take the lead where previous Administration's have failed.

There are new grounds for hope. Rita Hauser, the Nixon Administration's delegate to the United Nations Commission on Human Rights, is strongly on record favoring ratification of several of the conventions.

Chief Justice Earl Warren—a man with a profound sense of the true imperatives of legal morality—recently deplored our reluctance to form the world community in affirming the great moral principles that govern our own society. "We, as a nation, should have been the first to ratify the Genocide Convention and the Race Discrimination Convention," he said. "Instead we may well be near the last."

I share the Chief Justice's indignation, and in conclusion I would add a further practical consideration.

Most of the economic and political problems of the underdeveloped countries cannot be solved within the framework of bitterly competitive and insulated nationalisms. The economic, social, and technological realities of today are ecumenical and they can only be managed by supranational institutions. The United States recognizes this imperative in many of its international programs. Our foreign aid, for example, is now often accompanied by incentives for international cooperation among recipient states. I believe it is most inappropriate at this point for the United States to assert the narrow and restrictive concept of national sovereignty reflected in its policy toward the UN covenants. The new Administration should affirm our own commitment to international institutions and to the U.N., in particular, by exerting intense pressure for early Senate action. I hope to have a part in that action.

NATIONAL DRUG-TESTING AND EVALUATION CENTER

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

Mr. OBEY. Mr. Speaker, I am pleased that 18 of my colleagues joined me today in introducing a bill to set up a National Drug-Testing and Evaluation Center to scrutinize new drugs submitted for pre-marketing approval.

The bill would make the Secretary of Health, Education, and Welfare responsible for conducting all tests to determine whether these new drugs should be approved for commercial distribution.

At present, the Food and Drug Administration must attest to the safety and efficacy of a drug before allowing it to be marketed, but does this solely by evaluating information supplied by the company seeking to market the new drug.

All too often, this information proves inadequate, due to poorly designed, bungled, or incomplete studies employed in testing the drug.

To take economic self-interest out of this procedure and to upgrade drug-testing philosophy and practice, we are today introducing the bill authored in the Senate by Senator GAYLORD NELSON of Wisconsin to establish a National Drug-Testing and Evaluation Center within FDA.

Subject to the supervision and control of the HEW Secretary, this Center can do

some testing itself or contract out such studies to qualified individuals, organizations, or institutions. The sponsor of any new drug submitted for testing or investigation shall be liable for the expenses incurred, including a proportionate share of the cost of staffing, maintaining and equipping the Center.

The bill charges the HEW Secretary with seeing to it that the testing or investigation of any drug is conducted by experts qualified by scientific training and experience to do so.

Mr. Speaker, I think it relevant here to cite the drug efficacy study of the National Academy of Sciences-National Research Council Division of Medical Sciences. This study, which took 3 years, was commissioned to evaluate claims of efficacy that had been made on behalf of approximately 4,000 drug formulations introduced on the market between 1938 and 1962. In an epilog to the final report on the drug efficacy study, the Policy Advisory Committee made this comment on the quality of evidence of efficacy:

Many of the presentations submitted by manufacturers in support of the claims made for the use of their drugs consisted of bulky files of reports of uncontrolled observations and testimonial-type endorsements. The lack of substantial evidence based on well-controlled investigations by experienced investigators was conspicuous.

Mr. Speaker, the present Commissioner of Federal Drug Administration, Dr. Herbert Ley, has disclosed that out of 406 drug marketing applications received by the FDA in 1967, only 59 were approved. More than half, he said, "suffered from deficiencies in clinical studies and inadequacies in efficacy data and many were so low in quality as to be not approvable."

In testimony last May, Dr. Ley declared:

The major problem in industry submissions to FDA is still the poor quality of both the basic data and the summaries. The most important single step that industry can take to speed up the processing of new drug applications by FDA—and to improve the chance for new drug approval—would be to ensure that the data presented in support of efficacy is true to the statutory requirement of well-controlled studies.

Mr. Speaker, one way to fulfill the statutory requirement for well-controlled studies is to conduct them under the aegis of a National Drug Testing and Evaluation Center. And if, as has been suggested, the industry experiences difficulty in commanding needed clinical facilities and the services of experienced investigators, it may be the only way.

Drug testing should be the domain of specialists who are motivated by neither more nor less than learning the truth. The sole interest vested in those who commission the tests should be the public interest.

TARIFF ACTIONS

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

Mr. DENT. Mr. Speaker, two items just

came to my attention that I thought would be of great interest to the House. As the drive goes on to keep this House from passing legislation that might interfere with the free flow of goods from Japan, we have a Japanese Trade Council release of late date and a very interesting decision made by the U.S. Tariff Commission. After 35 attempts by injured workmen in the United States whose jobs have been taken by imports to get relief under the Trade Expansion Act, the Tariff Commission finally granted relief in three cases. Three separate steel companies, three separate plants, have been given relief for their workers who lost their jobs because of imports. That means all of these workers will be paid 65 percent of their average wage for a period of 1 year plus 6 months' extension if they are going to try to be retained for another job plus a 3-month extension if they are over 60 years of age. However, the real kicker in this is that the Japanese have joined in a fight to keep us from acting on legislation and have announced that by the end of 1971 they are going to reduce the tariff into Japan on 55 items. I would like to read a few of the list of items. They are going to reduce the Japanese tariff on grapefruit, cake mixes, corn flakes, chewing gum, pineapples, lemon juice, and eight other food items. I am sure we will get rich on it.

The Tariff Commission decision is another instance of how we keep making it even more difficult for U.S. industry to compete in foreign trade. The steel companies that lost their business and the steelworkers who lost their jobs are all going to be taxed to pay the relief payments to the unemployed workers.

This means that the price of our steel will probably be raised a few cents a pound, making the relief clause in our Trade Act an indirect subsidy to the steel-exporting countries.

I congratulate the Tariff Commission on its decision. I have a feeling that this may be the Tariff Commission that may save our industrial economy. The decision follows:

UNITED STATES WILL AID WORKERS HURT BY IMPORTS

The U.S. Tariff Commission shattered precedent yesterday by ruling that some American steelworkers are eligible for government aid because imported steel products cost them their jobs.

Some 35 previous requests for such relief, provided under the Trade Expansion Act of 1962, had been denied by the commission.

The act calls for assistance to workers when it can be shown that imports resulting from trade concessions such as tariff cuts are the major cause of job loss. In most previous instances, the commission had ruled that imports were not the major cause.

Under the terms of yesterday's ruling, the affected workers would receive from the 65 per cent of average government national earnings in the industry.

The 5-to-1 decision covered displaced workers at two U.S. Steel Corp. plants, at Pittsburgh and Los Angeles, producing power transmission towers and parts and one Armco Steel Corp. plant at Ambridge, Pa., producing welded pipe. The commission did not disclose how many workers would be affected.

The petition for assistance was filed by the United Steelworkers of America.

MR. A. ERNEST FITZGERALD, AIR EFFICIENCY EXPERT, FIRED BY THE PENTAGON

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

Mr. HANLEY. Mr. Speaker, I was appalled to learn yesterday that Mr. A. Ernest Fitzgerald, the Air Force efficiency expert who had uncovered the fantastic cost overruns in the controversial C-5A program, had been fired by the Pentagon. As a persistent critic of the bloated Pentagon budget, and as one of the Members of this body who attempted to make responsible cuts in the defense procurement bill a few weeks ago, I find this action on the part of Pentagon officials completely inexcusable. Instead of giving Mr. Fitzgerald his walking papers, the Defense Department should have given him a medal.

The Secretary of Defense recently noted in a press conference the tremendous accomplishments of this administration in its cost-reduction program. Yet, now they have decided that one of the best ways to reduce costs is to fire one of the most capable waste hunters in the Pentagon. I say the situation reeks.

The Federal Government goes to great pains to recruit competent executives. It spends all kinds of money on efficiency analyses to determine reasonable and responsible cost-benefit ratios. But in one of the worst shows of contrariness I have witnessed in a long time, the Pentagon has decided to can one of its most competent executives and apparently shelve all the hard work he put in attempting to save the U.S. taxpayers millions of dollars. This, in my estimation, is sheer idiocy.

Along with many of my colleagues, I am writing to the President asking him to personally intervene in this situation and to restore Mr. Fitzgerald to his position in the Defense Department. Anything less than this on his part will be a complete condoning of a program that was so badly bungled and so horribly mismanaged that it almost boggles the mind. His failure to do this will also be a serious blow to the morale of hundreds of thousands of conscientious Government employees who try to do the right thing but will refrain from any acts of initiative in the future lest they get egg on the faces of their superiors.

This incident is but another in a series of acts of smug high-handedness on the part of Pentagon officials who think they are above reproach. I think this arrogance ought to be met head on.

SPEAKING OUT

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

Mr. BEVILL. Mr. Speaker, since the termination of the great war a half-century ago, November 11 has been set aside throughout the Western World as a day of tribute to veterans. A day in which millions pause to honor those

brave men and women whose precious sacrifices permit our present security and well-being.

This year that distinguished organization, the Veterans of Foreign Wars of the United States, is asking every dedicated American to "speak out" in support of America and in support of those who have served and are now serving throughout the world.

In my judgment, we could not pick a more appropriate time for such an outpouring of support for our Nation, and I am honored to join millions of my fellow Americans in speaking out.

There is confusion in America today, there are those who are frustrated over the continuing conflict in Vietnam, but we must keep in mind that there are one half million Americans on the fighting front of Vietnam. To them, we owe our unqualified, unwavering support.

The so-called Vietnam antiwar demonstrations held recently throughout the United States played right into the hands of the Communist regime in Hanoi. Such demonstrations can only undermine our efforts to negotiate an honorable peace.

The foreign policy of the United States is not made on college campuses or in the streets. It is made by elected representatives of the people.

Only an honorable solution can justify the sacrifices of our efforts.

The time has come for us to let the world know that the people of the United States do support our Government. We must speak out clearly and decisively.

I remind you that those who have died in service to America have not died in vain, but have granted us, the living, the opportunity to live out our lives in freedom—and given us the chance to change the pattern of war and suffering. It falls to us to try to justify their hopes. We must not fail.

FEDERAL INTRUSION INTO STATE MATTERS HAS BROUGHT ABOUT INTOLERABLE CONDITIONS IN THE ALABAMA EDUCATIONAL SYSTEM

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

Mr. NICHOLS. Mr. Speaker, Federal intrusion into State matters has brought about intolerable conditions in the Alabama educational system. Some schools are so overcrowded that it is physically impossible for teachers to conduct their classes, while other good school buildings remain closed. But even more important than this is that children are forced to travel many miles from their own homes to attend a school which neither they nor their parents approve. The single overriding reason that these conditions exist is the single-minded determination of the Department of Health, Education, and Welfare, the Department of Justice, and the Federal courts to compel children to attend pre-assigned schools. The results of this administrative tyranny has been chaotic and against every sound principle of education.

As one who for over a decade worked consistently to continually improve the

quality of education in Alabama, I find this situation disheartening and deplorable. I have recently received a copy of a resolution adopted by the Alabama Association of School Boards. This resolution is an eloquent appeal from Alabama educators in support of the basic right of children and parents to choose the school they wish to attend. I believe this to be an important statement of interest to my colleagues, regardless of their section of the country for this is, indeed, a national problem.

The resolution follows:

RESOLUTION, ALABAMA ASSOCIATION OF SCHOOLS

Whereas, the Courts of last resort in the United States have consistently held that the Constitution and the laws of this Nation require that every child be afforded an equal opportunity to obtain an education, regardless of race, creed or color, and

Whereas, the school boards have accepted these decisions and have provided this equal opportunity for all children by making available to them the freedom to choose the school that they wish to attend without pressure or duress on any person, and

Whereas, the Civil Rights Act of 1964 specifically states: "Desegregation shall not mean the assignment of students to public schools in order to overcome racial imbalance." And said Act also states: "Nothing herein shall empower any official or court of the United States to issue any order seeking to achieve a racial balance in any school by requiring the transportation of pupils or students from one school to another or one school district to another", and

Whereas, in these United States where freedom is the hallmark of our Republic and the law of the land, Americans place great value upon their freedom—freedom of religion, freedom of the press, freedom of speech, and every other freedom; yet there seems to be one lone exception—the Department of Health, Education and Welfare, the Department of Justice, and the Federal Courts have effectively denied children in this Nation the right to choose the school they wish to attend, and

Whereas, it is our studied belief that wherever children have been forced to attend schools against their will and contrary to the will of their parents, the results have been a deterioration in the quality of education and a large increase in the number of school dropouts, and in many areas, has caused the defection of students from the public schools into rapidly growing private schools.

Whereas, in its concern over the direction being taken by the Department of Health, Education and Welfare, the Department of Justice, and the Federal Courts, the House of Representatives of the Congress of the United States, expressing the will of the people, passed HR 13111 on July 31, 1969 with the following provisions:

"Sec. 408. No part of the funds contained in this Act may be used to force busing of students, the abolishment of any school, or to force any student attending any elementary or secondary school to attend a particular school against the choice of his or her parents or parent."

"Sec. 409. No part of the funds contained in this Act shall be used to force busing of students, the abolishment of any school or the attendance of students at a particular school as a condition precedent to obtaining Federal funds otherwise available to any State, school district, or school." and,

Whereas, we sincerely believe that the goal of public education is to provide the children of this nation with the best possible education in order to prepare them to take their places in our democratic society and to be useful members thereof, and that

our obligation and duty as school board members and educators is to do all that is in our power to provide such a quality education, and we further believe that it is as morally and constitutionally wrong for a student to be assigned to a school that is not of his choosing as it is to deny him the right to attend the school of his choice.

Now therefore, be it resolved: That this Alabama Association of School Boards makes it known to all concerned that we support a policy of freedom of choice in the operation of our public schools.

Be it further resolved: That it is our solemn belief that freedom of choice is the American way and the best way to insure quality education, to bring about a pleasant environment for teaching, to create a wholesome atmosphere for the learning process, and yet not deprive any person of any constitutional guaranty of freedom under the law.

Adopted by the general membership of the Alabama Association of School Boards, October 28, 1969.

RANDY QUINN,
Executive Secretary.

LICENSE GRANTED TO PACIFICA FOUNDATION OF CALIFORNIA FOR FM STATION IN HOUSTON, TEX.

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

Mr. CARTER. Mr. Speaker, last night, I was greatly pleased to see an excellent remake of the movie, "Good-By, Mr. Chips." It was inspirational and certainly it tends to inculcate principles of honor, truth, and courage in our youth.

I regret that the Pacifica Foundation of California has been granted a construction permit for an FM station in Houston, Tex. By this action obscene, filthy, and blasphemous language will be spewed over the great State of Texas.

Commissioner Robert E. Lee dissented and issued a statement. I commend his dissent and also his statement.

Free speech does not grant a license to broadcast obscene, indecent, or profane matter to the general public.

The Pacifica Foundation has been guilty of this, and I include for the Record material broadcast on the 21st of September 1969.

Literature has been defined as thoughts expressed in language of such enduring charm that men treasure them and will not let them die.

I find nothing of benefit in the recent broadcast of the Pacifica. I find much which is obscene, indecent, and profane. And which is a stench in the nostrils of decent humanity.

I urge the Federal Communications Commission to rescind the Pacifica Foundation's application for a construction permit in Houston.

I include the dissent of Commissioner Robert E. Lee, as follows:

[From Federal Communications Commission News, Oct. 31, 1969]

BROADCAST ACTION

The Commission took the following action on October 29, 1969. Commissioners Hyde (Chairman), Bartley, Johnson and H. Rex Lee, with Commissioner Cox concurring and issuing a statement, Commissioner Robert E. Lee dissenting and issuing a statement, and Commissioner Wadsworth dissenting.

Houston, Texas, Pacifica Foundation, granted construction permit for new non-

commercial educational FM station. A construction permit (BPED-989) has been granted to Pacifica Foundation, for a new noncommercial educational FM station to operate on Channel 211 (90.1 mc) at Houston, Texas, with ERP of 47 kw, antenna height of 430 feet, and remote control permitted from the main studio location. The population of Houston is 938,219 and the city presently has 10 AM, 6 TV, 11 commercial FM and 1 noncommercial educational FM stations, with no other FM applications pending. The applicant is a California educational organization (authorized to do business in Texas), with broadcast interests in KPFA (FM) and KPFB (FM), Berkeley, California; KPFF (FM), Los Angeles, California; and WBAI-FM, New York, New York. It has filed an application for a new educational FM station at Washington, D.C. (Docket 18634). This application, with a mutually exclusive application filed by National Education Foundation, has been designated for hearing to inquire into Pacifica's qualifications. The grant of the Houston applications is conditioned on the outcome of Docket 18634.

DISSENTING STATEMENT OF COMMISSIONER
ROBERT E. LEE

I dissent to the grant without hearing of the Pacifica Foundation application for a new non-commercial educational FM station at Houston, Texas. I simply cannot make the required finding on the record now before me that the public interest, convenience and necessity would be served by a grant of this application.

Over the years, I have expressed increasing concern about the number of complaints we have received concerning obscene, indecent, or profane language broadcast over Pacifica Foundation's Los Angeles, San Francisco and New York City stations. When such matters were called to management's attention, as far back as 1965, I believe we received a firm commitment in writing that adequate controls would be introduced. Nevertheless, we continue to receive complaints from the public in substantial numbers. Free speech simply does not grant license to broadcast such obscene, indecent, or profane matter to the general public nor do I construe it to preempt the public interest finding which I must make. Otherwise, the obscenity statutes might as well be removed from the books, which I doubt either the Congress or the public desires.

"PEACE" DEMONSTRATORS SHOULD
PRAY FOR U.S. POW'S

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

Mr. WILLIAMS. Mr. Speaker, on September 12, a resolution of which I was a cosponsor was introduced in the interest of compelling the Communist regime in Hanoi to end its inhumane mistreatment of U.S. military men held prisoner within that regime's tyrannical orbit.

That day, under a special order, many members of this body addressed themselves to those abuses.

In the gallery, that day, sat a representative group of wives, children, mothers, fathers, and other relatives of the some 1,355 American servicemen officially listed as missing or captured in North Vietnam.

A few days earlier, several wives of such men had flown to Paris in the faint hope that they might possibly elicit from North Vietnam's "peace" negotiators some indication of, as those brave women

had put it: "whether we are wives or widows."

The objective of that September 12 resolution and of the abundant oratory on the floor of this House was designed in the faint hope that, somehow, Hanoi might respond to that defined as "the court of world opinion." As usual, Hanoi's response was further efforts to use the prisoners as hostages for blackmail and their families as pawns for propaganda.

On October 14, 1969, this House passed a joint resolution, "That November 9, 1969, be declared a national day of prayer and concern on behalf of the American servicemen being held prisoner by the North Vietnamese."

It is quite apparent that, with petition after petition to Hanoi having fallen on something more sinister than "deaf ears," the people of the United States might storm the gates of Heaven for Divine intervention in behalf of these men and their families.

I would commend this outrageous problem, particularly, to the attention of those Americans who find it so convenient to rush onto the campus or onto the street to blindly echo Hanoi's false cries for "peace, freedom, brotherhood, and human dignity."

I would suggest that they consider, well, the fact that it is such sacrifices as those of these American prisoners of war in Vietnam that continue to help insure the atmosphere of freedom which these same people use and abuse here in America.

THE PRESIDENT IS COMMANDER
IN CHIEF

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

Mr. RUTH. Mr. Speaker, in my district, and specifically in the city of Salisbury, N.C., which is my home, there is a group of nonpartisan citizens who feel Americans should express their support of the President.

This group started with the name Silent Salisburians; but I feel this movement has grown to where the title should be changed to include all Americans.

They want the President to know that they are aware that he is the one man directing this Nation's activities and making decisions regarding our actions in Vietnam and that they fully support him as Commander in Chief.

They feel so strongly that we can have only one quarterback leading the American team at any one time, they have organized a group who are coming to Washington on November 11 to show their support. With them they will have a long list of individuals who share their feelings.

Dr. Ed McKenzie, a Republican, and Rex Wood, a Democrat, have started this movement and it has caught on. I am proud to represent such energetic people who express faith in our leader. These patriotic, loyal Americans are the type of people who make America strong.

Mr. Speaker, I insert the statement by Dr. McKenzie and Rex Wood and a resolution adopted by the Salisbury-

Rowan Chamber of Commerce into the RECORD, as follows:

STATEMENT BY DR. MCKENZIE AND REX WOOD

We, two private citizens of Rowan County, North Carolina, announce that on November 11, 1969 we shall go, alone or with all who are of like mind, to our Nation's Capitol that our presence there may be taken as testimony of our belief in constitutional government and of our support of the President of the United States and of our troops at home and abroad. We further express deep concern for this nation's future and for the hopes of all men to be free.

We challenge every citizen of Rowan County, of North Carolina, and of America to stand and join us.

We invite individuals and organizations, veterans and non-veterans, young and old, students and professors, officials of government and private citizens, entertainers, actors, athletes, labor, management and clergy to heed this call, stand and be counted, endorse support and join us that what is started here now as small, meager and simple may become an overwhelming throng of strength for our President, our Nation and the entire world to see.

RESOLUTION BY SALISBURY-ROWAN CHAMBER
OF COMMERCE

Whereas, the Salisbury-Rowan Chamber of Commerce is vitally interested in an honorable and lasting solution to the Vietnam conflict, and we are conscious of the many intricate and difficult problems and decisions involved in bringing this conflict to a fair and just conclusion; and

Whereas, we wish to express our deepest gratitude to our servicemen and service-women, both at home and abroad, for their loyalty and sacrifices; and

Whereas, the President of the United States as our elected leader must make grave decisions in order to resolve this conflict in an honorable manner, and must have the full support of the American people; and

Whereas, we feel that the vast majority of the American people, the "Silent Americans", share the aforementioned views; and

Whereas, we feel this vast majority does not approve of the manner in which certain groups have expressed themselves in various ways, thereby giving encouragement and comfort to the enemy and making it more difficult for the President of the United States to conclude this conflict on an honorable and sound basis,

Now, therefore, the Salisbury-Rowan Chamber of Commerce pledges its wholehearted support, faith and trust in the President of the United States and his advisors in their efforts to bring a lasting peace to the world and hereby encourages all citizens of our country, state and nation to similarly express their support, faith and trust to our President, on November 11, 1969.

J. H. WELCH,
President, Salisbury-Rowan Chamber of
Commerce.

INOCULATION AGAINST RUBELLA

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

Mr. MICHEL. Mr. Speaker, earlier this week Mayor Washington and the President's daughter, Tricia Nixon, helped initiate the campaign to inoculate the target population in the District of Columbia against rubella. Some 80,000 between the age of 6 and 10 will be inoculated during the course of the campaign.

The target population for this inoculation is the preschool and early school

age children who are most like to transfer the disease. We cannot, of course, inoculate married women for fear of inoculating them in early pregnancy.

Mr. Speaker, on Sunday, October 26, 1969, an article appeared on the women's page of the Washington Post written by Mr. William Hines of the Chicago Sun-Times indicating that the next outbreak of German measles will be as widespread and destructive as the last because the Public Health Service is soft pedaling the program and the administration and the Congress have not appropriated enough money. This is not true.

I have talked with officials of the Community Health Service and the Communicable Disease Center and both state emphatically that the program is moving along according to plan and that money is not a problem. They received the funds requested from the Congress for fiscal year 1968 and in the second supplemental which passed in July provided \$9.6 million. We put these funds in the supplemental so that health officials could get an early start. They are currently operating under the current resolution and although more funds are budgeted for fiscal year 1970 it has not yet become a problem.

The target for this entire program is to immunize some 40 to 50 million children estimated to be in the early school years. The program involves the Federal Government, local and State governments, and the private sector. The Public Health Service has learned from past programs that some 75 percent of the target population will be taken care of by their parents and private physicians as a result of the educational and publicity programs operated by the Public Health Service. The Public Health Service plans either through the Federal Government or local and State efforts to conduct mass immunization programs for some 10 to 12 million children in the next 2 years. Most will be disadvantaged children.

Therefore, this program differs from the polio program in that the target population is smaller and the PHS knows that some 75 percent will be taken care of through private physicians.

It should be noted that the Federal Government did not at any time plan to finance the inoculation of the entire target population of some 50 million children.

Mr. Hines also indicates that the drug industry says it could produce all the vaccine needed for the campaign, if only the Government would issue additional licenses.

Well, that does not tell the whole story. One firm has been licensed and is now producing vaccine at a rate of 1 million doses per month and will reach 2 million at the beginning of the year. Two other firms will probably be licensed in November and January and each will have an output of some 1 million doses per month. That will give us some 4 million doses being produced each month in the coming year which should be sufficient to inoculate some 50 million children in the next 18 months. Of course once inoculation

starts, which it has, the rate of the epidemic slows down.

While the manufacture of the vaccine is limited at this time public health officials know of no project that is having difficulty in getting the vaccine. Frankly, Mr. Speaker, I know of no one who would be in a hurry to license vaccines until they are fully tested that will be given to our children.

The Public Health Service has bought or contracted for some 1.2 million units of the vaccine to take advantage of the cheaper rate per unit price when bought in bulk. However, that does not preclude other State and local agencies from purchasing the vaccine, as Mr. Hines forgets to mention.

To date some \$19.2 million has been let on some 68 projects involved in this immunization program. State and local funds are being spent at approximately the same level as the Federal Government funds. This, of course, follows the overall plan which is to match some funds with State and local governments.

THE NEED TO INCREASE THE PERSONAL INCOME TAX EXEMPTION

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

Mr. TIERNAN. Mr. Speaker, I read in Tuesday's New York Times that the Senate Democratic leadership intends to take the fight for an increase in the \$600 personal income tax exemption to the floor of the Senate. I would like to go on record in strong support of this move.

I have introduced legislation which would increase the personal tax exemption to \$1,200. The minimum figure that I find acceptable is \$1,000, and even this is inadequate.

The present \$600 personal exemption for taxpayer, spouse and dependent was provided for in the Revenue Act of 1948. The cost of living has changed greatly since then. The \$600 personal exemption would have to be raised to approximately \$926, as of September 1969, in order to provide the equivalent purchasing power as the \$600 provided in 1948. To further illustrate this, in order for a family of four to have personal exemptions equivalent to the same purchasing power as \$2,400 in 1948, their personal exemptions would have to total \$3,704.

Mr. Speaker, the main argument used against such an increase of \$1,000 is that revenues would be reduced by more than \$12 billion a year. I contend that this lost revenue can and should be made up by the enactment of other needed reforms—that is, oil depletion allowance, multiple corporate surtax exemptions, tax exemption of interest on industrial revenues bonds, and so forth. These latter areas basically affect the well-to-do person who can afford to pay additional taxes.

For too long the burden of taxpaying has been on the shoulders of the middle- and low-income people of this Nation. It is time that the loopholes which permit some to avoid paying their share of taxes be closed.

I commend the Senate leadership for attempting to bring more equity into the present tax system. It is my hope that their efforts will succeed and that we in the House will have an opportunity to vote for this measure.

AIR POLLUTION

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

Mr. GAYDOS. Mr. Speaker, several weeks ago I informed Members of this House that Pennsylvania was challenging air pollution criteria established by the Federal Department of Health, Education, and Welfare. I expressed grave fears then that Pennsylvania's proposed air quality standards for suspended particulate matter, if adopted, posed a health threat not only to the State's citizens but to the entire Nation.

These proposed standards were far more lenient than established Federal guidelines and were subject to approval by HEW under provisions of the Clean Air Act of 1967. The act is to be the Nation's watchdog over air pollution. But if Pennsylvania's original proposals had been approved by HEW that watchdog would have had to slink away with its tail between its legs. The effectiveness of the act would have been destroyed. Approval of such lenient standards on a State level would have stripped the teeth from the law's bite and made its bark sound like the mewling of a pup.

I bared the potential dangers, as spelled out in a report from the National Air Pollution Control Administration, to Members of this House. Many of my State colleagues in this body shared my fears and concern. They joined me in a bipartisan appeal to Gov. Raymond P. Shafer, urging him to request the State Air Pollution Control Commission to re-examine and reconsider its proposed standards.

I am happy to report, Mr. Speaker, our efforts, combined with those of labor groups, scientific organizations, and the public in general, have proved fruitful.

Governor Shafer did call for better, more stringent air quality standards and late last month the State commission adopted an annual geometric mean of 65 micrograms per cubic meter of air for suspended particulate matter.

This standard now exceeds the Federal criteria and when approved by HEW will restore Pennsylvania's reputation as a leader in air pollution control. It is, however, just one step toward a final solution to the problem. The second step will be the establishment of emission control standards at the sources of pollution.

I might note at this point, Mr. Speaker, that Allegheny County, a part of which is in my 20th Congressional District, already is considering more stringent emission standards and stronger penalties for violators of county smoke control regulations.

I have pledged myself to see that State emission standards will be such that, in the future, Pennsylvania will not fear

death or ill health from the dust and chemicals which now blacken their lungs and blot out their lives before their time. I know my State colleagues who joined in the appeal for stronger controls over the quality of air will leave no stone unturned in attaining similar safe levels for the emission of pollutants into the air.

Mr. Speaker, I commend those colleagues who put safe air above politically safe ground, who put the problem of air pollution above party politics and who joined me and thousands of our constituents in fighting for the best in breath for Pennsylvania.

THE PILL TRADE, AND HOW IT CAN KILL

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

Mr. VAN DEERLIN. Mr. Speaker, the sad history of drug abuse among the young is well known to all of us. In my own city of San Diego, police records show that dangerous drug violations have increased sevenfold in the past 3 years.

But the litany of statistics can become monotonous. We are vaguely aware of figures and so what—as long as our own loved ones are not involved.

This feeling of indifference seems to have seeped into the highest levels of government, where comprehensive data about the illicit pill trade are carefully maintained but little is being done to combat it.

It is easy for an unscrupulous operator to have dangerous drugs that are made in the United States shipped to Tijuana and other Mexican towns along the border for quick and highly profitable resale to U.S. consumers.

What are the results of this lucrative trade, in human terms?

A mother in my district has supplied an answer, shocking but true. Within her own neighborhood, a 20-year-old—her own son—was sent to prison for armed robbery while under the influence of pills, a 15-year-old girl has died of an overdose of these drugs, and two youths are charged with involuntary manslaughter in connection with her death.

This grieving mother quite understandably would like to see something done at the Federal level to protect the children, all our children. As she points out, the pills can be purchased by children as young as 12 in the San Diego area, and presumably in other cities as well.

Her letter to me makes gripping reading. Hopefully, it will help spur some action. I will include it at the end of my remarks, with a supporting editorial from the November 2 edition of the San Diego Union. For obvious reasons, I am deleting the name and street address of my constituent.

SAN DIEGO, CALIF., NOVEMBER 2, 1969.
Representative LIONEL VAN DEERLIN,
House Office Building,
Washington, D.C.

DEAR MR. VAN DEERLIN: I am writing to compliment you on the fine work you are doing as our representative in Washington,

and also to enlist your help in solving the drug problem.

I am very concerned about the drug situation in our country. It has affected my own family. My son committed an armed robbery under the influence of pills. He had never stolen a thing before, and had hardly ever handled a firearm. He is serving a 5 year to life sentence at the Institution at Tracy, California. He had just turned 20 years old.

Two other boys in my neighborhood are up on an involuntary manslaughter charge as a 15 year old girl they were with one evening died of an overdose of drugs. One of the boys was 16 and the other was 21.

Please help to pass legislation so the children can't obtain these pills. They can get them on any playground or schoolground in San Diego. Some of the children are only 12 to 16 years old. It is a tragedy that we can't or won't protect our children better than that. At one of the high schools here last spring free samples of drugs were offered right on the school parking lot.

Also why can't LSD be taken off the market? The damages it does to young people far outweigh the benefits.

I have been appalled to learn that it is the drug companies in our own country who are producing these pills and sending them to Mexico and other countries. I see we have an investigation going on this but will something be done about it?

Will you please do your best to see that legislation is passed to stop this procedure. Thanking you for your dedication to your job.

Sincerely yours,

[From the San Diego Union, Nov. 2, 1969]
FIRMS HAVE MORAL RESPONSIBILITY—DRUG SALES NEED CLOSER WATCH

The fact that most sedatives and stimulants cannot be bought in a drug store without a doctor's prescription has fostered the impression that the pharmaceutical industry and regulatory agencies were carefully supervising the distribution of these drugs in the United States of America.

Now we are learning that this was a pitiful illusion.

Congressional investigators have turned up evidence that drug manufacturers have served as unwitting partners in the illicit traffic in dangerous drugs.

And it is clear that if "Operation Cooperation" is to be an effective joint attack by the United States and Mexico on this critical problem, we must move far more decisively on this side of the border to police the legitimate traffic in drugs.

It has been no secret that amphetamines, barbiturates and other "controlled" drugs manufactured in the United States were finding their way in wholesale lots into the hands of smugglers and peddlers. What emerged in such a startling way before the House Crime Committee was the ease with which illicit drug traffickers could obtain their supplies.

A faked letterhead, the forged signature of a doctor, a fictitious pharmacy with a spurious address—these are the simple tools of the underworld drug buyer.

Some manufacturers have shown an appalling lack of concern over what happened to dangerous drugs leaving their factories bound for "wholesalers" whose credentials no one had verified.

The manufacturer who pleaded before the House committee that under the law he was not responsible for what a wholesaler did with drugs deserved the rejoinder he received from Rep. Jerome R. Waldie: "If you don't have a legal responsibility, you have a moral one."

Some elements of the pharmaceutical industry may now find, as others have, that failure to exercise a moral responsibility can lead to new legal responsibilities.

There is no question that closer supervision must be given to the manufacture and

distribution of drugs which are subject to abuse and are the raw material on which underworld rackets feed, bringing widespread human tragedy.

One proposal would subject drug manufacturers to the same kind of licensing provisions that govern broadcasting stations, with licenses subject to periodic review and possible revocation if the firm fails to meet its public responsibilities. Another would go even further and impose penalties if a firm knowingly sold controlled drugs to unauthorized persons.

We believe there is far too much federal regulation of business already. But in the face of the appalling traffic in dangerous drugs and the loose practices evident among firms that manufacture and sell them, we can only urge that the strictest federal regulations be brought to bear on this aspect of the drug problem.

INHUMANE TREATMENT OF U.S. PRISONERS OF WAR BY THE GOVERNMENT OF NORTH VIETNAM

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

Mr. ADAIR. Mr. Speaker, American and world opinion is becoming increasingly aroused over the inhumane treatment of U.S. prisoners of war by the Government of North Vietnam.

In September, at the 21st International Conference of the Red Cross in Istanbul, representatives of 77 governments and 91 national Red Cross societies, including the U.S.S.R. and other Communist bloc countries, unanimously adopted an American resolution urging that prisoners be given the protection of the Geneva Convention on treatment of war prisoners. North Vietnam was a signatory to that convention.

Mr. Speaker, we should earnestly hope that this action by the Red Cross will help to focus the spotlight of world opinion upon the inhumane treatment of the Americans Hanoi holds prisoner.

Hanoi has ignored the Geneva Convention. It has refused to cooperate with the Red Cross in inspection of its camps. It has refused to identify all of the prisoners it holds. It has refused to release the sick and wounded. It has refused to permit a proper exchange of letters and packages. And, it has refused to protect U.S. prisoners from public abuse. Obviously, North Vietnam has violated even the most fundamental standards of human decency.

As a result, hundreds of wives and parents do not know if their husbands and sons are dead or alive, and countless children do not know if they have a father still living. These husbands, sons, and fathers are among the 1,400 men missing in Vietnam. Over 400 are known to be prisoners of war, and some 900 others are missing and believed captured.

Mr. Speaker, the House of Representatives should strongly support the action of the 21st International Conference of the Red Cross. All Americans—regardless of their views on the Vietnam war—should support the Red Cross declaration in the name of humanity. We should make it crystal clear to Hanoi that on this issue we are united.

Accordingly, I am submitting a con-

current resolution stating that it is the sense of the Congress that we approve and endorse the resolution adopted at the 21st International Conference of the Red Cross.

TROOP WITHDRAWAL—WHAT FATE POW'S?

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

Mr. RARICK. Mr. Speaker, during discussions of the President's election eve address, I have neither heard nor read any comment about the forgotten Americans—those held captive by the enemy.

If Vietnamization of the war means a graduated withdrawal of American forces does it not also mean abandonment of American POW's. Anything short of victory has always proven to result in abandonment of those men who trusted their government and fought for their country.

During special orders, when our withdrawal from Vietnam is discussed, I sincerely hope that some of the advocates of withdrawal will consider the fate of these men of sufficient importance to discuss.

In that connection, I include in my remarks, for the consideration of our colleagues, last month's Dean Manion interview with Capt. Eugene Guild, founder of Fighting Homefolks of Fighting Men: [From the Dean Manion Forum, Oct. 19, 1969]

TROOP WITHDRAWAL MUST INCLUDE AMERICAN POW'S

(Interview with Capt. Eugene Guild, U.S. Army, retired)

DEAN MANION. With me here at the microphone is our country's top authority on the subject of our fellow citizens who are now prisoners of war. Eugene Guild of Glenwood Springs, Colorado, is a retired Regular Army Captain who has labored for the past 19 years to make America conscious of the fate of hundreds of American servicemen who are now sweating it out in the Communist prison camps of North Korea, Red China, Soviet Russia and, presently, in North Viet Nam.

Patriotically, Captain Guild has made himself a point of contact between mothers, fathers and the kith, kin and friends of the officially forgotten men who have fallen into the horror of Communist captivity while serving our country. He visited us here five years ago with an account of his experiences in researching the facts about hundreds of Americans who were and have since been left in Communist captivity after the cease fire in Korea. Now I've asked him to come back and bring us up to date about those who have been captured by the Communist government of North Viet Nam.

Captain Guild, welcome back to the Manion Forum.

Captain GUILD. I'm very glad to be here, Dean Manion. I got into this thing in 1950 when my marine son was killed in action in Korea. He got a posthumous Navy Cross, by the way. I became sympathetic with all of the mothers of those who are missing—these mothers didn't know whether their sons were alive or dead and that's a tough situation. We formed a little organization called "The Fighting Home Folks of Fighting Men" and we worked at it. And when in 1953 all the prisoners were not returned, we concentrated on those POW's.

I went to Korea, I went to Panmunjom, I went to Europe and to Greece and talked with men who knew about it and I've been

underground. And, by the way, I talked with the Vice President of the International Red Cross in Seoul, Korea, who told me that the United States Government had not requested the International Red Cross to take any action whatsoever on the prisoners of war.

DEAN MANION. What year was that?

Captain GUILD. That was in 1960, in Seoul, Korea. Then, of course, we had those shot down by the Soviets—34 planes with over a hundred men who were shot down. The State Department, in 1956, said that they were compelled to believe that the Soviet government was holding those men. They gave chapter and verse and prison camp and so forth about those men and demanded that they be accounted for or released. Of course, the Soviet government denied any knowledge whatsoever about the situation and we quietly let that drop.

Now, the situation of the Viet Nam prisoners comes up. There are in Viet Nam between 500 and 1,000 POW's who were shot down or captured, who are believed to be still alive. We know 400 by name, but the rest we don't know about. In other words, the parents and the wives do not know whether their kin are alive or dead, which, as I said before, is a very tough proposition on them.

DEAN MANION. Captain, the White House gives us the assurance that they're going to do everything possible, diplomatically, to obtain a release of these men. What do you think about that?

Captain GUILD. Well, I can only go on what experience has been with the Communists. Now diplomatically and politically you get nowhere with the Communists. You only get some place with them when you give them something they want. Now, the State Department has written Senator Hart, of Michigan, a letter in which they state that the Chinese Reds have told them that they will not even discuss the release of the Americans they hold in Korea unless the Taiwan, or Formosa, problem is settled to their satisfaction. Meaning, if we will abandon Taiwan to them, they'll talk about releasing the Americans which they hold.

Now, that's simply blackmail and that's simply the experience with the Reds—showing that if you do as we did in the Korean situation and take away all of our troops and leave the prisoners of war there, without any bargaining force behind them, then the Communists are going to get what they can in a blackmail way out of those prisoners of war.

DEAN MANION. Captain, you mentioned blackmail. Didn't Castro use some sort of blackmail, as I recall, with the Bay of Pigs prisoners before he would let them get out of Cuba?

Captain GUILD. He certainly did. They demanded 60 million dollars for the release of those Bay of Pigs prisoners and they got it. In this situation they'll probably ask 10 or 50 times that amount of blackmail for the release of our prisoners in Viet Nam. And, of course, in the Pueblo area they asked for an infamous lie as a blackmail price of the release of those Pueblo prisoners and they got that infamous lie, that is, that fake apology, which they used all over the world to strengthen their position.

DEAN MANION. Captain, has your organization made any definite proposals to the State Department or the President or anybody?

TROOP WITHDRAWAL SHOULD INCLUDE POW'S

Captain GUILD. Yes, on the Fourth of July this year we proposed to the President by letter that as a part of the withdrawal of American troops, that all of the troops be withdrawn, including the prisoners of war, who are part of our troops. And that before anything else was done that the President demand that Paris, that for each increment of American troops withdrawn the Reds should release the proportionate number of

POW's which they hold. Because we can't withdraw all our troops without withdrawing our prisoners of war, who are part of our troops. We sent that letter to the President and we also sent the proposal to a score of the members of Congress and to a number of governors, and we gave it some publicity.

DEAN MANION. Captain, you know very well from experience that Hanoi will not even reveal the number or the names of the prisoners they hold. They're not going to make any such agreement, do you think?

Captain GUILD. Well, there's some possibility that they may. They want us to withdraw and we are, by that, able to give them something they want. But if they refuse, if they balk at returning any of the prisoners of war, why then that is a risk, a political risk, particularly to the President. But those POW's risked everything for the United States, for the President, for you and me, for everybody and they are certainly worth taking a political risk, or some risk, to liberate.

The American soldier is the man that got us our liberty in the beginning by fighting and dying for it and he must continue in the future to keep on fighting and dying to maintain our liberty. Therefore, he is the most important man in this country and is worth any kind of a risk, particularly a political risk, to back up and to give loyalty from the top down.

DEAN MANION. Captain, what do you mean by a "political risk" that the President might take by demanding and attempting to enforce this kind of a demand? In the first place, what would he do if they will refuse to agree?

Captain GUILD. Well, he would simply stand fast and say we will not withdraw any troops unless all of the troops, including the prisoners of war, can be withdrawn. Now that is a political risk to the President and to his party and it might mean that if he cannot fulfill his promise of ending the war and getting the troops back that he might possibly lose the next election. That is the risk.

DEAN MANION. My point, Captain, about the political risk is this: If the President should make it plain that North Viet Nam is demanding that we abandon these prisoners, do you think the American people would rise up against him for refusing to agree to that?

Captain GUILD. Well I think they're very likely to. I think all of this business of the doves and the nihilistic students who are saying, "Let's get out regardless of anything; regardless of the POW's; regardless of the next war which might ensue from this business of quitting." That can easily react upon the politicians, upon the party in power. In future elections the same doves and the same nihilistic youth who come out against the war can say, "Well, here is the man, Mr. Nixon, who sold Viet Nam down the river; who sold out our prisoners," and so forth.

In other words, they're out to defeat him no matter which way he goes. I think that the reaction can be very severe upon the politicians if they leave these prisoners of war to be used as blackmail bait by the Communists.

DEAN MANION. Well from what you've said, Captain, you've posed a conflict here between what is the political thing to do and what is the right thing to do. How are you going to resolve that?

TROOP ABANDONMENT IS A COURT-MARTIAL OFFENSE

Captain GUILD. The danger that we have now is that we're now getting into the same old situation that we had in Korea. In other words, this is where we came in on the same thing. Now, if we abandon those prisoners and leave them over there why, as I say, the situation can be used against the Commander in Chief, the President, who commands all of the troops and all of the armed

forces. He can be accused of having abandoned his own men. And, by the way, it's a court-martial offense for any commanding officer of troops to abandon any of his men, an offense that, by the court-martial manual, can be punished by death or such other punishment as the court-martial may direct.

And there is that danger also to the morale of the people coming in. How are we going to get men to enlist in the armed forces who will, from this experience of abandoning our prisoners, wonder "If I get in what's going to happen to me? Will I be abandoned, if I'm captured? Will I be given any loyalty whatsoever from the top down, or if I go am I just out of luck?" Now that morale problem is serious.

General MacArthur stated that if the American soldier ever lost his faith in his Government's will to protect him and to back him, then, in effect, the United States would be finished. That is a very serious danger and it is a danger which we have to consider. We have had a number of small mutinies here and there—all over the army—and we have a number of people getting into the army who get in unwillingly and they get in with a bad spirit and the situation now is not good.

DEAN MANION. Captain, as I see it, your position resolves itself down to this: If we're going to withdraw the troops, then we must by that statement withdraw the prisoners, too, right?

Captain GUILD. Yes. The prisoners are part of our troops and to consider that they're not our troops is a treasonous situation. We must withdraw the prisoners along with our troops and we must do it now before it is too late. We must stipulate that our troops will not be withdrawn unless the prisoners come along home with them. The prisoners belong with our troops and they should be brought home with them. To leave them for blackmail bait is a treasonous situation, it is absolutely failing to give the loyalty from the top down that they are entitled to as American fighting men.

DEAN MANION. Captain Guild, you've undoubtedly written to a lot of Congressmen. Is Congress facing up to this situation?

Captain GUILD. No, they are not. Recently they held a whole day session, taking up 68 pages of the *Congressional Record* to scold the Communist for their inhumane treatment of our prisoners. And that was simply an obvious attempt to get the POW kith and kin off their backs. It was a hypocritical and cruel hoax upon the kith and kin of the POW's and upon those poor POW's themselves.

DEAN MANION. Thank you, Captain Guild. The Captain forgot to tell you that his grandson is now fighting with our infantry in South Viet Nam, his own blood line thus runs straight through the Korean War into this one. What Asiatic country will be next if we give the Communists another victory in Viet Nam?

A JUST PEACE IN VIETNAM

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

Mr. RANDALL. Mr. Speaker, I have introduced a resolution identical to House Resolution 613, which was only to lay approved by the House Foreign Affairs Committee.

This identical resolution was introduced by 50 Democrats and 50 Republicans. It is not partisan.

The House Foreign Affairs Committee adopted this resolution by a substantial vote. The resolution expresses the earnest hope of the people of the United States for a just peace. It calls attention to the many peaceful overtures which

the United States has made in good faith toward the Government of North Vietnam.

The resolution supports the principle that the people of South Vietnam are entitled to choose their own government by free election open to all South Vietnamese and supervised by an international body.

Mr. Speaker, last Sunday, before the President made his speech on Vietnam, in some remarks I made at the dedication of a hospital in the district it is my privilege to represent at Osceola, Mo., I emphasized that I consider part of the burden for ending the war in Vietnam should be borne by the Congress. It is my hope this resolution approved by the House Foreign Affairs Committee can pass the House. It will contribute to an honorable peace in Vietnam, to bring not just a part, but all of our men home.

Anything short of a peace with justice would amount to surrender by this country no matter how it might be disguised. It is for that reason that I chose to associate myself with the sponsors of this amendment, believing that by this means the Congress can share the burden of peace with the President. By such a resolution the honor and prestige of this country can be preserved and peace with justice can be accomplished.

By this resolution, we recognize that under our Constitution the prime responsibility is that of the President. But we are saying that we should not require the President make all the decisions alone. In 1964 we voted the Gulf of Tonkin resolution. In 1964 we helped one President get into Vietnam. In 1969 we should help another President get out.

THE CHOICE IN VIETNAM

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

Mr. MacGREGOR. Mr. Speaker, an important contribution to the discussion of Vietnam alternatives was made by the issuance on October 29, 1969, of a report entitled "The Choice in Vietnam." The report was authorized by the Citizens Committee for Peace With Freedom in Vietnam, former Senator Paul H. Douglas of Illinois, chairman. This distinguished and highly knowledgeable group of Americans came into being in October of 1967 under the leadership of Harry S. Truman and the late Dwight David Eisenhower.

While all of us may not agree entirely with the following findings and recommendations, they deserve our most respectful consideration.

The report follows:

THE CHOICE IN VIETNAM

(Prepared by the Citizens Committee for Peace With Freedom in Vietnam)

An understandably war-weary and impatient United States faces a choice in Vietnam. The choice is between: (1) defeat, however camouflaged, and (2) ending the war in an orderly way that protects our own interests and preserves for the people of South Vietnam the right of self-determination—the right to decide their own future free of outside interference.

In our view, the devastating consequences of defeat dictate the course that America must follow. Further, our recent fact-finding survey in Vietnam has convinced us that an honorable solution can be reached.

THE FOLLY OF WISHFUL THINKING

Some Americans feel that the choice need not be made or that it can be delayed.

Some urge further, immediate, unilateral concessions on the part of the United States. But, as we have previously pointed out, a continuing series of unilateral concessions, unreciprocated by the enemy, is the road to defeat.

Some hope for a magic, overnight solution at Paris. But the negotiations at Paris will reflect the political, economic and military struggle in Vietnam and the state of public opinion in the United States—nothing more and nothing less. We would be foolish to expect Hanoi's leaders to make any real concessions so long as they believe that their demands will be met bit-by-bit without giving anything in return.

Finally, there are those who think that our intervention in Vietnam was a colossal error and that, consequently, we should now turn our backs on our commitment and erase this bad dream from our consciousness. Even if one were to grant that our intervention was a mistake, the truth is that an act of bad judgment cannot be rectified by an act of bad faith.

THE ILLUSION OF MILITARY VICTORY

There is still a sizeable group in the United States which pursues the illusion of military victory. What they forget is our limited objective in Vietnam. That objective was clearly defined by the late President Eisenhower in his last public statement for our Committee:

"We ask nothing for ourselves and insist upon nothing for South Vietnam except that it be free to chart its own future, no matter what course it may choose."

Our Committee has consistently opposed unnecessarily risking a general war in Asia or another World War. We favor a sensible road between capitulation and the indiscriminate use of raw power.

We do not seek a military victory in Vietnam; we seek to deny military victory to the enemy.

We do not seek to win the war; we seek to win the peace.

THE CHOICE IN VIETNAM

The real choice in Vietnam is between Defeat and Peace with Freedom.

The road to defeat

The road to defeat will be clearly marked. It will be marked by precipitous or premature withdrawal of American forces from Vietnam—withdrawal before the South Vietnamese are prepared to take over the job of protecting themselves from the Vietcong and the invaders from the North.

The road to peace with freedom

This road is difficult and precarious but its markings are equally clear. It will be marked by a firm policy to substitute South Vietnamese for United States troops as rapidly as possible but only on the basis of clearly apparent improvement in South Vietnamese capabilities. As President Eisenhower saw it: "We'd gradually withdraw as the South Vietnamese strengthened themselves sufficiently to carry on alone."¹

The consequences of defeat

If the Road to Defeat is clearly marked, the consequences of defeat are unmistakable:

1. South Vietnam would be taken over by the Communist North. The large non-Communist majority of the South Vietnamese people would be delivered to the small

¹ Dwight D. Eisenhower in conversation with Abbott Washburn, Indio, California, Wednesday morning, 21 February 1968.

Communist minority and to the Communist invaders from the North. A blood bath would follow and, based on Hanoi's past performance, hundreds of thousands of South Vietnamese who have fought at our side would be slaughtered.

2. America's word and leadership would be sharply devalued throughout the world. Every treaty that we have made, every agreement and commitment that we have entered into would be looked upon with suspicion by those countries who had counted on them.²

3. The development of freedom and democracy would be revised in South East Asia, and slowed in Africa and even in Latin America. Peaceful methods of social and economic change would be downgraded and violent methods encouraged. A huge part of the world, with a rapidly expanding population, would be increasingly vulnerable to Communist subversion and control.

4. The effectiveness of the new "wars of liberation" would be confirmed. An open invitation to expanded use of the guerrilla technique of conquest would be extended to those contemplating aggression against their neighbors and ideological competitors.

5. India, Japan, and even Australia would be under increasing pressure to develop nuclear weapons for their own protection. With the proliferation of those weapons, the risks of miscalculation would grow and the chances of a Third World War would increase.

6. Finally, there would be bitter recriminations here in the United States once the full significance of our defeat had been perceived. Voices of dissent from extremist groups would grow strident and there would be a violent shattering of American unity and self-confidence. A "new isolationism" would find fertile ground in a disillusioned and bitter people. Prejudice, scapegoat-seeking and intolerance would flourish. And the lesson of the success of violent guerrilla tactics to bring about change would not be lost upon those who seek to use violence to effect social change here at home.

In his last public statement on behalf of our Committee, General Eisenhower said:

"A camouflaged surrender would result in the United States 'writing off' Southeast Asia for the foreseeable future. We could survive such a catastrophe—but our citizenry should be clear that the whole security system, which has maintained peace and freedom for the past generation, would be eroded—if not destroyed—by an American retreat from our commitments in Southeast Asia."

To our mind, the consequences of defeat would be so calamitous that America should and must choose the second alternative—the Road to Peace with Freedom.

THE SITUATION IN VIETNAM AND AT PARIS

A special nine member, bi-partisan, fact-finding Commission of our Committee³ re-

turned in late August from a trip to Vietnam, Thailand, Laos, Manila, Pearl Harbor and Paris.

The Commission's findings were unanimous, as were its recommendations.

THE COMMISSION'S FINDINGS

The turning point at Tet

Since the Tet offensive in early 1968, the enemy has become weaker, our side stronger. This favorable trend is largely due to the enemy's huge losses in manpower, General Abrams' small unit spoiling tactics, and the military mobilization of the South Vietnamese people which is, relatively, one of the largest in modern times.

Progress is striking but precarious.

Since Tet 1968 the enemy has won no victory, taken and held no ground, sustained no major long-term engagement and has fallen back chiefly on hit-and-run tactics. He keeps the fight going in the South mainly by the infusion of troops from the North.

The South may have found its soul at Tet and in the mass grave of Hue. The enemy lost his bid for victory on the battlefield and the South's morale was clearly strengthened. The enemy had expected to find mass support in the cities of the South; he found none.

Since Tet the South Vietnamese have expanded their ground, taken over the defense of more territory including an entire corps area, and have inflicted far greater casualties on the enemy than he has upon them. Peasants, including large numbers of refugees, are returning to the fields and villages, rice production is up, more local elections are being held, and defections to our side are increasing. Political progress and the development of democratic institutions are clear. A constitutional system is now functioning, however imperfectly, and despite unfavorable wartime conditions. We cannot and should not judge Vietnamese progress by our own standards. "Instant democracy" is not in the cards.

The trend is favorable

Our Commission began its trip with a suspicion of statistics, official briefings and charts and figures. But trends are unmistakable. The overall trend is favorable. It is clearly in our direction. We saw it and we felt it.⁴

T. Lund, President, Lund's Inc., and Chairman, Board of Trustees, Gustavus Adolphus College; Lester Malkerson, Chairman, Board of Regents, University of Minnesota; Rabbi Schulem Rubin; Charles J. Stephens, Graduate Student, University of California; Charles Tyroler, II, President, Quadri-Science, Inc.; and Abbott Washburn, President, Washburn, Stringer Associates, Inc.

⁴Every available indicator underlines this favorable trend: American casualties have sharply decreased and are now at the lowest level of the past three years. Deserters from the enemy (the Chieu Hoi program) have sharply increased and are running at over double the rate of last year and at the highest rate since the program began. The total South Vietnamese regulars, Regional and Popular Forces has increased by more than one third in the past year. (The Regional and Popular Forces have increased at an even faster pace than the regular.) Additionally, the People's Self-Defense Force—the equivalent of our American Revolution "Minutemen"—has grown to over 1.5 million from nearly zero less than two years ago. The number of hamlets controlled by the Vietcong has dropped by one half during the past year and the number controlled by friendly forces has increased by a third. There are more than ten times as many hamlets under South Vietnamese control as there are under the control of the Vietcong. Over 80% of the villages and almost 80% of the hamlets in Vietnam now have

The enemy's initiative

Yet the enemy retains military initiative through use of his sanctuaries in Laos and Cambodia and north of the DMZ. If he is willing to bleed himself at a fearful rate he can still, for short periods, sharply increase American casualties. Our commanders know this, and we were tremendously impressed with their concern to spare American lives. America's present military leadership in Vietnam is of the highest order.

It seemed to us that Hanoi and General Giap have embraced a deliberate policy of playing upon American's natural reluctance to sustain human casualties in a far-off and not-too-well-understood conflict. To Hanoi human lives are merely chips in a poker game. As the late Ho Chi Minh once told the French: "You will kill ten of our men and we will kill one of yours. And in the end, it will be you who will tire of it."

We must be prepared for ups and downs in American casualties but, if we follow a measured policy of replacement, the peaks and valleys should both grow lower. The trend will be down. On the other hand, a too rapid rate of replacement would endanger the lives of our fighting men who remain behind.

A policy of gradual dis-engagement

The South Vietnamese must still rely for a considerable time upon United States troop lift, air and artillery support, staff assistance and reserves. Progress on the political and pacification front is gratifying but still vulnerable. It could be undermined if the Allied military posture is suddenly weakened.

In this situation timing is crucial, particularly with respect to the substitution of Vietnamese troops for Americans. An American policy of gradual dis-engagement is feasible, provided the withdrawal of U.S. forces is closely geared to demonstrated improvement in South Vietnamese capabilities and is not forced prematurely by war-weary American public opinion. Preparing for a long struggle is the best way to achieve short term results. Hanoi's leaders will never seriously negotiate until they are convinced of our determination to stay the course.

The need for time

The South Vietnamese need time to tool up their army, their staff and support echelons, and to acquire confidence. To this must be added an extra margin of time to allow for mistakes, setbacks, and over-confidence. The South Vietnamese must be trained to use communications, air and artillery support and medical evacuation facilities. This will require time even after they assume the principal combat responsibility on the ground. One striking example may suffice: it takes 34 months to train a combat helicopter pilot.

"Vietnamization"

To our surprise, we found that the present comprehensive program for "Vietnamization" of the war is less than a year old. Very little of the program had been in operation six months earlier. We were particularly impressed by the rapid growth of security in the rural areas which has been achieved in large measure by the South Vietnamese themselves. The enlarged and newly equipped regional and popular forces are now shouldering a large share of the responsibility for protecting the rural population. In addition an enormous new militia force—the People's Self-Defense Force—has developed in the last eighteen months. It is composed of 1.5 million women and girls

elected governments. The National Police force has increased 20% in the past year. Total acres of land under new "miracle" rice cultivation will more than triple this year. Domestic revenue collections are up over 50% since last year.

² Comment by General Omar N. Bradley: "We helped organize NATO in 1949 with the objective of deterring potential aggressors from starting a Third World War. Since then there has been no global war and it is safe to say that our NATO alliance was a contributing factor. If we are going to indicate now that we can no longer be depended upon to keep our commitments in Southeast Asia, our global deterrent may cease to exist. Keeping our word in Vietnam is a relatively small price to pay for insurance against a Third World War." 28 October 1969.

³ The members of the special fact-finding commission were: Edmund A. Gullion, Dean of the Fletcher School of Law and Diplomacy, Tufts University, and Former U.S. Ambassador to the Congo; John W. Hanes, Jr., Former Assistant Secretary of State, and Partner, Wertheim & Co.; Mrs. Oswald B. Lord, Former U.S. Representative on Human Rights Commission, United Nations; Russell

and older men and boys who are ineligible for military service. Two out of every three have already received elementary military training and 300,000 guns have been made available to these new forces. Progress in a brief period has been remarkable—clear testimony to the feasibility of "Vietnamizing" the struggle.

Vietnamese confidence

To our further surprise we found the Vietnamese eager for the transfer of responsibility. The first U.S. troop withdrawals have actually stimulated them. They expect and do not object to further withdrawals. However, they see the whole process as measured, directly related to their own progress, and still involving at the end an important American residual logistical presence. Their new found confidence is a fragile thing. It could be shattered by an enemy assault if we leave them vulnerable. Their confidence could also be shattered if they came to believe that U.S. policy is one of abandonment rather than transfer of responsibility.

President Nixon's three criteria

President Nixon has made three stipulations for U.S. force reduction of which we consider South Vietnamese progress the cardinal one. As to the other two stipulations—reduction in the enemy's military activity and progress at Paris—a "lull" in the fighting ended while we were in Vietnam. We do not believe it prudent to rely on such "lulls."

As to the Paris peace talks, they have not failed but they have shown no progress of the kind the President stipulates. Next Thursday will be our 40th meeting in Paris with all representatives of the other side. Thus far, it has been largely a one-way street. We have given. They have taken.

The talks have, however, served to demonstrate that the enemy is unwilling to face the challenge of free elections, wants the United States to throw the Thieu government out, and then wants the United States itself to get out unconditionally after having installed a peace-at-any-price coalition government for the future convenience of Hanoi. There has seldom been a clearer case of a belligerent's trying to gain at the conference table and in the arena of public opinion what he has failed to win on the battlefield. Hanoi and the American people should heed the warning of Richard M. Nixon: "The Viet Cong and the North Vietnamese . . . cannot and should not count on American division to gain politically in the United States what they cannot gain militarily in Vietnam."⁵

A possible stand-off

Thus, a kind of protracted stand-off may loom in Vietnam. However, if the President, and the American and South Vietnamese people stick by Mr. Nixon's three criteria, and if the South Vietnamese succeed in cementing a political consensus, we believe that the stand-off will be resolved in favor of peace with freedom—and that there is a good chance that the stand-off will not be as protracted as now appears. On the other hand, if we withdraw prematurely, the enemy can reverse the tide now running against him, complete his subjugation not only of Vietnam but of adjoining territory, and we will have lost more than 39,000 American lives in vain.

The two Vietnam wars

There are two Vietnam Wars: the one that is actually taking place and the one that is perceived at home on television and in the other communications media.

We had expected to see a devastated country with ruined cities, despoiled forests and bomb craters dotting the land. After traveling from east to west, north to south, and

covering tens of thousands of square miles of territory, we found nothing of the kind. South Vietnam is today still a beautiful, lush country—damaged but not devastated. We were surprised by the relatively small amount of military activity and the large amount of quiet, normal day-to-day activities being conducted in virtually all of the country.

On reflection, we were able to reconcile this with what we had seen on television and seen and read in the other media. Obviously, it is not news to show and write about normal happenings and normal places. It is the unusual incident—the dramatic, violent event—that makes for news, and, presumably, watcher, reader and listener interest. Here at home, we need—but we certainly do not receive—a balanced presentation of the actual situation.

RECOMMENDATIONS OF THE COMMISSION

1. That the substitution of Vietnamese for United States troops take place primarily on the basis of demonstrated improvement in South Vietnamese capabilities; the American policy should be: "look before cutting"—not "cut and run."

2. That no timetable for withdrawals be proclaimed and that any schedule developed for planning purposes be flexible.

3. That President Nixon establish an extraordinary Commission to assess the progress of South Vietnam's armed forces; and that this Commission inquire into whether "Vietnamization" can develop at a more rapid rate of modernization and activation than was laid down in schedules adopted before "Vietnamization" became a by-word linked with U.S. force reductions.

4. That American editors and correspondents and the U.S. Information Agency give increasing coverage to ARVN sacrifices, progress, and capabilities. They should also direct considerable and unremitting attention to the atrocities committed by the enemy.⁶

5. That the United States urge that the Vietnamese government broaden its base among non-Communist elements of the population and that it seek new support in the countryside. The objective should be a government which can not only prosecute the war but which can also face up to the enemy in the stand-off which will follow United States force reductions—a government in Saigon which can speak more authentically in peace negotiations. Such a broadening should not, however, prefigure the kind of peace-at-any-price coalition that Hanoi wants to see imposed without elections.

6. That the American people should recognize the political benefit which can accrue from the proposed new, and long-overdue, land reform program and give appropriate assistance. Economists have long been prone to underestimate the impetus provided by granting title to those who work the land. Further, Vietnam's principal crop, rice, is particularly suited to small plot cultivation.

7. That the United States and South Vietnam should stand firm at Paris:

a. For free elections.

b. Against an imposed coalition government, and for whatever solution the South Vietnamese choose for themselves.

c. For reciprocal troop withdrawals.

8. That the United States expedite the equipment of Laotian forces; and that our stand on the withdrawal of North Vietnamese forces apply to Laos and Cambodia as well as to Vietnam. We must seek an agreement with Hanoi not only about Viet-

⁶ Granted it is virtually impossible to record on live film the disembowelments and tortures before violent death that usually take place in secluded places in the dark of night. But it is possible to record in photographs and with the printed and spoken word the clear evidence of Hanoi's deliberate policy of terrorism. In this war, we have consistently put our worst foot forward. We

nam but about contiguous areas in Southeast Asia.

DEMONSTRATIONS AND DEMANDS

Earlier this month large youth demonstrations, joined by other members of a war-weary public, demanded U.S. withdrawal at a specific early date—well before the South Vietnamese could take over. Other Americans were proposing a unilateral standstill cease-fire.

The price of an abrupt pull-out

To pull out abruptly would throw away a fast improving chance for the majority of the South Vietnamese to live their lives as they wish to do, free of the domination of Hanoi, ready, willing and able to defend themselves. It would nullify negotiations, represent an American sell-out, and encourage the victors to try for "one, two, three more Vietnams".⁷

The dangers of a unilateral standstill cease-fire

The unilateral standstill cease-fire proposal is more subtle and may appeal to some as a way to test enemy intentions, but we believe that:

a. Nothing in the record indicates that the enemy would respond affirmatively to unilateral action or honor an agreement even if he entered into one.

b. The enemy can only keep his disjointed apparatus intact by continuing hit-and-run attacks on towns and villages and laying the groundwork for future large-scale actions.

c. It would be a windfall for the enemy, putting him into *de facto* possession of positions he now occupies only fitfully and by terror.

THE SILENT CENTER

From the inception of our Committee, we have tried to speak for the "Silent Center"—the moderate, understanding independent and responsible men and women who have consistently opposed rewarding international aggressors from Adolf Hitler to Mao Tse-tung. When we organized in October 1967 we believed that "the Silent Center" represented a majority of the American people. We believe that it still does. It may not seem so today as reflected in the communications media, but that is because "the Silent Center" has become even more silent. It is unhappy about the war—it wants an end to the war—but it does not want to buy an end to hostilities at the price of defeat, dishonor and of peace with freedom here and abroad.

The American people will rally

If the President of the United States follows the Road to Peace with Freedom—and we have every reason to believe that he will—and if he speaks out frankly, simply and fully on the consequences of defeat, a substantial majority of the American people will rally behind him. Many may do so with reluctance and misgivings but they will rally with the sure instinct of Americans for the path of freedom and honor and the long range security of the United States.

On Vietnam, we are in a desperate race between the natural impatience of the American people and their education to the true situation. In this task of education, the President and his Administration bear a heavy responsibility which has not been adequately met.

The pendulum of opinion

Attitudes on foreign policy are not dissimilar to those on stock prices. The pendulum swings violently from unreal optimism to unwarranted pessimism. For some years

show the destructive capacity of our own weapons and the sufferings and deaths of our fighting men—we devote little if any attention to the sufferings of our allies caused by the other side; nor have we depicted adequately the inhuman practices of the enemy.

⁷ Che Guevara.

⁵ Richard M. Nixon, Manchester, New Hampshire, February 2, 1968.

the American people were subjected to a barrage of optimistic projections and prophecies concerning Vietnam. Now the pendulum has swung to the other extreme. It is ironical that at the very time when the prospect for peace with freedom is rising in Vietnam, confidence in a successful outcome is at its lowest ebb here at home.

Hanoi's chance for victory

Hanoi is fighting on three battlefronts—in Vietnam, in Paris, and in American public opinion. The enemy's only remaining chance for total victory lies here in the United States—in the pressures of American public opinion.

THE CITIZENS COMMITTEE

Our committee is national and nonpartisan.

We are incorporated as a non-profit organization. Membership is limited to those in private life. It is open to any private citizen who shares our views but it is not our purpose to solicit a mass membership or to circulate petitions or to sponsor or participate in rallies or demonstrations.

The Committee has no organizational affiliates. All members serve in their individual capacities.

Our activities are wholly financed by voluntary contributions from concerned citizens. We hope that you will want to help to make our work effective.

Contributions to the Committee are tax deductible.

Checks should be made out to "Committee for Peace with Freedom" and sent to: 1028 Connecticut Avenue NW., Washington, D.C. 20036.

PUBLICATIONS OF THE COMMITTEE

1. "Peace With Freedom," policy statement of the Committee.
2. "How The Silent Center Will Seek Peace With Freedom," by Paul H. Douglas.
3. "The Nation's Editors Speak Up on Peace With Freedom and The Silent Center," Editorial reactions to the Committee.
4. "A Balance Sheet on Bombing," Statement of the Special Committee on Bombing Policy.
5. "The Nation's Press Discusses 'A Balance Sheet on Bombing.'"
6. "Negotiations—Hopes vs. Realities," Statement of the Special Committee on Negotiations.
7. "The Nation's Press Discusses 'Negotiations: Hopes vs. Realities.'"
8. "The Struggle For Peace With Freedom," testimony before the Republican Platform Committee.
9. "The Road to Peace With Freedom," testimony before the Democratic Platform Committee.
10. "The Choice In Vietnam."

CITIZENS COMMITTEE FOR PEACE WITH FREEDOM IN VIETNAM

A non-profit, non-partisan organization founded in October 1967 by private citizens, including:

Harry S. Truman, 33rd President of the United States.

Dwight D. Eisenhower, 34th President of the United States.

Organizing Chairman, Former Senator Paul H. Douglas.

Co-Chairman, General of the Army Omar N. Bradley; Archbishop Robert E. Lucey; and George Meany.

Vice Chairman, Mrs. Oswald B. Lord.

Director, Charles Tyroler II.

Deputy Director, Abbott Washburn.

Treasurer, Huntington Harris.

OKINAWA AND TEXTILE IMPORTS

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

Mr. DORN. Mr. Speaker, the future

status of Okinawa is directly related to all of our future relations with Japan, including the continuing threat of excessive imports of Japanese textiles. A return of Okinawa to Japan is of grave concern to this Congress and to the American people. I believe, however, that this burning question can be resolved to the mutual benefit of our two great nations.

Okinawa is a vital military bastion in our chain of defenses in the Pacific. Military bases on Okinawa are vital to the security of Southeast Asia. They are vital to the defense of Japan itself and to each of its home islands. I cannot conceive of this Congress giving its approval to a return of Okinawa to Japan unless Japan will assume more of the free world's defense burdens in the Pacific. Likewise, I cannot conceive of this Congress approving a return of Okinawa without an agreement with Japan to curb its ever-increasing exportation of low-wage textiles into the United States. Japan's stubborn, ill-advised refusal to enter into a fair and orderly trade program is costing her many friends in this Congress.

A healthy American textile industry and the welfare of its 2.4 million employees is absolutely essential to the defense of the United States. As often stated by every military expert, textiles are second only to steel in the defense of the United States.

We must have an agreement that Japan will limit her textile imports into the United States before the Congress and the President act favorably for Japan on the Okinawa question. Congress does have the power to reject outright a return of Okinawa, and I believe this action will be taken by the Congress unless Japan will make a greater contribution to the defense of freedom and until she voluntarily agrees to limit her textile imports to the United States, including all categories—man-made fibers, woolens, worsteds, and cotton. Our textile industry is definitely hurting. Many of our plants which won the Army-Navy E award in wartime are now forced to curtail and close some plants altogether. Textile plants which manufacture materials for our space program, our Navy, for our pilots, and soldiers in the field are being curtailed and could go out of business completely under the impact of this deluge of low-wage textile imports.

Mr. Speaker, Japan enjoyed a favorable trade balance of \$1,100,000,000 last year with the United States. Textile imports and the question of Okinawa are one and inseparable.

Mr. Speaker, I have discussed this question with many powerful committee chairmen and ranking members of the standing committees, and I can assure you that they do not favor a return of Okinawa without some reciprocal action on the part of Japan.

SCRIPPS-HOWARD NEWSPAPERS EXPLAIN PRINCIPLES AND POLICY

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

Mr. FEIGHAN. Mr. Speaker, the Scripps-Howard newspapers fulfill a vital

function in supplying news and editorial opinions to millions of persons.

Recently the Scripps-Howard newspapers published a brochure containing a collection of statements of principles and policies adopted by Scripps-Howard editors and editorial executives. The brochure sets forth in concise form Scripps-Howard's editorial viewpoint on 25 major issues. I believe that the Members of Congress and readers of the CONGRESSIONAL RECORD will find their views of interest.

Moreover, the brochure explains how editorial policy is formulated by Scripps-Howard newspapers.

With leave granted, I insert the Scripps-Howard Newspapers brochure:

WE SUBMIT

(NOTE.—This attractive brochure presents Scripps-Howard Editorial Policy in 1969 as depicted in a series of advertisements that appeared during the year. Prior to the ads, the Policy was enunciated on the editorial pages of the Scripps-Howard Newspapers, where it continues to develop.)

(How is editorial policy formulated for 17 newspapers in 10 states and the nation's capital? Editor-in-chief Earl Richert discusses the machinery for that in his foreword. Undescribed, perhaps beyond defining, is the aggregate of background, experience specialized knowledge, regional interests, universal concerns, and professional capabilities of the Scripps-Howard editorial executives who construct Policy. As in age, size, and shape, the editors all are different and they often differ.)

(Policy is the living, changing body of beliefs and purposes that determines our stance. This then is Scripps-Howard Editorial Policy in 1969.)

HOW SCRIPPS-HOWARD DECIDES

We decide how we stand on any major issue or presidential candidate by majority vote of the editors of the 17 Scripps-Howard newspapers and those members of general management involved in editorial policy.

There are more editors than members of general management and each man speaks his mind. The vote of the editor of the smallest newspaper counts as much as the vote of the editor-in-chief or the general editorial manager. Often there are sharp divisions. But majority rule is clearly understood and willingly accepted.

It was by such a majority vote, not unanimous, that the Scripps-Howard Newspapers decided in 1964 to support Lyndon Johnson for President, and in 1968 to back Richard Nixon.

Meetings of Scripps-Howard editors to thrash out policy stands are held at least once a year, sometimes more often. And between meetings polls are taken on newly emerging issues, with the editors sending in their votes by letter or wire.

In the summer of 1968 it was decided that in this time of rapid and painful change we should take a fresh look at our national editorial policies which, we like to believe, have some bearing on the welfare of our country.

A special committee of editors was appointed to study existing Scripps-Howard policies, revise and restate them in view of changed conditions and, where indicated, come up with entirely new policy proposals for approval by the editors.

The 17 Scripps-Howard editors and members of general management met at Stuart, Fla., in September 1968, and for two days went over the policy proposals of the special committee line by line, amending and re-vamping, and then adopting by majority vote.

The "Statement of Principles and Policies" presented in this brochure is the considered judgment of Scripps-Howard editors on poli-

cies that are best for our country. They are the policies for which Scripps-Howard stands today.

Some of these policies, such as fiscal responsibility in government and conservation of our natural resources, long have been espoused and fought for by Scripps-Howard. Others, such as favoring the direct election of presidents and giving the vote to 18-year-olds, are new.

Our policy positions show, we believe, that the Scripps-Howard Newspapers of today continue in their long-standing tradition as "independent" newspapers and are in full accord with the injunction of their founder, E. W. Scripps, who wrote in his first words for his first newspaper, *The Cleveland Press*, in 1878: "We have no politics, that is, in the sense the word is commonly used."

And, we believe, our updated policy positions bear out the statement in the preamble to our "Statement of Principles and Policies":

"As chroniclers of change, we do not fear it. Indeed, we welcome it. For although all movement is not improvement, change is the indispensable ingredient of progress."

—EARL H. RICHERT, *Editor-in-Chief*.

SPACE

The U.S. is fully committed to a manned lunar landing before the end of this decade, and we pray that this goal will be safely realized.

Once this has been achieved, the U.S. should focus its space efforts primarily on the region within a few hundred miles of earth—to determine whether man can perform any significant civilian or military function there.

The catch-up time in space projects is so great (on the order of five years from drawing board to launch pad) that we dare not default in our exploration and exploitation of this new frontier—because a major scientific or technological breakthrough in space by another power could prove inimical to our national interest.

In the pursuit of our space goals, however, needless duplication by the National Aeronautics and Space Administration (NASA) and the Defense Department must be eliminated.

DEFENSE

We stand by our endorsement of the nuclear non-proliferation treaty as an encouraging step toward eventual control of the worldwide atomic arms race. The U.S. should continue to exert its leadership toward the reduction of military armament among all nations—large and small.

But until there is effective arms control by all nations, including ours, we believe that the peace of the world and our national survival depend on our military strength and particularly on our nuclear capability.

NUCLEAR ENERGY

Use of nuclear energy to produce electricity has reached the point where it would be in order for Congress to reexamine our policy of subsidizing commercial atomic power stations to determine whether any Federal assistance still is in the national interest.

Meanwhile, we should make certain that safety measures with regard to nuclear installations are not compromised and that research on and development of more effective methods of atomic waste disposal are relentlessly pursued so as to avert the possibility of a serious future peril from radiation pollution.

TWO TROUBLE SPOTS

Middle East

The objectives of U.S. policy toward the Middle East should be to bring about Arab-Israeli reconciliation and to make the Middle East a peaceful and internationally open and accessible area free from domination by any outside power.

The Scripps-Howard Newspapers urge that the U.S. avoid commitments that could lead to military involvement, support the maintenance of the balance of power at the lowest possible level, and press both sides for a settlement that assures national life, national boundaries, justice for refugees and open international waterways.

Red China

We should continue our minimal contacts with Red China, as exemplified by meeting of our diplomatic representatives in Warsaw, and seek to expand these, through cultural, journalistic and other channels, in the hope that she ultimately will end her self-exile from civilized world society.

Vietnam

We favor an honorable settlement in Vietnam—without turning over the South Vietnamese to the Viet Cong executioners.

WORLD INVOLVEMENT

The U.S. has responsibility to provide its share of Free World leadership in orderly conduct of international relations.

But we are not obliged to be the world's keeper nor the world's policeman. We have not the economic, military or spiritual strength for such exalted and lonely role—nor the wisdom.

Our efforts to be helpful to friendly nations and peoples should, to the extent possible, be channeled through the UN, OAS, NATO, etc., and through multi-national lending agencies such as the World Bank, Inter-American Bank and Asian Development Bank, where the assets and liabilities of other nations are commensurately involved.

All of our foreign treaties and other commitments should be re-examined and kept under constant review and reappraisal.

The Mutual Security Treaty with Japan should be revamped to make it truly mutual, with Japan assuming a bigger role in her own defense.

We advocate a similar re-structuring of other alliances in the Pacific and Western Europe, to the end that in any military confrontations far from our shores, American troops shall no longer be expected to be the first to enter the front lines nor the ones to shed the most blood in struggles primarily for the security of others.

Our primary military defense responsibilities are in the Western Hemisphere. While we should always be ready to rally moral, economic and military hardware support to free countries fighting for their own freedom, our commitment of combat troops should be limited to areas and engagements where our own national interest is imperiled.

YOUTH

Our nation from its inception, has been nourished and has grown under the stimulation of young people. Its wars have been won by the young, and the young have been the voices of change and dissent.

Generation after generation, the American youth has become better educated and better informed and has demonstrated a greater and greater sense of responsibility.

In this generation, some of these young men and women have, in their zeal, exceeded the bounds of traditional decorum. But these are a small minority. The great majority continue to offer the same source of inspiration and pride as the majority of youth in previous generations.

The aim, with respect to youth, should be to channel—not chill—their enthusiasms, into constructive participation in the democratic process. One of the ways to facilitate their involvement in this would be to lower the voting age in all states to 18.

Also, in an effort to keep vigorous government at all levels, the Scripps-Howard Newspapers will encourage younger people to seek office and to make public service their career.

DRAFT

We see no practical alternative at this time to continuance of the Selective Service System. However, to make such a system as fair as possible, deferments from military service should be kept to a minimum, with the order of selection for induction to be determined by lottery.

JUSTICE, LAW, AND ORDER

Maintenance of justice, law and order is indispensable to social progress.

When order breaks down, it is essential to restore it as promptly as possible so that the pursuit of justice can continue unhindered by violence. To this end, we agree with the Kerner Commission report that the prompt use of trained manpower in sufficient numbers to curb riotous behavior is necessary.

This does not mean suppression of dissent, only suppression of disorder. We have always encouraged dissent but we condemn disorder because this converts helpful diversity into harmful disunity.

To quote again from the Kerner Commission report: "The destruction and the bitterness of racial disorder, the harsh polemics of black revolt and white repression have been seen and heard before in this country. It is time now to end the destruction and the violence, not only in the streets of the ghetto but in the lives of people."

POLICE, CRIME, AND THE COURTS

The effectiveness of police organizations should be measured not only by the number of arrests and convictions, but more importantly by the number of victims of crime and the extent of the damage.

In the changing American society the police officer often is identified with repressive forces of the status quo. No representative of the public has better opportunity to demonstrate democracy's concern for all its citizens and to provide the equal protection for all that a stable society requires. Many policemen, police departments and police courts are failing to take that opportunity. The fact that the disadvantaged segments of our society are victimized by crime to a disproportionate degree is damning evidence of society's failure to provide proper police protection to all.

Scripps-Howard Newspapers urge improvement and professionalization of local police organizations through elevation of hiring standards, increased pay and improved in-service training. These newspapers recommend that state and Federal agencies support local efforts to these ends.

Effectiveness of the courts goes hand in hand with effective police work. We believe that proper justice, law and order cannot come without major attention to the courts. Proper administrative machinery—including remedies for unreasonable delay—is badly needed by our courts if society is to have the protection of the law.

All of our courts must bear in mind that in protecting individual rights there must be equal concern for the public welfare and that the coddling of criminals serves only to undermine the safety of society.

ELECTORAL REFORM

We favor the election of the President and Vice President by direct vote of the people.

TAX REFORM

We believe tax reform and simplification are necessary.

We believe also that it is desirable to use tax incentives to encourage the private sector to serve certain social purposes such as job training, low-cost housing and pollution control.

AGRICULTURAL REFORM

Our test of any farm proposal shall continue to be: Does it tend to get the government out of the price-fixing business and agriculture back to dependence on the free market?

CONSERVATION

The long-term quality of our life is basically dependent on the quality of the air we breathe, the water we drink, the soil we live on and off. In addition, the quality of our life is enhanced by our wildlife and our scenic splendor. It is, therefore, essential that we husband them and safeguard them from man-made pollution and destruction.

We are entrusted with a large but limited treasure of natural resources which we are obliged to preserve for all generations to come. The individual who enjoys the opportunity to utilize any of these resources—for pleasure or profit—must recognize that he has a covenant with nature to protect them from plunder and pollution.

It is the responsibility of state, local and Federal governments to enact and enforce proper legislation to protect these resources.

GUN CONTROL

We favor continuing efforts at all levels of government to retard the unrestrained traffic in deadly weapons in such ways as to reduce crime and violence.

We applaud recent Federal legislation providing specific additional penalties for persons who use guns in the commission of crimes, and we urge stringent enforcement of these penalties as a deterrent to armed violence.

We further urge that states which do not now have such penalties move to implement legislation along those lines.

CIVIL RIGHTS

We believe in an equal application of law and the free right to vote without interference. We believe in equal opportunities in all phases of life, especially in employment, education and housing. We believe in complete freedom to move anywhere in the public sector of society.

Whenever such rights are denied, it is the ultimate responsibility of the Federal Government to insure that such rights are secured for all persons.

EDUCATION

It is the obligation of American society to assure that every child has equal opportunity for full development of his talents. To that end, we support programs to provide special educational enrichment to those children who have, for any reason, been denied this opportunity.

It is our hope that through these programs such students may become useful citizens, and so end a long and tragic waste of human resources.

LABOR

The right to organize has been established among employees in private industry.

In addition, we recognize the right of public employees to bargain collectively with regard to their wages and working conditions, but the protection of the health, safety and welfare of the public and the education of our children must always remain paramount.

All pension plans for employees, including those operated by labor unions and professional societies, should be properly supervised by an official agency and periodically audited to make certain that no individual is deprived of any benefits due him.

In the interests of law and order, labor as well as business should be required to abide by its contractual obligations. For the protection of the public, the anti-trust laws should apply to Big Labor as well as Big Business.

All labor unions should eliminate discriminatory membership practices based on race, creed, color or national origin. And those which fail to act voluntarily should be compelled to do so.

THE CITY

In an age of suburban sprawl a consolidation of community services is essential if taxpayers are to enjoy the most effective

government. The fragmentation of local government, due to the proliferation of new suburban communities, must be reversed.

Police and fire protection, sewage disposal, rapid transit, pollution control, schools and other services vital to the proper functioning of any urban community should be handled on a coordinated areawide basis which could best be done through the creation of metropolitan governments in place of the numerous smaller governmental units spawned by the movement of population from the central cities to the neighboring suburbs.

HEALTH

Medical costs are climbing at a distressing rate, and no end to this upward spiral appears in sight. It is incumbent, therefore, on all suppliers of health care—physicians, dentists, nurses, drug firms, hospitals, nursing homes, etc.—and providers of health insurance to do everything in their power to stem this cost rise.

We acknowledge that part of the increased cost of medical and hospital care is due to the fantastic advances made possible by thousands of individuals in the health-care field, whose dedication to the promotion of a longer and fuller life we fully recognize.

One helpful step toward holding down the cost rise, however, could be the avoidance of needless duplication of expensive hospital equipment, whose cost has to be passed on to patients in one way or another. To discourage such duplication, the Scripps-Howard Newspapers will not offer editorial support to the construction or expansion of any health facility for which a clear need is not established.

Meanwhile, Congress should withhold action on expansion of Medicare benefits, at least until the program has had an opportunity to stabilize sufficiently so that better knowledge can be obtained as to its actual cost.

THE NEEDY

American society has an obligation to help those of its citizens who cannot help themselves. But it should not help anyone who won't help himself. We should care for the unable, but should not give succor to the unwilling.

Our present welfare system, however, has demonstrated serious shortcomings. In view of these failures, consideration should be given to the efficacy of all alternative proposals designed to enable the dispossessed and disadvantaged to lift themselves out of poverty to the rewards their energies and talents entitle them. We believe a thorough study should be made of the reverse (or negative) income tax, the guaranteed annual income, guaranteed full employment, the universal family allowance, or any other plan which may offer a practical solution to this problem.

BIRTH CONTROL

Overpopulation of the earth presents a serious threat to the future welfare of all humanity. It is, therefore, imperative that the U.S. Government extend its full cooperation to all nations, and all individuals within our own country who seek to practice family planning.

TRUCKS, HIGHWAYS AND SAFETY

We shall continue to oppose legislation that would permit even bigger and heavier trucks to use our highways. We believe these monsters would destroy our roads, snarl our traffic, and endanger our lives.

We support the construction of additional highways with state and Federal monies, including those roads that would make the outdoors more available to all Americans, and shall use our influence to accelerate the beautification program and to resist the spread of junkyard and billboard blight.

And we strongly urge in every state and local community a firm enforcement of traffic regulations as a deterrent to the terrible slaughter on our roads and streets.

Meanwhile, we urge Congress to support the vigorous development of all modes of transportation.

THESE 18 SCRIPPS-HOWARD EDITORS FORM AND EXECUTE EDITORIAL POLICY

George Carmack, The Albuquerque Tribune, Albuquerque, New Mexico, Editor, 1966.
Duard Le Grand, Birmingham Post-Herald, Birmingham, Alabama, Editor 1967.

Walter Friedenberg, The Cincinnati Post and Times-Star, Cincinnati, Ohio, Editor 1969.

Vance H. Trimble, The Kentucky Post and Times-Star, Covington, Kentucky, Editor 1963.

Thomas L. Boardman, The Cleveland Press, Cleveland, Ohio, Editor 1966.

Charles Egger, Columbus Citizen-Journal, Columbus, Ohio, Editor 1967.

Jack Poster, Rocky Mountain News, Denver, Colorado, Editor 1940.

Robert W. Lee, El Paso Herald-Post, El Paso, Texas, Editor 1963.

Michael Grehl, The Evansville Press, Evansville, Indiana, Editor 1968.

C. A. (Bob) Sellers, Fort Worth Press, Fort Worth, Texas, Editor 1969.

Edward H. Wentworth Jr., Hollywood Sun-Tattler, Hollywood, Florida, Editor 1966.

Ralph L. Millett Jr., The Knoxville News-Sentinel, Knoxville, Tennessee, Editor 1967.

Gordon Hanna, The Commercial Appeal, Memphis, Tennessee, Editor 1968.

Charles H. Schneider, Memphis Press-Scimitar, Memphis, Tennessee, Editor 1962.

John Troan, The Pittsburgh Press, Pittsburgh, Pennsylvania, Editor 1967.

Ernest F. Lyons, The Stuart News, Stuart, Florida, Editor 1945.

Richard Hollander, The Washington Daily News, Washington, D.C., Editor 1966.

Jack Steele, Scripps-Howard Newspaper Alliance, Washington, D.C., Managing Editor.

A TRIBUTE TO OUR AMERICAN SERVICEMEN IN VIETNAM

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Connecticut (Mr. GIAIMO) is recognized for 1 hour.

Mr. GIAIMO. Mr. Speaker, I am proud to introduce today a House resolution which recognizes the efforts and sacrifices of the American serviceman in Vietnam. I am gratified that 139 of my colleagues—Democrats and Republicans, liberals and conservatives, hawks and doves—have agreed to cosponsor it. This is a clear indication that the American people are aware of the outstanding conduct of each American serviceman in this most difficult conflict.

I wish, Mr. Speaker, that my resolution were not necessary, but I fear that the emotional debate over our future course in Vietnam has overshadowed the contributions made by our servicemen in this dangerous and bloody conflict.

Regardless of our differing positions on the war itself, we must express our gratitude to these men for their service to their country. Some of them have made the ultimate sacrifice; others have been seriously injured; all have been forced to interrupt their civilian lives and leave their loved ones. These sacrifices must not be overlooked.

Is it fair to overlook the outstanding performance of the individual American serviceman in our haste to support or criticize our involvement in Vietnam? Is the American serviceman less brave because he is fighting a war which many people do not fully understand? Is his

effort less difficult because the American people are not 100 percent behind him? Is his sacrifice less meaningful because many people disagree with the policy which caused him to make that sacrifice?

No, Mr. Speaker, we cannot ignore this performance anymore than we can ignore the war itself. That is why many of us with differing views on the overall conflict have joined today to pay the highest tribute to those who have given their lives or have been wounded in Vietnam, to commend each serviceman and veteran for his individual sacrifice, and to pledge to do all in our power "to lift from his shoulders the heavy burden he has carried for so long."

These are some of America's finest young men. They have participated in what is perhaps the most difficult war in our history and have shown their bravery, dedication, initiative, and devotion to duty time and time again. They have done their job and done it well.

Whatever history may say about our involvement in Vietnam, it will report that the American servicemen have performed honorably and admirably. Thus, as we prepare to observe Veterans Day in honor of those who fought and died in other wars, let us unite to pay tribute to these servicemen, and let us pray that they will soon be home again.

H. RES. 661

Whereas the efforts and sacrifices of the American serviceman in Vietnam have been overshadowed by the emotional debate over our future course in Vietnam; and

Whereas he is involved in a dangerous and bloody conflict being fought under the worst possible conditions; and

Whereas the American people, regardless of their opinions about the overall conflict, should take note of the bravery and dedication which he has exhibited and the sacrifices which he has made. Now, therefore, be it

Resolved, That the House of Representatives pays the highest tribute to the American servicemen who have given their lives or have been wounded in the Vietnam conflict; and be it further

Resolved, That the House of Representatives commends each serviceman and veteran of Vietnam for his individual sacrifice, bravery, dedication, initiative and devotion to duty; and be it further

Resolved, That the House of Representatives will do all in its power to lift from his shoulders the heavy burden he has carried for so long.

Mr. MURPHY of Illinois. Mr. Speaker, I wish to join with my distinguished colleagues in paying tribute to all the dedicated men who are serving and who have served their country in Vietnam.

The servicemen and veterans of Vietnam should be honored for the sacrifices they have made and the hardships they have endured in the defense of freedom. These men deserve the highest praise that we can give them, for they have fought in a complex war under the most difficult of conditions. Throughout the country, there are many different and opposing points of view on our involvement in Vietnam. But the country remains undivided in its respect and support for the men who have fought there.

It is especially important for us, while we are engaged in debates on the policy and conduct of the war, to pause and pay tribute to the bravery, devotion, and

accomplishments of the American servicemen who have been most affected by it.

Mr. KOCH. Mr. Speaker, I wish to commend our colleague from Connecticut, ROBERT N. GIAIMO, for obtaining this opportunity to speak out in support of our servicemen fighting and dying in Vietnam. Those of us who opposed and continue to oppose our direct military involvement in Vietnam and have urged upon the President an immediate ceasefire and a removal of our Armed Forces from Vietnam have always recognized and paid homage to the tremendous sacrifice, bravery, dedication, and devotion to duty that these men have displayed. It is not their fault and, I think, for most of them, not their desire that they be in Vietnam. Like all soldiers, having been one myself in World War II, we follow the lawful orders of our commanding officers and rightly so. They can do little to change the course of action of this country with respect to our Vietnam involvement and in effect can only carry out their term of service in that country as they have in an exemplary way. It is for us here at home and in Congress to change that involvement, and when we do that we are recognizing the bravery of our young men who have died or been casualties in that battle and we do that by seeking to end those deaths and casualties and save those young lives.

This is not the time to state all of the reasons why those of us who wish to change the direction of this country with respect to Vietnam have come to the conclusion that our military intervention was wrong to begin with, and immoral to continue, other than to reiterate once again that the men on the battlefield have no stronger supporters and admirers than those of us who wish to bring them home safe and sound. Every Congressman undoubtedly receives letters in support and in opposition to his stand on Vietnam and without further comment, I would like to introduce into the RECORD a letter received from the mother of one of our missing soldiers and my reply:

REUNITE OUR FAMILY GROUP,
Downers Grove, Ill., November 3, 1969.
Congressman EDWARD I. KOCH,
House of Representatives,
Washington, D.C.

DEAR CONGRESSMAN KOCH: As a Mother who has a son who has been missing in action over two years, I am representative of over 1350 afflicted families. For over five years we have endured the pain of not knowing if our husbands, fathers, sons or brothers are alive or dead. Now we must endure more pain and anxiety as we are being blackmailed into having to receive information about our loved ones through the Mobilization Committee to End the War.

Mr. Kunstler has stated that the release of information about our men will be given to MOBE by Hanoi in order to help strengthen the peace movement in this country. Our men, who have fought so valiantly, are now being used as pawns by a political group that stands for the exact opposite ideals for which our men fought and for which we have given so much.

We the families condemn this exploitation of our helplessness. We urge you not to repeat your stand of last month on the Moratorium. We beg you, as an elected official and as a man of conscience and heart to remember these men and their ideals. You have the opportunity during the week of November 9-15

to lend your support to our sons, fathers, husbands and brothers who fought so valiantly for their country. As a Mother, when my son returns home, I cannot embrace him and grasp his hand in pride if I must forsake all he has believed in—Can you?

Most sincerely,

MRS. DOROTHY BODDEN.

WASHINGTON, D.C.,
November 6, 1969.

Mrs. DOROTHY BODDEN,
Reunite Our Family Group,
Downers Grove, Ill.

DEAR MRS. BODDEN: I appreciate your very candid letter, and I know how painful it must be to write about your son now missing in action.

As a mother, when your son returns home surely you should and must embrace him and grasp his hand in pride for all the sacrifices he has made. He fought nobly in a war in which, in my judgment, we should not have been involved. The fault is ours, not his. My goal is to save the lives of our young men in Vietnam, near 40,000 of whom have died. We can do that by obtaining the release of our prisoners of war and returning our troops now in Vietnam to our country. If South Vietnam is worth fighting for, let the South Vietnamese undertake to shed their blood not the blood of your son.

I hope you will understand that while we disagree, I am doing what I can to alleviate the pain and suffering of mothers such as yourself by pressing for the saving of life in this case the lives of American soldiers.

Sincerely,

EDWARD I. KOCH.

Finally, I would like to make one other comment and that is that while I fervently support and urge upon the President a course of action which would forthwith terminate our military involvement in Vietnam with the return of our young men to this country, that is always conditioned upon the release of all of our prisoners of war now held by the North Vietnamese. The refusal of the North Vietnamese to abide by and recognize the Geneva Convention pertaining to prisoners of war is a savage bestial act on their part and must be condemned by all men of conscience. While it appears to be a fact that savagery prevails in civil wars to a far greater degree than in other forms of warfare, it must never be condoned. I fervently hope that the North Vietnamese, whether out of conscience or pragmatism, will immediately make available the names of American prisoners of war, permit them to receive and send mail and arrange for the immediate exchange of prisoners.

GENERAL LEAVE

Mr. DANIEL of Virginia. Mr. Speaker, I ask unanimous consent that all Members may be permitted to have 5 legislative days in which to revise and extend their remarks, and to include therein extraneous material on the special order today by the gentleman from Connecticut (Mr. GIAIMO).

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Virginia?

There was no objection.

CREATION OF A MARKET FOR LOW-POLLUTION AUTOMOBILES

The SPEAKER pro tempore. Under a previous order of the House, the gentle-

man from New York (Mr. FARBSTEIN) is recognized for 20 minutes.

Mr. FARBSTEIN. Mr. Speaker, until the present time, most of the effort to combat auto-caused pollution has come through utilization of emission control devices attached to the crankcase or the tailpipe. The use of such devices has brought a noticeable reduction in emission levels of certain auto pollutants. However, these devices can only partially reduce the level of pollution emission.

A primary source of pollution is the internal combustion engine. Since it cannot uniformly burn all of the gasoline it consumes, it inherently must produce a certain level of pollutant emissions. Use of alternative sources of fuel to refined gasoline can significantly reduce the level of emission and alternatives to current gasolines and engines can make the auto operate with little or no release of deadly pollutants into the atmosphere.

The obstacle to either is the initial extra cost that will result to the user, and the absence of a market large enough to permit use of economies of scale to bring the cost down.

In recent testimony before the Senate Finance Committee, I suggested that a system of tax writeoffs for the extra cost of these alternatives might be the solution to this problem.

The text of my remarks follow:

STATEMENT OF THE HONORABLE LEONARD FAR-
STEIN (D-N.Y.) BEFORE THE SENATE
FINANCE COMMITTEE

Mr. Chairman, it is a great pleasure to appear today before the distinguished membership of this Committee to recommend the establishment of a "human depletion allowance" for those who are willing to improve the quality of our environment.

I urge the Committee to give consideration to legislation to encourage the consumer willing to incur the added expense and current inconvenience of purchasing low pollution fuels or utilizing cars with low emission engines. Specifically, I recommend the enactment of a tax credit to stimulate use of low pollution fuels in place of refined gasoline. The credit would compensate motorists for the added cost of such fuels. In addition, I believe the Committee should undertake a study to determine how tax incentives might be used to stimulate the purchase of low pollution autos powered by non-internal combustion engines. Such vehicles are just now in the process of being developed and if a market can be developed, can be mass-produced in the next few years. The major obstacle to the development of a market is the initial higher cost of such vehicles compared with conventional cars. A tax incentive to compensate for the added cost would serve to overcome this obstacle.

The House-passed version of the Tax Reform Bill, H.R. 13270, contains an incentive for private industry to install pollution control equipment. This would come through the amortization of pollution control facilities authorized by Section 704 of the bill. While I support the intent of Section 704, I believe it totally ignores the fact that over 50 percent of the air pollution in this country is caused by the automobile and up to 90 percent in urban areas.

This fact was first brought out by the City of Los Angeles more than a dozen years ago, when after imposing and enforcing stringent industrial pollution emission standards, it found the level of air pollution little changed.

I stand before this Committee today be-

cause I represent the city which the Public Health Service has ranked as the most polluted in the country. I represent a city which has suffered from invasions in the air, periods when the winds failed to blow away the carbon monoxide, the lead particles, the hydrocarbons, and the other deadly pollutants which were produced by the automobile with the result that many died.

Air pollution from automobiles aggravates or is the cause of pulmonary emphysema, chronic bronchitis, lung cancer, genetic mutation, degeneration of pulmonary functions, allergic conditions, heart and respiratory diseases, other respiratory and circulatory diseases, and the common cold.

I come from a city where two million autos daily crowd, sprouting forth dirt and heavy smoke which corrodes every material with which it comes into touch.

I offer this recommendation because I want to do something about this situation.

Until now, most of the effort to combat auto-caused pollution has come through utilization of emission control devices attached to the crankcase or tailpipe. The use of such devices has brought a noticeable reduction in emission levels of certain auto pollutants. However, these devices can only partially reduce the level of pollution emission. As the National Air Pollution Control Administration projection of the level of auto pollution suggests, the increasing number of cars will begin to offset the decrease in pollution brought about by exhaust emissions control devices after 1980.

TABLE 1—POLLUTION LEVEL FROM AUTOMOBILES BASED ON 1970-71 PUBLIC HEALTH SERVICE STANDARDS

	HYDROCARBONS				
	[In millions of tons per year]				
	1968	1972	1975	1980	1990
Urban.....	7.0	6.0	5.0	4.5	7.0
Total emissions, nationwide..	12.0	10.0	8.5	7.0	0.0
	CARBON MONOXIDE				
Urban.....	47.5	40.0	32.5	27.5	43.0
Total emissions, nationwide..	68.0	55.0	45.0	37.5	58.0
	OXIDES OF NITROGEN ¹				
Urban.....	3.0	4.0	4.5	6.0	10.5
Total emissions, nationwide..	6.5	8.5	9.5	12.0	19.5

¹ There are no current Public Health Service emissions standards.

The primary source of pollution is the internal combustion engine. Since it cannot uniformly burn all of the gasoline it consumes, it inherently must produce a certain level of pollutant emission. Control devices can modify its output, but only to a limited degree. Use of alternative sources of fuel to refined gasoline can significantly reduce the level of emission and other types of propulsion systems are capable of being emission free. Available alternatives to current gasolines and engines can make the auto operate with little or no release of deadly pollutants into the atmosphere.

The obstacle to either is the initial extra cost that will result to the user, and the absence of a market large enough to permit use of economies of scale to bring the cost down. Authorizing a tax write-off for the extra cost of these alternatives would stimulate consumer interest and permit further development and refinement of these means of achieving a significant lower level of pollution emission from automobiles.

The resultant saving to the society in diminished material erosion and cleaning cost which would result from the lower level of pollution not to mention the health affect, would more than offset the loss in taxes.

Two substitutes for refined gasoline which can be used in current engines and bring about a significant lessing of emission levels are Liquid Petroleum Gas (LPG) and compressed natural gas. LPG, which has been used by the Florida Telephone Company in its trucks for more than ten years, was recently tested by the Air Pollution Control Administration on trucks in Detroit, and its low emission characteristics documented in the following test findings comparing LPG and refined gasoline.

TABLE 2.—Comparative truck emissions for gasoline and propane.—Air Pollution Control Administration

[In grams per mile]	
Carbon monoxide:	
Gasoline	17.00
LPG (propane)	16.00
Hydrocarbons:	
Gasoline	28.80
LPG (propane)	8.00
Oxides of nitrogen:	
Gasoline	8.00
LPG (propane)	4.00
Lead:	
Gasoline	3.17
LPG (propane)	0

Methane in the compressed form is to be tested by the General Services Administration in an experiment involving its trucks on Los Angeles. As tests with a 1968 Ford Ranchero demonstrated, methane produced an even lower level of pollution emission than propane.

TABLE 3.—Comparative pollutant emission for gasoline and methane

[In grams per mile]	
Carbon monoxide:	
Gasoline	28.20
Methane	2.11
Hydrocarbons:	
Gasoline	2.56
Methane	1.41
Oxides of nitrogen:	
Gasoline	3.82
Methane51
Lead:	
Gasoline	3.17
Methane	0

Even aside from the level of pollution emission, methane offers other benefits over leaded gasoline. It is cheaper to operate, does not clog spark plugs, dilute or contaminate the oil or corrode the exhaust pipes. Furthermore, it rates as safe as if not safer than gasoline by the insurance industry.

The major drawback of either of these fuels is that one cannot just pull up to the local gas station and fill up. There is an inconvenience and an initial capital cost necessary to adopt a vehicle to the fuel. In the case of compressed natural gas "conversion kits" are available to adapt engines for both natural and regular gasoline. With the added expense of hooking into the home natural gas line to gain access to the fuel, the initial cost of converting to natural gas is approximately \$550, or \$400 for the engine and \$150 for the gas line adoption. If a market can be created for this, the cost will obviously drop.

A similar picture emerges when one looks at alternative propulsion systems to the internal combustion engine. The General Steam Corporation of Newport Beach, California, has developed a closed steam engine propulsion system for less than \$1 million for testing by the State of California in its highway patrol cars.

Lear Motor Company of Reno, Nevada, is also working on a steam engine which expects to have in operation by next Spring. The President of Lear Motor Company, William Lear, who is the inventor of the Lear executive jet and numerous other inventions, hopes to work in conjunction with American Motors to produce a steam car in the next few years.

Other developers have come up with steam, turbine and electric motors.

I am informed that these existing steam engines could be mass produced for use in normal cars at a relatively low cost, although the cost would initially be greater than that of current engines. The material cost is low and most of the mechanisms for control of pressure and temperature are standard. The major obstacle to mass production is again consumer demand which is related to price.

A recent staff report of the Senate Commerce Committee reported that demand does not currently exist—that consumers are generally not looking for low-emission fuels of vehicles when they go to purchase a gasoline automobile. Although he is opposed to air pollution in general, he does not normally shop with an eye on pollution emissions himself. This is because of the extra cost of such systems. It goes on to say that because there is little consumer demand, the auto and oil industries have not moved at a dramatically fast pace to adopt cleaner fuels or engine systems.

It is ironic that a motorist concerned about the problem of air pollution has to pay more to buy a low-pollution car or to convert his car to steam or natural gas than the unconcerned person does. Through the application of the pollution abatement provision of this tax relief bill to the automobile consumer, we can begin to overcome this problem.

LEAGUE OF WOMEN VOTERS POLITICAL PERSPECTIVE PROGRAMS

The SPEAKER pro tempore. Under a previous order of the House the gentleman from Iowa (Mr. SCHWENGL) is recognized for 15 minutes.

Mr. SCHWENGL, Mr. Speaker, the League of Women Voters of the United States is a nonpartisan organization founded in 1920, the year women's right to vote was finally incorporated in the Constitution of the United States. Currently the league has 157,000 members in more than 1,275 local leagues in all 50 States, the District of Columbia, the Commonwealth of Puerto Rico, and the Virgin Islands. The purpose of the league is to promote political responsibility through the informed and active participation of citizens in government. To fulfill this purpose two kinds of knowledge are necessary: A knowledge of how the political system works and a knowledge of issues.

The league's hundreds of publications through the years, based on these studies and backed by conscientious research-in-depth, have contributed immensely to the education of the general public, and enabled legislative decisions to be made of most benefit to our country. I doubt, Mr. Speaker, if there is a single legislator—State or National—who has not profited in understanding by a reading of some of the league's publications. Moreover, hundreds of thousands of copies of these publications are used in the schools of our Nation, which is another expression of confidence in the league's objectivity and expertise.

Mr. Speaker, the purpose of the League of Women Voters as defined by its membership is: "To promote political responsibility through informed and active participation of citizens in government."

With this purpose in mind, Mr. Speaker, it is understandable that since its inception, the League of Women Voters has been a source of unbiased,

nonpartisan information for voters bewildered both by the complexities of the issues, and the frequent mechanical complexities involved in the electoral process. In its efforts to simplify some of these complexities, and provide for "informed and active participation of citizens in government" the league maintains a vigorous and continuing flow of nonpartisan voter information through the 50 States concerning issues, candidates, and the electoral machinery by which we secure citizen representation in government.

Mr. Speaker, with the very validity of the American system of representative government being challenged particularly by many of America's youth, it is especially appropriate that the League of Women Voters should have prepared materials at this time to help dispel some of the misinformation and lack of know-how about the workings of our political system on which much of that challenge is based.

As one of its efforts to help citizens better understand the political process the League of Women Voters, in cooperation with Orsonic Recordings, has produced a series of taped programs entitled "Political Perspective." The programs have been used on radio, in schools, and for small discussion groups where the facts and opinions expressed on the tape serve as a kickoff for further exchange of views.

The eight programs cover a wide range of information and opinion covering such subjects as the role of the political party, youth and politics, financing political campaigns, and the reasons why people do not vote. In each program the emphasis is on the way the individual can participate and make his voice heard and his vote count the way he wants it to.

Established nearly 50 years ago primarily to help 20 million new women voters carry out their new responsibilities, the league now provides civic education for all citizens. The "Political Perspective" series is part of that continuing effort.

Mr. Speaker, I plan to insert one of the eight verbatim transcripts of these fine programs into the RECORD each day.

PRESIDENT NIXON SPEAKS NOT ONLY FOR THE SILENT MAJORITY IN THE UNITED STATES BUT FOR THE "SILENCED MAJORITY" IN NORTH VIETNAM

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California (Mr. TALCOTT) is recognized for 5 minutes.

Mr. TALCOTT, Mr. Speaker, it is quite clear that President Nixon's plan for peace in Vietnam is supported by the large "silent majority" of American citizens. President Nixon has spoken for the large silent majority in the United States.

It is becoming more and more evident that President Nixon is also speaking for the large "silenced majority" in North Vietnam. If the silenced majority in North Vietnam were permitted to "tell it to Hanoi" as with the freedom and tolerance our dissenters, protesters, and demonstrators are permitted to tell it here, the war would be terminated overnight.

Our dissenters should take note that the large silenced majority in North Vietnam and the large silent majority in the United States have common goals and objectives of peace with liberty and dignity.

The silenced majority in North Vietnam has no individual liberty, no personal dignity, no right to dissent, no opportunity to demonstrate, and no peace.

Our silent majority can help our cause and the cause of the silenced majority in North Vietnam by stating publicly their support for President Nixon's plan for peace.

THE PRESIDENT'S SPEECH ON THE WAR IN VIETNAM

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New York (Mr. BINGHAM) is recognized for 30 minutes.

Mr. BINGHAM, Mr. Speaker, I had intended to take part in the discussion on Vietnam—and particularly on the President's Monday night speech—which took place on the floor yesterday evening. However, I was detained unexpectedly and, by the time I reached the floor, the discussion had concluded and the House had adjourned.

I have therefore asked for time this evening to carry on the discussion. I am sure that in the days and weeks ahead there will be many other such occasions.

Like most of those who took part in yesterday's debate, I was deeply disappointed in the President's speech on Vietnam. Mr. Nixon, it seemed to me, was attempting to prove his statement that he had no intention of being influenced by the October moratorium. He was actually, as many observers pointed out, taking a hard line toward those who dissent from his policies. The effect of his speech may well be to increase the demonstrations and protests, and to intensify the tragic polarization on this issue that is already tearing this country apart. Far from being a unifying speech, it was a divisive one.

The President expressed confidence that he had the support of "the silent majority." Whether or not he is correct in this—and I very much doubt that he is—he almost certainly does not have the support of the majority of that group of young men whom he expects to go on doing the fighting and dying in Vietnam.

Turning to the specifics of the speech, Mr. Nixon did not even mention what to me is one of the most crucial problems we face in Vietnam, and that is the character of the present regime in Saigon and its refusal to entertain any thought of the kind of compromise that might lead to a political settlement of the war. As I have often said before, we have in effect been allowing Generals Thieu and Ky to exercise a veto power over our moves toward peace in Vietnam, and it is precisely this facet of our policy which so disturbs many of the dissenters. Yet, the President took no cognizance of it whatsoever.

The New York Times put it editorially this way:

There is justification for Mr. Nixon's impatience with Hanoi for its intransigence in the Paris talks and in private negotiations

that have now been revealed for the first time. However, Mr. Nixon failed to mention even the possibility of such proposals as a ceasefire or a democratization and liberalization of the Saigon Government.

Mr. Nixon referred to the offer he has made for "free elections under international supervision, with the Communists participating in the organization and conduct of the elections as an organized political force." This offer, which a few of us in the House were urging 2 and 3 years ago, was indeed a step in the right direction.

But let us consider whether this offer, which the Nixon administration has said is as far as the United States can go, is really a possible basis for a settlement, unless there is a substantial change in the character of the Saigon government.

Would we agree to accept elections "under international supervision" in areas controlled by the Communists? Certainly not. How then can we reasonably expect the other side to agree to abide by the result of elections in areas controlled by the Thieu-Ky government, no matter how much international supervision of the technical conduct of the election there might be?

What is needed, and what Mr. Nixon's "final" offer fails to provide, is provision for an interim governmental regime to run the country during the period of the campaign and of the elections. On March 4, 1968, 18 of us in the House put forth an outline for a possible settlement in Vietnam which included the following point:

During this period [the period prior to elections] mutually acceptable interim governmental arrangements (both in areas previously controlled by Saigon and in areas previously controlled by the Viet Cong) must be provided.

On September 24 last, I inserted in the RECORD a column by Mr. James Reston in which he made the point this way:

How can anybody know what the South Vietnamese people want without elections run by a coalition of all the parties concerned? How is the President to achieve his "one limited objective" if he continues to back Generals Thieu and Ky in their opposition to a new coalition?

The dilemma can be reduced to a simple formula: No coalition, no elections; no elections, no genuine test of the will of the people, and no peace.

In his speech, President Nixon quoted at length from his mid-July letter to Ho Chi Minh. While releasing the text of the reply to the press, the President did not quote from it in his speech. He said merely that it "simply reiterated the public position North Vietnam had taken in the Paris talks and flatly rejected my initiative."

It seems to me worth noting that neither letter contained any new proposals and that both clearly contemplated further negotiations. I have it on the authority of one of this country's most experienced negotiators with Communists, that Ho's letter should not have been regarded as a flat rejection. This expert points out that Ho referred to the NLF's 10-point program not as the only basis for a settlement but merely as "a logical and reasonable basis for the settlement." The word "a" was used instead of "the."

Ho also referred to the necessity for U.S. withdrawal of troops from Vietnam, but did not specify the time when this would have to take place. He concluded that "with good will on both sides we might arrive at common efforts in view of finding a correct solution of the Vietnamese problem." This is hardly a flat rejection.

President Nixon's pessimism about the prospects for a peaceful settlement in Vietnam seems to be based on the assumption that there is no way we can broaden the base of the Saigon government. But why should American boys go on dying because Generals Thieu and Ky reject the idea of including representatives of the Communists in an interim government?

My final point is this: The President seemed to assume that if we withdrew our troops from South Vietnam promptly, a total collapse would follow inevitably.

In its October 31 statement supporting President Nixon's policies the Citizens Committee for Peace and Freedom in Vietnam stated that the consequences of a U.S. "defeat" would include the following: "South Vietnam would be taken over by the Communist north."

Again, why such total pessimism?

In recent weeks, there have been many press reports about how well the Saigon government is doing, both in improving its military forces and in winning back the countryside. The columnist Joseph Alsop, not noted for his optimism or as a dove, has been eloquent on the progress of the pacification program in the delta. On November 4, a Times headline read "Defection by the Vietcong Is Reported at a Peak Rate."

After all, South Vietnam is substantially as big a country as North Vietnam. They would be fighting on their own territory, with interior communication lines, and they should be able to retain complete control of the air.

If with these advantages, and after all the training and immense material assistance they have received from us, South Vietnam were promptly to succumb militarily if American forces were withdrawn, then I say we have been trying to prop up a shell with no vitality of its own, and it is time we gave up a hopeless task.

I have very little regard for the Thieu-Ky government but I have great regard for the South Vietnamese people. I know they have strong regional feelings: Even though they do not understand the meaning of communism, they know they do not want to be dominated by the northerners. This feeling is shared not only by the minority who support Thieu and Ky but by what I believe to be a strong majority that is anti-Communist and antinorthern.

Some accommodation with the NLF would probably be necessary, but this could be achieved if the Thieu-Ky regime were not in a position to go on blocking it.

Some argue that any coalition with Communists, even on an interim basis pending elections, would inevitably lead to a Communist takeover. They point to Czechoslovakia in 1948 and the other East European countries after World War II. But they ignore the fact that in other

countries Communists have been in and out of governments without taking over; this was true in Italy and France in the years after World War II, it has happened more than once in Finland, not long ago it occurred in Ceylon.

Of course we cannot guarantee that, once a political settlement were made, the Communists might not ultimately take over in South Vietnam. But President Nixon cannot make that guarantee either, once American forces have been withdrawn. No matter what happens, by way of Vietnamization of the war or otherwise, the risk of Communist takeover some time in the future will remain.

President Nixon has tried to persuade the American people, just as President Johnson did so often, that there are only two alternatives: Support his course or accept disaster. I submit there are other alternatives.

A DAY OF PRAYER FOR CAPTURED AMERICAN SERVICEMEN

(Mr. SIKES asked and was given permission to extend his remarks at this point in the RECORD.)

Mr. SIKES. Mr. Speaker, if, as has been said, the history of man is very largely a history of war, it is equally true that human history also records the never-ending attempt to regulate warfare and to establish some kind of restraint among civilized nations. Recognition of certain basic principles and practices, derived from natural law, has always called forth a humane response, even in the worst of times. The ancient world admired the humanity of Alexander in sparing the family of his defeated foe, the Persian Darius. In the Middle Ages, the church sought to protect the helpless and mitigate suffering by instituting the truce of God and the right of sanctuary. Gradually, in modern times, the nations of the civilized world-community have formulated rules and procedures governing such matters as the treatment of prisoners, notably in the Geneva Convention. Unfortunately, we confront today the most flagrant violation of those elementary human rights which the Geneva Convention seeks to protect.

The continued refusal of the Government of North Vietnam, the National Liberation Front of South Vietnam, and the Pathet Lao to abide by the collective conscience of the civilized world in their treatment of prisoners of war cries out for vigorous action by our own country and by other nations throughout the world, utilizing every available means of persuasion, to put an end to this deliberate policy of inhumanity and brutality. Approximately 1,400 American servicemen are listed as missing in action or prisoners of war. All the evidence points overwhelmingly to conditions of physical and mental torture deliberately employed and the abuse of the defenseless for crudely propagandist purposes. The need for full and continuing exposure has become clear to all who share our growing concern. The only way in which this deplorable situation can be remedied is through increasingly forthright expression of this concern at every level.

To this end, mindful of the suffering of all who are involved, both the prisoners themselves and their families here at home, who have already borne so much, we urge that November 9 be designated a "Day of Prayer" to marshal the spiritual resources of our people in church and synagogue in witness to their deep concern for our servicemen missing and captive in Vietnam. Let no one discount the power of prayer, public and private, as a force for healing and for good in a world of strife and conflict. Here is a way, truly in accord with our national traditions, for all of us to manifest our prayerful determination and united resolve. In a time of popular protests, here is a form of peaceful protest which because it affirms the fundamental humanity of men and nations, can and must be heard, and—God willing—will be heeded. We urge Americans throughout the land regardless of their diverse views of the conflict in Vietnam or any other issue, and all men of good will everywhere who find common ground with us in upholding decent standards of behavior toward prisoners of war, to share in the rising voice of prayer this day, so that together we may serve the cause of all humanity.

LAUBACH LITERACY, INC.

(Mr. HANLEY asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. HANLEY. Mr. Speaker, last week, Dr. James E. Allen, Jr., the U.S. Commissioner of Education, announced a bold new program aimed at wiping illiteracy from the face of our Nation. Under the inspiring slogan of "The Right To Read," Dr. Allen proposed a nationwide campaign to guarantee every American the fundamental ability to read. The statistics cited by Dr. Allen to support the need for such a massive program are both alarming and appalling: He pointed out that there are some 3 million illiterates in our adult population; that half of the unemployed youth in the United States are functionally illiterate; that an amazingly large proportion of the juvenile offenders are far behind in reading ability; and that in the recent Armed Forces project 100,000, almost 70 percent of the men tested, did not even have a 7th grade reading capacity. The tragedy of these statistics is their magnitude. In an age when so much is possible, it is inexcusable that such a problem should continue to exist.

Dr. Allen believes that a concentrated national effort will assure that the "right to read" is a reality by the end of the 1970's. For a variety of reasons the time is right to mount such a program. He points out that a vast amount of research and expertise in the field of reading has been accumulated; that school boards are less preoccupied with the problems of ever increasing student enrollments; that preschool educational opportunities are being more generally incorporated into the public education system; that Federal legislation has provided increased funds for attacking such problems; and that concern on the part of parents and public officials seems to focus on the problem of reading failures.

In his campaign, Commissioner Allen describes the role of the Federal Government as supportive. The primary work is to be done on the State and local levels. The main contribution of the Federal structure consists of coordination, marshaling of forces and resources on a national basis, and provision of technical, administrative, and financial assistance. In this vein, I would like to briefly acquaint you with the work of Dr. Frank C. Laubach—a man known as the "Apostle to the Illiterates." At 85, he is an internationally noted literary expert and founder of the "Each One Teach One" method of instruction. He is referred to as "the foremost teacher in our times" and to date is credited with teaching 60 to 100 million people to read.

In 1930, Dr. Laubach began literary work on the Island of Mindanao. Here he introduced the "Each One Teach One" concept, which encourages adults taught by the system to volunteer to teach others to read. Since 1930, Dr. Laubach has traveled to 105 countries developing primers in 313 languages. He and his literary teams have worked with missions, private agencies, foreign governments, the U.S. Agency for International Development, the Peace Corps, and UNESCO. In 1935 he organized the World Literacy Council, and in 1941 he helped found the Committee on World Literacy and Christian Literature of the National Council of Churches. In 1955 he founded Laubach Literacy, Inc., and today he is still active as president of its board of trustees. He travels extensively on behalf of that organization and continues to teach, write, and hold literacy workshops all over the United States.

Laubach Literacy, Inc., draws upon his experience, materials, and ideals and is an extension of his work. His son, Robert S. Laubach, now serves as executive director of that organization. He possesses 26 years of first-hand experience in that field and is extremely qualified. The organization concentrates on two types of activities. First, it trains adult literacy workers. These include teachers of the illiterate, writers for the newly literate and program administrators. Second, it prepares adult literacy materials, charts and primers, graded books and periodicals for the newly literate.

Laubach Literacy is a nonprofit, nonsectarian organization that has been called the "foremost pioneer of literacy in the free world." By 1965, its scope included 10 countries besides the United States. Here it operates through committees in every State with its national headquarters in Syracuse, N.Y. Today Laubach Literacy produces teaching materials for use in this country, a weekly newspaper for the learning student, and a series of booklets to help the newly literate increase their vocabulary and improve their reading ability.

The genius of the Laubach approach lies in the apostolic nature of the "Each One Teach One" method. Its success results from the empathy for the individual student and the rapport that develops with the tutor from proper use of the materials. This rapport encourages the student to volunteer to teach other illiterates. Ideally, the progression is almost geometric. Laubach Literacy pro-

vides materials that are well developed and structural for easy use by the professional educator or the inexperienced tutor. Technically, the materials are based on a picture-letter-sound association which would be familiar to the student. Concern is shown for his cultural background. The program is equally suited to tutoring on a one-to-one basis or to teaching small groups in a classroom setting. The value of the system is in its flexibility and minimal cost. It can be incorporated in community job training programs, social work, "innercity" programs, and other basic education campaigns where there is at least a minimum of organization. An added advantage of the approach is that the teaching experience provides reinforcement for what the newly literate adult has learned. This reinforcement has two aspects. First, the student is more likely to remember and expand on this base. Second, the act of teaching is a positive social experience. This would be especially important for the young adult.

It is obvious that any attack on poverty and its associated problems must also include an all-out war on illiteracy, for this is the major root cause. Illiteracy exacts a tremendous toll in human terms. For the young adult it is a barrier and a burden that lasts a lifetime. It commits him to a future marked by personal deprivation, unemployment, social dependence, alienation and, in many cases, crime. There is no future for a person who does not possess the basic skills he needs to change his situation. He is held in place by forces that he has no capacity to change.

Society also pays a price, but it is not so personal. Our welfare roles are filled with those who can do nothing but the most menial labor. When an illiterate is hired it is because no one else can be found to do the work. When there is an economic slowdown, he is the first fired. Our jails and prisons are filled because the illiterate often turns to crime out of desperation. Illiteracy is a basic and just complaint coming out of our racial conflict. Divorce and illegitimacy are highest among the desperate people. Conscience dictates that we do all in our power to make a change.

Dr. Laubach has been waging this struggle all his life, and has achieved notable success. If we are to make Dr. Allen's goal a reality by the end of the 1970's, we must enlist the cooperation of the concerned and committed. It is to this end that I recommend both the man and the method. Each has proven his merit.

I intend to forward a letter to Dr. Allen informing him of Dr. Laubach's experience and potential service. It is my firm hope that my distinguished colleagues will take the time to acquaint themselves further with the work of Dr. Laubach and that they will make their views known to Dr. Allen also.

IMPENDING RETIREMENT OF NICHOLAS FERRANTE

(Mr. HANLEY asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. HANLEY. Mr. Speaker, a short time ago, my home community of Syracuse and Onondaga County was saddened to learn of the impending retirement of one of her greatest labor leaders and finest citizens, Nicholas Ferrante. Nick has been a friend and close associate of mine for many years. He exemplifies all that is good and decent in the American labor movement. Over a period of 46 years, Nick has played an intimate role in the development of the labor movement at home, all the while maintaining a deep, abiding interest in civic affairs and community progress. Nick has always possessed that rare combination of tenacity and compassion.

Like so many other people who have known him, I am going to miss Nick's active role in the community. We hate to see him go, but we all realize only too well that he has earned a well deserved retirement, and we wish him the best of health and happiness.

A few days ago, an article about Nick appeared in the Catholic Sun, the Roman Catholic newspaper for the Diocese of Syracuse. The author of the article, Father Richard McKeon, is a world renowned labor-priest, lecturer, author, and industrial relations consultant. I would like to share that article with all my colleagues in the House:

NICHOLAS FERRANTE: A TRIBUTE
(By Father McKeon)

In mid-September the news that Nicholas (Nick) Ferrante was planning to retire as a labor union official came as a shock to most people. His close friends, however, knew he had been talking about such a step for over a year. He had been associated with the labor movement for over 46 years and in an official capacity for the last 36 years.

A native of Syracuse, he attended the public schools and graduated from the Syracuse Trade School. He worked as a bricklayer. In 1933 he became business agent of the Bricklayers Union, Local 28. In 1945 he was elected executive secretary and treasurer of the Syracuse Federation of Labor. He also assumed the post of president of the Syracuse Building Trade Council.

During World War Two Mr. Ferrante was a panel member of the War Labor Board and a member of the O.P.A. Labor Advisory Committee.

In late 1955 he was appointed to be assistant industrial commissioner by Governor Averell Harriman in charge of the Syracuse district of the State Labor Department. He held this post for four years. In 1960 he became executive secretary of the Greater Syracuse Labor Council, AFL-CIO.

In an editorial the Post Standard paid high tribute to Nick as a responsible labor leader and said: "Syracuse labor has prospered beyond the wildest dreams of its organizers during the 46 years that Nick Ferrante has been active in the movement. And labor's gains have been the community's gains. Nick rates a sincere salute as he prepares to take life a bit easier."

Dedicated to the cause of true unionism, Nick developed a deep ethical outlook. Fair play was his motto. No doubt at times severe temptation to gain by compromising came his way. He always resisted. It is no wonder that he has been held in high esteem by people from all walks of life. Management knew him to be a man of his word.

As a labor leader, Mr. Ferrante accepted the high duty to promote industrial peace while at the same time protecting the rights and improving the conditions of the work-

ingman. Such a task is really without limit for "it is one which challenges all that is noble in the human heart."

He knew that spiritual values are attached to union leadership. For example, a union official can fulfill the great commandment of love of neighbor by handling grievances promptly and justly; by convincing management of sincere cooperation to promote the prosperity of the company; by checking hot-heads who would injure the union cause.

He was also conscious of the power of good example, that he should be a light to guide the union members. If that light were dimmed or blotted out by scandal, the union cause would suffer greatly. His influence must be felt. He must be a source of inspiration to others.

Nobody will deny that Mr. Ferrante possessed the qualities which signify the mature labor leader. There never was question about his integrity. He knew his associates as human beings and not as mere statistics. By hard effort and experience he had become proficient in the field of collective bargaining.

Service is the keynote of a mature leader. He looked upon his office as one of service. He knew that the best service is to impart a sense of responsibility to others. In his participation in civic affairs he has left an enviable record.

Nick had patience—the exercise of sustained endurance and perseverance—to a high degree. He overlooked the faults of others. He took unpleasant things as a challenge. At times he expected misunderstanding, suspicion and outright opposition. On the other hand, he hated double-dealing, subterfuges and all falsehood great and small. He had an intuitive sense of recognizing a phony and acted accordingly.

He knew his abilities and limitations. Through sincere self-knowledge he sought constantly to improve himself. He gave himself wholeheartedly to his work. Frequently it meant missing the rest and joy of home-life.

In the not too distant past the services of labor leaders in civic affairs was not eagerly sought. Mr. Ferrante was a pioneer in leading the way to more recognition. This was especially true in the Community Chest drives. Today the services of the unions and their leaders guarantee successful drives.

Nick has participated in the work of many agencies—Dunbar Center, Syracuse Boys Club, Blue Cross and Blue Shield, Girl Scouts, Council of Social Agencies and so on. A signal honor was his appointment as director of the Onondaga Community College.

Well may Nick look back on his long years of service to the labor movement and to the Syracuse community. Due to his efforts there has been a fine record of cooperation between labor and management. His constructive leadership will not be forgotten. In a word, Nick should have a strong feeling of sincere job satisfaction. To him we apply the biblical tribute: "Well done, good and faithful servant."

CLEVELAND GIVES QUESTIONNAIRE RESULTS—ANSWERS IT HIMSELF

(Mr. CLEVELAND asked and was given permission to extend his remarks at this point in the RECORD, and to include extraneous matter.)

Mr. CLEVELAND. Mr. Speaker, for the seventh consecutive year, I have sent questionnaires to all of my constituents. Once again I wish to share the results with my colleagues and readers of the RECORD. Unfortunately, time and space do not permit me to share the perceptive—and occasionally biting—comments which many constituents added with their answers and which I found interesting and helpful.

New Hampshire has a good record for citizen participation at all levels of government. It is consistently among the Nation's leaders in voter turnout, and takes great interest in its government from the community level through the State and Federal levels.

NEW HAMPSHIRE—MICROCOSM OF U.S.A.

In addition, although it is a small State, it is, in a sense, a microcosm of our entire Nation. It is, on a per capita basis, among the two or three most heavily industrialized States in the Union and yet an important segment of its economy is still based on agriculture and forestry. It enjoys a tremendous recreation and resort industry on a four-season basis. Therefore, the results of my questionnaire have a significance beyond the confines of my district. Students of government who recall the rather accurate political signals that emanated from New Hampshire in recent presidential primaries can attest to that.

My questionnaires were mailed out and tabulated during the summer months. Some of the questions thus may not seem to be immediately relevant. Some of the questions were chosen because the similar questions had been asked in previous years and I wanted to find out if opinions were changing. Other questions were framed to ascertain opinion on those issues which mail and personal contacts in my district indicated were of current concern.

THE DIFFICULTY OF FRAMING QUESTIONS

Many of my constituents added additional views with their questionnaires. Quite a few observed that some of the questions were too complex to answer with a simple "yes" or "no." This is quite true, but many of the great issues of the day which we decide here in Congress, however complex, are finally decided by our "yeas" or "nays." It is regrettable that we are often faced with voting "yes" or "no" on omnibus bills with many sections, some of them conflicting, some good, and some bad. Such bills invariably are labeled attractively with appealing titles. I often refer to this practice as legislation by "lump and by label." Just as meaningful national debate and discussion of issues have fallen prey to sloganeering, sound legislation is all too often the victim of labeling.

INFORMATION GAP

It hardly needs repeating at this particular time in history to suggest that meaningful national debate and sound legislation are at a low ebb. The reason for this wretched state of affairs is not as fully appreciated or discussed as perhaps it should be. In my opinion, it is a result, in part at least, of the poor reporting by those in Washington charged with informing the public concerning national affairs. More and more, I have come to the conclusion that the national media is increasingly out of touch with the real America and with reality. I believe that, of all our national institutions which need reform, and most of them do—including, of course, the Congress—the national media is most in need of it. Because that media operates from the privileged sanctuary of the first amendment, it is much easier to state the problem than to suggest remedies.

SOME UNASKED QUESTIONS

Many of my constituents also criticized my choice of questions. For example, in view of the great interest which high taxes, tax loopholes, and the general topic of tax reform has engendered, many asked why I had no questions in this area. My answer is that it would have been almost impossible to frame a meaningful question. Everybody is for tax reform. Almost everybody is for closing up some of the widely publicized loopholes whereby some people with very substantial income have been paying no income tax. Some of the better publicized loopholes include the oil depletion allowance, tax-free interest from State, county, and municipal bonds, and unlimited charitable contributions. The House has acted in regards to these matters by passing the Tax Reform Act of 1969. There were more than 27 complicated sections to this 368-page bill, for which I voted.

The bill also attempted to enact a certain amount of tax justice by increasing the standard deductions over a period of time to give a break to the middle-income taxpayer, usually a wage earner, who cannot avail himself of some of the myriad tax-avoidance plans. I voted for the bill, although I personally would have favored increasing the standard deductions and also permitting a tax credit for tuition payments, which I have long advocated.

One of the problems of any such sweeping reform is the fact that when the full impact of closing some of the loopholes became clear, an obvious, and in some cases well-founded, reaction set in. Any limitation on the interest-free bonds is bound to be felt by State and local governments. Any limitation on unlimited charitable contributions is sure to affect schools, hospitals, and similar charitable organizations that by and large, have done so much for the betterment of our Nation. Thus it must be apparent that it would be extremely difficult to ask meaningful questions in this area. As I have pointed out, everybody is for tax reform, tax justice, and for closing tax loopholes; but for that matter, everybody is also for encouraging charitable organizations and strengthening local government.

POLLUTION—SOCIAL SECURITY—PRIORITIES

Another area untouched was the subject of pollution. Everybody is against it. To ask such a question would be a waste of time. The real problem is how to finance the battle against pollution in view of the many compelling demands for the available dollar. One answer, embodied in my amendment to the Water Quality Act of 1969, which has passed the House, is to establish a trust fund similar to the highway trust fund to accomplish this very expensive task. Those who use and pollute water should pay, I believe, for at least part of the enormous cost of fighting pollution, by a system of users fees and excise taxes.

Social security is another area of intense interest to many of my constituents, but was not included in my questionnaire. It is generally agreed that substantial increases are in order. The only question is when and how much. This is

one of many problems which this session of Congress has been regrettably hesitant to face. It is my hope that when we do, we will also increase the earnings limitation as a first step toward its removal.

There are, of course, other issues of much interest to my constituents which were not included. Transportation, particularly East-West, economic development, problems of rural and urban areas of disadvantage, the constant battle to establish priorities, problems of communication, the list is almost endless. But experience shows that, as more questions are added, the number of responses diminishes, thus all cannot be asked. I remain convinced, however, that the technique of asking constituents for their opinion on selected issues, despite its imprecision and, regrettably, impersonal nature, is an invaluable method of acquainting me with the general attitudes and aspirations of those whom I am here to represent.

CLEVELAND ANSWERS QUESTIONNAIRE

Because so many constituents ask for my own comments on and answers to my questions, I have followed a policy of providing them. This year, I find that I agree with my constituents on all of the questions with the exception of No. 2 and No. 7.

Question 2: I have long favored lowering the voting age by State action to the age of 18. Four States permit voting under the ages of 21 at the present time, and I have been informed that the results have fully vindicated the practice. This same question was asked in my questionnaire of 1967. At that time 37 percent of my constituents responding favored this. The fact that this year a slightly less percentage expressed approval is probably the result of the rather unfortunate turn of events on some college campuses. For my part, I am comforted by the fact that those distressing and sometimes disgraceful excesses are typical of only a small minority of the younger generation. I should also observe that they are frequently aided and abetted in those excesses by some of their elders who should know better.

ELECTORAL COLLEGE

Question 7: My position on the electoral college is now a matter of record. The vote in the House in favor of direct popular vote was 338 to 70, my vote being in the negative. I do feel that the electoral college should be modified, and did vote for the so-called district plan which failed by a record vote of 162 to 246. My preference—no vote on this—would be to keep the concept of electoral votes, abolish the electoral college, and award the electoral votes to the candidates for President and Vice President on a proportional basis.

My chief objections to the direct popular vote are that it would tend to weaken the two-party system and encourage splinter parties, which have impaired the stability of many other representative governments. I further believe the federal system could be seriously weakened. The National Government would eventually have to police elections, diminishing the role of the States and eroding the federal concept. Believing as I do in the wisdom of diffusing political power

to guard against tyranny and to protect minorities, I find such a prospect unacceptable.

There would also be a risk that, when elections were close, as in 1960, no decision could be determined by Inauguration Day because of recounts and challenged results on a nationwide basis. In a close election, a few rigged polling places might determine the outcome for the Nation. During the debate in the House, proponents of the direct election repeatedly asserted the litany that their system was the only one which could make certain that the candidate with the most votes would be elected President. In answer to that comfortable dogma, I can only say to those holding it, some of whom should certainly know better, that they have far more confidence in the manner in which votes are counted in certain parts of this country than I do.

NEXT TARGET, THE SENATE?

Finally, I submit that the direct popular election of a President would form logical grounds for eventually attacking the important federal principle that each of the United States, regardless of population or size, is represented by two U.S. Senators. I can foresee a situation where it will be asserted that the votes of a U.S. Senator should be weighted in accordance with the population the Senator represents. If this had been the situation when the Senate voted on the ABM, the final tally, according to the Library of Congress, would have been 58 against to 42 for. If this reasoning seems a bit farfetched, I think it is appropriate to recall that the Supreme Court in its wisdom has already decreed that none of the 50 States, regardless of the desires of their citizens, can pattern their State legislatures after the U.S. Congress.

STRIKES—TAX SHARING

As previously indicated on the remaining eight questions, my answers are in substantial agreement with my constituency. I will comment on them briefly:

Question 1: That the Federal Government should develop means to help prevent strikes by public employees seems clear enough. The recent strike by the Montreal police underscores the point. However, it should also be pointed out that, as a corollary to this, arbitration techniques must be developed to protect fully the rights and working conditions of the public employee.

Question 3: The proposal to share Federal tax revenue with the States has received the endorsement of the Nixon administration. I asked this question in my 1966 questionnaire and at that time 67 percent of the people expressed favor. It is interesting to note how little opinion has changed.

GUARANTEED ANNUAL INCOME—POST OFFICE CORPORATION

Question 4: Involved the so-called guaranteed annual income proposal regardless of work. I am opposed to this concept. It is said by proponents this would do away with the need for many expensive welfare programs, such as those to take care of dependent children. However, I think they overlook what the "head of the family" might do with a monthly check. If an errant mother or

father dissipated the money, it would still leave the members of the family in need of welfare. Thus, we might well be right back where we started, with yet another expensive welfare program piled on top of the ones we already have.

Question 5: The proposal to convert the Post Office Department into a Government corporation has much merit and I support it, but with important qualifications: First of all, techniques must be worked out so that the public's interests will be fully protected as they are now by complaints through Congress. The same holds true for the employees who must also be protected.

RED CHINA—VIETNAM

Question 6: A similar question concerning Red China's admission to the United Nations was asked in 1966 and at the time 31 percent of those who answered were in favor of the proposal. This is another interesting example of how opinion in my district concerning some issues remains relatively stable.

Question 8: Forty-six percent of my constituency agrees with me that the Nixon administration's plans for gradually decreasing U.S. troops and shifting responsibility to South Vietnamese forces is the best we can do at the present time in view of the fact that the Paris talks are not producing meaningful negotiations. It is interesting to note that in my questionnaire last year, 10.4 percent of the people replying favored immediate withdrawal compared to this year's 11 percent. Actually, the Nixon administration's plan for phasing out American troops and phasing in South Vietnamese troops is closely in accord with suggestions which I offered last year following my first trip to Vietnam and which I reiterated last summer following my second trip.

ABM—LAW AND ORDER

Question 9: In regards to the ABM issue, I am recorded as affirmatively voting for the "safeguard" plan. In contrast to the very close Senate vote of 51 to 49, the House vote against deleting ABM was

93 to 270. Although I opposed the "thin" ABM system proposed last year by President Johnson, I think that President Nixon's compromise proposal deserves support at the present time. I do not think that the defense budget is sacrosanct or should be treated as a sacred cow, but I do feel that close questions should be resolved in favor of national defense.

Question 10: I agree with my constituents that the failure of the courts to deal promptly and toughly—not permissively—with criminals has contributed most to the increase in crime and is most seriously hampering adequate crime control. There are many factors involved, however, and in this connection, it is interesting to note that a substantial number, 13 percent, stated that none of the factors offered in the questionnaire reflected their views. This question generated more comment than any other and was probably the most imprecise of this year's offerings. Many people suggested that the breakdown of the family and the decline of moral and spiritual values were important factors, and I certainly agree. Although much has been said about the amount of crime being committed by those who use drugs, narcotics experts here inform me that the use of addictive drugs is actually down from former years and cannot presently be considered as the single most significant factor in the increase in crime. The small number of people who placed the blame for the increase in crime on the availability of firearms is significant to those of us who have long felt that the "gun control" issue has been overplayed.

It needs to be stressed that it is not only the manner in which courts deal with criminals, but also their promptness. There is increasing evidence that suspects who are awaiting trial for long periods of time and are out on bail are contributing very substantially to the increase in crime and are seriously hampering adequate crime control. Solutions to this aspect of the problem are now be-

ing debated, along with the closely related problem of penal reform and the rehabilitation of criminals.

THANK YOU

In conclusion, I would like to express my thanks to those of my constituents who participated in this year's questionnaire, not only for returning their questionnaires, but for their many interesting and constructive comments. These are indeed troubled times, but I think it is important to remember that Americans have faced trying times before and have done so with dignity, courage, and abiding faith in divine guidance. It is true that there are deep divisions of opinion, and harsh words on some issues sound out across the land, but, as I have said before and repeat again, it is important to remember that much of this is the strident music of representative government and democracy at work. We must continually remind ourselves of the many issues on which the American people are firmly and devoutly united. We must, as a nation, retain confidence that our system of government can, as it has in the past, successfully meet the challenges of changing times.

AND A WORD OF WELCOME

My questionnaires were mailed out this year before the New Hampshire General Court added six new communities and approximately 50,000 people to the 142 towns and cities and approximately 300,000 people in the Second Congressional District.

The new towns added by the general court are Allenstown, Pembroke, Merrimack, Hudson, Pelham, and Salem. As all of these communities are in close proximity to my district offices in Concord and Nashua, they are certainly logical additions to my district. They bring its population to about the same as that of the First New Hampshire District which is represented by my colleague and friend, Congressman LOUIS WYMAN. A word of welcome to my new constituents concludes these remarks.

The questionnaire results follow:

RESULTS OF 1969 CLEVELAND QUESTIONNAIRE

	Yes	No	Undecided
(1) Should the Federal Government develop laws to help prevent strikes by public employees?	9,670	4,478	1,204
Percent.....	58.9	27.3	7.3
(2) Do you favor lowering the voting age to 18?	5,729	9,285	438
Percent.....	34.9	56.6	2.7
(3) Do you favor legislation which would return to the States and local government for use as they see fit, a percentage of the money now collected in Federal income taxes?	10,962	2,905	1,148
Percent.....	66.8	17.7	7.0
(4) Do you believe the Federal Government should guarantee an annual income to heads of families, whether or not they are working?	1,654	12,759	887
Percent.....	10.1	77.7	5.4
(5) Do you support the proposal to convert the Post Office Department into a Government-owned corporation?	8,928	3,779	2,406
Percent.....	54.4	23.0	14.7
(6) Do you favor U.S. support for admission of Red China to the United Nations?	5,076	8,640	1,545
Percent.....	31.0	52.7	9.4
(7) Regarding the method by which we elect our President and Vice President, should the electoral college system be—	Responses		Percent responses
(a) Abolished in favor of a direct popular vote	9,136		55.7
(b) Modified	4,115		25.1
(c) Kept the way it is	1,922		11.7
No response	1,231		7.5
Total responses	16,404		
(8) Should the Paris Peace Conference not produce meaningful peace negotiations, would you favor—	Responses		Percent responses
(a) Resuming and intensifying full-scale air attacks on North Vietnam	3,244		20.3
(b) Increasing the U.S. commitment to insure military victory in South Vietnam	1,428		8.9
(c) Gradually decreasing U.S. troops and shifting responsibility to South Vietnamese forces	7,383		46.1
(d) Immediate withdrawal	1,758		11.0
(e) None of the foregoing answers reflects my views	543		3.4
(f) Undecided	691		4.3
No response	953		6.0
Total responses	16,000		

RESULTS OF 1969 CLEVELAND QUESTIONNAIRE—Continued

	Yes	No	Undecided
(9) Regarding America's missile defense, should the Congress—			
(a) Authorize President Nixon's "Safeguard" plan to build antiballistic missiles (ABM) protecting offensive missile sites and command centers.....	5,641		34.5
(b) Authorize a "thin" ABM system to protect certain cities and missile sites.....	1,213		7.4
(c) Authorize a "thick" ABM system protecting all vital targets.....	2,551		15.6
(d) Oppose deployment of any ABM system.....	3,072		18.8
(e) Undecided.....	2,787		17.1
No response.....	1,081		6.6
Total responses.....	16,345		
(10) Which one of the following factors do you consider to be contributing the most to the increase in crime, and is most seriously hampering adequate crime control?			
(a) Widespread use of drugs and narcotics.....	984		6.5
(b) Flood of pornographic material, violence, and obscenity in the entertainment media.....	831		5.5
(c) Failure of the courts to deal promptly and toughly with criminals.....	9,455		62.4
(d) Ready availability of firearms to everybody.....	463		3.1
(e) Inadequacy or inefficiency of police forces.....	524		3.5
(f) None of the foregoing answers reflects my views.....	1,965		13.0
No response.....	928		6.1
Total responses.....	15,150		

Note: Total number of respondents to the 1969 questionnaire: 16,430.

APPROACH TO THE AGRICULTURE PROBLEM

(Mr. BROWN of Ohio asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. BROWN of Ohio. Mr. Speaker, reform is the keynote of the Nixon approach to our Nation's problems. In many areas the draft, social security, welfare, unemployment compensation—the President has proposed innovative reforms of Government operations and Government programs to better fulfill previous promises and better answer criticisms of these efforts to meet national needs.

Today I am happy to introduce, along with eight of my colleagues in the Ohio delegation, an approach to the agriculture problem which I believe will reform a program which has been unsuccessful in resolving a recurrent problem of great proportions for the farmer, the consumer, the taxpayer, and the Federal Government. I believe that this proposal to reform our Federal agriculture program offers a comprehensive long-range solution to the problem which is economically and socially sound. Recognizing the current imbalance of supply and demand under a program of Federal controls designed to try to achieve that balance, it relieves the farmers from relying on the Federal Government and takes the Federal Government out of agriculture. It is aimed at removing sufficient land from production to achieve that balance and to encourage economic efficiency of remaining productive acres. I hope that this approach provides a permanent reform—not just further perpetuation of the unsuccessful policy of the past.

I believe that the past approach of Government crop subsidies and Government management of supply simply has not worked—the farmers are not happy, the consumers are not happy, and the taxpayers are not happy. And due to the extensive amount of Government activity in the field, politicians are not happy because we must continually direct our attention to the problems created—and the people who are adversely affected.

It is time for reform—for a different, comprehensive approach. I believe that in order to be successful a farm program

must include massive land retirement, an orderly transition from a regulated and subsidized agricultural economy to a free market system, and assistance to those farmers who cannot adjust to the free market.

Such an approach would take the Government out of farming and make farming more professional. In addition to its fairness to the producers, I also think that it would be the fairest to the consumers and the taxpayers.

This bill proposes a massive land retirement of entire farms, rather than the previous approach of retiring a portion of a farm. This latter approach has not been successful in lowering our farm production since farmers have retired the least productive portion of their farms and devoted all of their resources to the remaining land. Furthermore, these farmers heavily increased their use of "land substitutes" such as fertilizer and machinery to increase the yield per acre. Consequently, the net result was the same number of farmers, higher production levels, and increased costs through production investment, land diversion payments, and crop subsidies.

Retirement of whole farms on a bid basis should eliminate several of these problems. In addition to retiring land, the plan would encourage the retirement of marginal farmers and all their expensive investment in farming and the division of the land to other beneficial uses.

In addition to land retirement, this bill emphasizes an orderly transition from our present structure to a free-market agriculture economy. The transition would gradually wean productive farmers from the present (and unsuccessful) control by the Government and assist marginal farmers to seek a more profitable life in other economic activity.

To accomplish these goals, this proposal would gradually reduce Government crop support payments over a period of 5 years and would regulate Government sales of CCC stocks. Furthermore, a special program to assist low income and marginal farmers would include retraining grants, special loans, and other adjustment assistance.

Nothing in this legislation encourages "corporate farming," but it will encourage the most efficient farm operators to stay in the field profitably while some

inefficient operators will be encouraged to retire. Rather than stimulate that trend, this legislation merely recognizes it and tries to make it operate to the advantage of all.

Collateral legislation, such as the "reverse migration bill" I have already introduced, will assist the economic sustenance and redevelopment of areas which have previously been based on a totally agricultural economy and now are finding new economic bases. Here again, such legislation is designed to recognize and to deal with a problem which has been developing for some time. The two legislative approaches—the farm program I am introducing today and the rural development programs which have been introduced previously—go hand in hand to tackle the problems of agriculture and rural America in a changing era.

These approaches are consistent with the general guidelines laid down by Secretary Hardin when he appeared before the House Agriculture Committee to outline his "skeleton" approach. This is an effort to "put meat on the bones." I feel this legislation is consistent with the Nixon administration aim of reforming Government operations and programs. As it is modified in the legislative process, it could provide the long-range answers which have been so difficult to find in agriculture, the most basic of all industries on which our national economy is so dependent.

CONGRESSMAN GROSS OUGHT TO DO SOME FURTHER CHECKING IN HIS ZEAL TO DISCREDIT THE CITIZENS COMMITTEE FOR POSTAL REFORM IF HE HAS ANY INTEREST IN BEING FAIR

(Mr. CUNNINGHAM asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. CUNNINGHAM. Mr. Speaker, one of my colleagues on the House Post Office and Civil Service Committee, the Honorable H. R. Gross, has recently shown a good deal of interest in the contributions received by the Citizens Committee for Postal Reform in its efforts to bring about a completely nonpolitical

and thoroughly businesslike postal service for our Nation.

The gentleman from Iowa (Mr. GROSS) reported that the committee's contributions as of September 30 total \$226,761.24.

But why he arrived at this pinpoint total is of greater consequence than the figure itself.

He arrived at this exact figure because the Citizens Committee for Postal Reform has scrupulously reported every single, last penny that its many contributors, small and large, have sent to help fight the big lobbies that want to block the concerted will of the American people for true and total postal reform.

Furthermore, there is no secret at all about where Congressman GROSS obtained his information. He obtained it from the Clerk of the House, where it is on file for every American citizen to read.

I have personally checked with the citizens committee and have been assured that they have reported, and intend to continue reporting, every cent they receive and every penny they spend.

The committee has nothing whatever to hide—that is why it is not hiding. It not only complies with the letter of the filing law, but more important, it abides by the spirit of that law and the citizens committee has been complying all along in both respects.

I expect, Mr. Speaker, that Congressman GROSS will demonstrate the same sort of investigatory zeal that prompted him to look into the citizens committee records in looking into the expenditures of the National Association of Letter Carriers and the United Federation of Postal Clerks, the two largest postal unions.

On their lobbying reports for 1968, the letter carriers reported receipts of \$2,152,570.01 and the clerks an even larger \$2,488,547.23. This amounts to \$4,641,117.24 for just two of the several postal unions. Over \$4.6 million. Where is that money? How has it been used? I hope Congressman GROSS will give us a detailed account of exactly how the two largest postal unions spend their money. How much money do they really spend for food, lodging, traveling, and entertainment—and for whom do they spend these sums? And precisely how many dollars have they been spending on receptions and dinners? And where do these appear in their lobbying report.

A breakdown of these figures should prove interesting to the public and to every postal worker concerned about where this kind of money actually goes and for what purposes it is used.

I noted in the Wall Street Journal recently that the postal union leaders will be running full-page advertisements in 300 papers across the country similar to the ad which appeared in the Washington Post last Wednesday, October 23. By their own admission, this single ad alone cost \$6,753. I just wonder, and I trust Congressman GROSS is wondering, how many thousands—or is it hundreds of thousands—of dollars these 300 ads are going to cost. Will Mr. GROSS check into this?

As one of the citizens committee's co-chairmen, former Senator Thruston Morton has pointed out, the carriers and clerks have at their disposal 20 times the

amount of money available to the citizens. Moreover their dues checkoffs amount, as the Senator also noted, to a staggering \$15 million a year.

Let us get the complete record straight on who is spending what—and why.

PRESIDENT'S VIETNAM SPEECH BRINGS PRAISE

(Mr. ANDERSON of Illinois asked and was given permission to extend his remarks at this point in the RECORD, and to include extraneous material.)

Mr. ANDERSON of Illinois. Mr. Speaker, the evidence is mounting that President Nixon has bridged the credibility gap and broadened his base of support with his candid Vietnam progress report of last Monday night. Pollster George Gallup reports that 77 percent of the American people now stand behind the President's efforts to scale down that conflict and effect an honorable settlement.

Editorial support for the President's pronouncement and policy is also running high across the Nation. One of the best editorials I have read on this subject appeared in yesterday's Wall Street Journal. The editorial praises the President for rejecting a rhetorical tack designed solely to appease the antiwar protesters—a very fickle crowd to whom concessions mean little. Last year's dove plank is condemned by these same people today as being "more of the same old thing."

Instead, the President made his appeal to the vast majority of Americans—an appeal based on candor and a clear enunciation of a policy for ending American involvement in the war. The editorial commends the President for rejecting a policy of precipitate withdrawal and goes on to discuss the alternatives to the President's plan as advocated by the more "responsible" administration critics. It finds these alternatives sadly lacking in realism and viability. It therefore concludes that—

Despite the scoffing . . . the President's plan for ending the American part of the war seems not only reasonable but promising. When this is understood, it's not hard to see why the President sticks to the course he has set. Despite the disappointment of the doves, his speech Monday was a good first step toward winning the necessary understanding in the only way a President can. That is, by keeping clear before the American people the real options and the actual record so far.

Mr. Speaker, at this point in the RECORD I include the full text of the Journal's editorial and commend it to the attention of my colleagues.

The editorial follows:

THE PRESIDENT SETS HIS COURSE

Through the President's low-key tones Monday night came a firm message: That he has set what he believes a sensible course toward ending American combat participation in the Vietnamese war, and that he plans to hold that course until and unless rational argument persuades him there is a better one.

Accordingly, the speech was a disappointment to anyone expecting some kind of stop to anti-war protesters. Indeed, even within present policies, the President could have chosen to give a more dovish-sounding speech than he did. As the Administration

continues to elaborate its policy, for example, it certainly will want to announce more troop withdrawals, and perhaps to convey more openly its hope of eventually manning the remaining American force through volunteers. A bit more stress on the risk in Vietnamization—the danger that Saigon cannot bear the load—would also help make clear that the President's course has definite dovish aspects.

As a rhetorical strategy, though, making concessions to protests has a rather disappointing record. Last year at the Democratic convention, the doves mobbed in the streets in favor of a platform plank calling for "phased withdrawal." The President has given them that. Has he reaped the support of Senator Fulbright or Senator McCarthy, let alone the sundry "mobilization" committees?

In the long run, the President's quiet expression of firmness may do him more good with the American people. Throughout the war, public grief at the killing and brutality has been rubbed raw by the instinctive feeling that no policy existed to end the deaths even if things went well. In the President's bid for public patience, a large part of his problem is to make clear that he does have a policy.

Monday night's candid and relatively detailed elaboration of Vietnamization was an excellent start toward solving that problem, and we hope that the Administration follows up with continued and periodic reports on its progress. The President's proclaimed objective of turning the fight over to the South Vietnamese is a sensible goal under the depressing circumstances. As Mr. Nixon reported, the alternatives are sharply limited and exceedingly dangerous.

The President drew the alternatives of Vietnamization or precipitate withdrawal, a realistic assessment he shares with the most militant protesters. The probable costs of a humiliating withdrawal are so severe—in both the stability of the world and the stability of American society—that the more "responsible" anti-war spokesmen look for a third course. In this endeavor they are reduced to two proposals.

One is "a new government in Saigon," which in more honest words means a repetition of the American-approved 1963 coup against Ngo Dinh Diem. This is scarcely a gracious proposal from the same mouths that denounce "American imperialism." More fundamentally, at the time of the Diem coup the United States had only 16,000 troops in Vietnam. Barring headlong withdrawal as part of the bargain, how would yet another coup work to reduce American involvement?

The second proposal is for "unilateral cease-fire," if one more concession could finally induce Hanoi to bargain. The Communists rather eloquently expressed their attitude toward cease-fires at the time of the Tet standdown in 1968. As President Nixon demonstrated at great length Monday, they have also repeatedly told us when they will bargain—after the Americans overthrow the Saigon government and withdraw.

To judge whether there really is a middle course between the President's policy and precipitate withdrawal, then, we need only look at the record. What has been the result of past efforts toward "a new government?" What has been the result of past concessions to Hanoi? Why should anything be different the next time around?

The record on the President's policy of Vietnamization, by contrast, is hopeful if incomplete. The policy took embryo shape only a year ago with the first reforms of Clark Clifford. Its details have been worked out only in the present Administration. In this brief span, the trend of escalation has been reversed, American troop levels in Vietnam have been reduced, and American deaths have dropped sharply. Despite the scoffing, in short, the President's plan for

ending the American part of the war seems not only reasonable but promising. When this is understood, it's not hard to see why the President sticks to the course he has set. Despite the disappointment of the doves, his speech Monday was a good first step toward winning the necessary understanding in the only way a President can. That is, by keeping clear before the American people the real options and the actual record so far.

GRAND RAPIDS PRESS PUBLISHING GOOD NEWS

(Mr. GERALD R. FORD asked and was given permission to extend his remarks at this point in the RECORD.)

Mr. GERALD R. FORD. Mr. Speaker, frequently many Americans get the feeling they would rather go a few days without reading a newspaper because all of the news is bad. It becomes terribly depressing to read day after day about war, crime, violence, and, in general, man's inhumanity to man.

Often someone will ask aloud whether the good things that are being done in the world are not news, too, and why we do not see more stories about such happenings in the papers. After all, news stories about murder and rape can hardly be expected to uplift our populace and to inspire Americans to live better lives.

I am happy to report to this House that at least one newspaper is doing something about the scarcity of "good news" in the everyday lives of Americans.

In my hometown of Grand Rapids, Mich., the Grand Rapids Press currently is publishing a splendid series of articles about the good that is being done in the Grand Rapids community. I believe articles of this kind greatly multiply the good that they describe.

In a little "memo" to the reader, accompanying these articles, the Grand Rapids Press says:

Despite our problems, for most of us Grand Rapids remains a good place to live. The following is one of a continuing series of reports in The Press about what is good and what is working in our town.

One of the recent "Space for Praise" articles in the Grand Rapids Press relates how elderly and ailing residents of the Christian Nursing and Rehabilitation Center in Grand Rapids have adopted 6-year-old Chong Sook Lee of Korea, send money to the little girl and her parents each month, mail presents to Chong Sook for the holidays, and always send her a pretty dress at Easter-time. Some of the home's residents can only get around in a wheelchair and others can hardly move their hands, but they work at various projects to make money for their adopted daughter in Korea, and they are happy because Chong Sook needs them.

The Grand Rapids Press also runs another series of articles about the good in life. These are articles about individuals in the Grand Rapids community who give of themselves in order to help others and benefit their fellowmen in a variety of ways. The Grand Rapids Press calls them "The Grand People," a most fitting tribute to those who send good out into the lives of others and make at least a few blooms grow in God's garden.

Mr. Speaker, I congratulate the Grand Rapids Press for spreading good in this world. I would hope that newspapers throughout the country would emulate the paper in my hometown.

BALLOTING IN MICHIGAN FIFTH DISTRICT SIGNIFICANT ON VIETNAM

(Mr. GERALD R. FORD asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. GERALD R. FORD. Mr. Speaker, I believe Members of the House would be interested in the results of my 1969 congressional questionnaire, just recently tabulated.

Although I polled my district, the Michigan fifth, in advance of both the recent Vietnam moratorium and the President's Vietnam speech, I think the balloting in Kent and Ionia Counties—the two counties that make up my congressional district—was significant on the Vietnam question.

I found that 50.2 percent of those sending back my questionnaire endorsed the Nixon policy of gradually phasing out American troops in Vietnam and replacing them with South Vietnamese. Another 4.3 percent favored limited military action while pursuing the peace talks in Paris. This produced a combined total of 54.5 percent in favor of policies now being carried out by the Nixon administration.

Roughly one out of five—21.4 percent—favored immediate withdrawal from Vietnam. Only 13 percent wanted to resume and expand the bombing of North Vietnam. Others gave multiple answers or none.

The narrowest division of opinion on the questionnaire issues came on Mr. Nixon's projected anti-ballistic-missile system, already approved by the Congress. Slightly more than half of those answering the question opposed the Safeguard ABM system. The totals were 44.8 percent "no"; 42.2 percent "yes"; and 12.9 percent, no opinion. Many of those leaving the question unanswered commented that the subject was too technical for them to vote on.

Fifth District residents responding to the poll heavily favored Nixon's proposed welfare plan, 72.15 percent; return of a percentage of Federal income tax revenue to the cities and States, 63.6; election of the President by direct popular vote, 88.5 percent; establishment of a Government-owned self-supporting postal corporation in place of the present postal system, 71.9; and a cutoff of Federal aid to disruptive college students, 89.6 percent.

A majority of Kent and Ionia citizens favored Mr. Nixon's proposed lottery or random selection system for the draft, with 52.4 percent for it, 36 percent opposed, and the rest undecided.

This tells me that the people in my district want the reforms that President Nixon has laid before the Congress.

Fifth District residents emphatically rejected any stepup in space spending to put a man on Mars—86.7 percent

against 10.6 percent for, and the rest undecided.

The poll revealed a generation gap in the Fifth District on draft changes, giving 18-year-olds the vote, and creating a Government-owned postal corporation.

Adults balloting on my questionnaire opposed giving 18-year-olds the vote—63.9 to 33.4 percent, with the rest undecided—while favoring postal and draft reform.

Kent and Ionia County high schools reporting results of balloting on my questionnaire showed students heavily in favor of 18-year-old voting and opposed to a lottery system for the draft and a Government-owned postal corporation.

Student and adult views on the other questionnaire issues pretty much paralleled each other except that the school balloting generally favored Mr. Nixon's Safeguard ABM system.

I am extremely pleased with the response to my questionnaire. I sent the questionnaire to all 141,491 mailing addresses in Kent and Ionia Counties and received replies from 24,360. That's a return of better than 17 percent. It proves to me that Fifth District residents are interested in good government.

The complete results of my poll are as follows:

	[Answers in percent]
1. Should President Nixon's family assistance and welfare program be set up in place of the existing welfare system?	
Yes	72
No	16
Unanswered	12
2. Should a percentage of Federal income tax money be shared with the cities and states for use as they see fit?	
Yes	64
No	29
Unanswered	7
3. Should Federal aid be cut off from students disrupting college classes and administration?	
Yes	90
No	8
Unanswered	2
4. Should we elect the President by direct popular vote?	
Yes	88
No	9
Unanswered	3
5. Should we amend the U.S. Constitution to give 18-year-olds the vote?	
Yes	33
No	64
Unanswered	3
6. Should we create a self-supporting U.S. postal corporation in place of the present postal system?	
Yes	72
No	21
Unanswered	7
7. Should we pick draftees by random selection (lottery)?	
Yes	52
No	36
Unanswered	12
8. Should we step up space spending to put a man on Mars?	
Yes	10
No	87
Unanswered	3

9. Do you favor President Nixon's Safe-guard antiballistic missile system (ABM)?	
Yes	42
No	45
Unanswered	13
10. What should we do about Vietnam?	
A. Carry on limited military action, pursue the peace talks in Paris.....	4
B. Follow the Nixon policy of gradually phasing out U.S. troops and replacing them with South Vietnamese...	50
C. Resume and expand bombing of Vietnam	13
D. Withdraw immediately	22
Multiple answers 7 percent; unanswered 4 percent.	

INTRODUCTION OF BILL TO AMEND UNITED STATES CODE WITH RESPECT TO THE TRIAL AND REVIEW OF CRIMINAL ACTIONS INVOLVING OBSCENITY

(Mr. EDWARDS of Alabama asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. EDWARDS of Alabama. Mr. Speaker, I am today introducing a bill to amend the United States Code with respect to the trial and review of criminal actions involving obscenity. This bill was originally introduced in the Senate by the late Senator Everett McKinley Dirksen and was very dear to his heart. Due, however, to his untimely death, the legislation may tend to languish in the files of the committee. For this reason, and because I firmly believe that the legislation merits prompt consideration by Congress, I am introducing the bill in this body.

Over the years, the Supreme Court has whittled away at the various and sundry laws passed by State and local communities and the Congress, so that very little is left in the way of legislation governing this vital area of concern. True, some of the laws were unconstitutional in that they overstepped the bounds of valid Government action in the area of individual rights. However, many laws were struck down because the Supreme Court determined that the matter considered obscene by the law was—in their view—not obscene.

One principle that has withstood the Supreme Court's onslaught is the idea that community standards shall be one of the determining factors in whether certain subject matter, devices or materials are in fact obscene. But this principle is destroyed when the U.S. Supreme Court can sit in its ivory tower and pass judgment on a community's standards. Is it constitutionally wrong to ban something as obscene in one area of the country and not ban it in another? Or is it constitutionally right to subject one group of people to something they consider morally harmful, solely because others do not?

This bill will attempt to solve some of these problems. It would rest the determination of whether something is obscene or pornographic in the hands of a jury without comment by the court. The bill would also prohibit review by any court of the United States or the District

of Columbia. The court of last resort in an obscenity case would be the highest court in a given State. What does this accomplish? It says to the smut peddlers, whatever you do in some States, you are not welcome in my State if what you sell is offensive to my people.

This bill further recognizes the sovereignty of a State in governing the actions within its jurisdiction in matters affecting the welfare of its people. In preceding years there has been a tremendous concentration of power in the hands of the Federal Government. Some of this concentration of power has been wrongfully usurped from the several States. Determining the standards of particular communities with regard to obscene or offensive materials is one such area. The Supreme Court has made a tragic mistake in trying to provide a national standard of morality based on its determination of what is obscene and what is not. And in the process the flood gates have been opened to a sea of obscene materials.

Therefore, Mr. Speaker, in order to turn back to the States some of the power to govern that rightfully belongs with them and in order to return to the people the power to determine what is right or wrong for this community, I urge prompt consideration of this bill.

STANDING ON TIPTOE TO TOUCH BOTTOM

(Mr. PODELL asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. PODELL. Mr. Speaker, these words should sound more than a little familiar:

We all have tempers. I have one. I am sure Senator Kennedy has one. But when a man is President of the United States, or a former President, he has an obligation not to lose his temper in public. One thing I have noted as I have traveled around the country are the tremendous number of children who come out to see the Presidential candidates. I see mothers holding their babies up so they can see a man who might be President of the United States. I know Senator Kennedy sees them too. It makes you realize that whoever is President is going to be a man that all the children of America will either look up to or will look down to, and I can only say that I am very proud that President Eisenhower restored dignity and decency, and frankly, good language to the conduct of the Presidency of the United States.

Mr. Speaker, those deathless, eloquent words were pronounced by the then Vice President of the United States, Richard M. Nixon, during the 1960 campaign.

Political combat is relished by most of us. The give and take of political warfare is zesty, abrasive, and a necessary accompaniment to the American political process. Unfortunately, however, from time to time there appears in both parties a kind of public figure whose natural instinct is to hit below the belt. Insults, accusations, innuendos, and half-truths make up his intimate vocabulary. The bludgeon rather than the rapier is his natural weapon. What is on his mind is on his tongue. Reason and logic are his sworn enemies.

In the past week or so, the nation has been treated to a classic exposition of

this type of political behavior. It has emanated from Vice President AGNEW, whose skirmishes with grammar are stupendous. Ordinarily, I would not be set atwiltch by such assaults upon common sense. But when they are forthcoming from a person next in line to the Presidency, I must take both issue and umbrage.

The Vice President's attacks, leveled at those exercising their constitutionally guaranteed right to disagree, are disquieting, to say the least. He shows contempt as well as lack of understanding for their rights as well as for their arguments. He has plumbed the depths of personal insult, calling into question the patriotism and reason of those who dissent. He sees a revolutionary in every protestor, lunging wildly at them. His motto seems to be, "Never use a fly swatter when a sledge hammer is available."

It is degrading to see the Vice President of the United States wrap our flag around him like a bathrobe and throw out childish catch phrases in response to questions about national purpose.

Now we all know the Vice President is a man of soaring intellect, great intellectual achievement and of a profoundly philosophical cast of mind. Bearing this in mind, is he not aware that in all other pluralistic societies, the right to dissent is held sacred? Also, that on debates over major national policies, answers and alternatives are sought rather than insults and partisan posturing? I wince at the impact being made abroad by his intemperate and thoughtless remarks. People overseas must feel we are running the zoo from the monkey cage.

Each nation, by its own behavior, projects an image not only to allies and neutrals, but to potential enemies. What respect can any possible foe have for us when we exhibit such treatment of domestic dissent? Will they not consider us the same types of tyrants and bullies they know themselves to be? Do we not erode foundations of our own liberties by such intemperate responses from one supposed to set examples of the most positive sort? If, as Vice President AGNEW said, dissenters are "rotten apples," does Government answer by out-shouting and out-insulting them? Juveniles do such things. Not the Vice President of the Republic.

The President of course oversees, audits, and commands every word the Vice President utters. We all know this. Would it not be temperate and rational, then, to haul in a bit of slack on his line? Some people claim to ascertain outlines of incipient fascism in many public statements of this Administration, from talk of detention camps and abrogation of civil liberties to "acceptable" rates of unemployment. Now I would never for a moment think this present fearless crew aimed at such a goal. Let us not mistake the second month of pregnancy for the ninth.

Instead, they are merely abusing power they accidentally fell heir to as all children are apt to do—like little boys locked accidentally in a candy factory for the night. Only in this case, next morning our entire country has a stomach ache, and will react accordingly.

Mr. Speaker, is Vice President AGNEW not part of the Nixon administration, just as President Nixon was part of the Eisenhower administration? If President Nixon owned a parrot that used improper language, would we hold the bird responsible?

A.T. & T.-FCC PACT: THE CONSUMER WILL PAY MORE, NOT LESS

(Mr. BINGHAM asked and was given permission to extend his remarks at this point in the RECORD.)

The American Telephone & Telegraph Co., as reported in this morning's papers, has struck a deal behind closed doors with the Federal Communications Commission to cut interstate telephone rates by 4 percent, or \$150 million, in return for FCC sanction of 8½-percent profits—return on investment—for A.T. & T., 1 percent more than the 7.5-percent profit ceiling imposed by the Commission in 1967. While on the surface this appears to be a victory for the consumers of telephone service, this reduction is not what it appears to be. In fact, it is a potential revenue increase for A.T. & T. cleverly disguised as a rate reduction. The net result of this decision is almost certain to be that consumers will pay more, not less, for telephone service.

In view of the outrageous deception inherent in this move, I am calling upon the FCC to suspend its judgment issued yesterday accepting the possibility of A.T. & T. profits of 8½ percent or more until the full facts and implications of this case can be examined in full public hearings. Furthermore, I am looking into the possibility of taking legal action to block the Commission's action should it fail to suspend this judgment.

What particularly concerns me is this: A.T. & T. currently has requests pending for increases in rates for local telephone service in 17 States. Requested rate increases for New York State alone would, if approved, bring in \$175 million in added revenues, and the total rate increases in the various States would bring in a sum in excess of \$300 million. With today's FCC ruling in its pocket, A.T. & T. can now argue that the FCC has OK'd an increase in its profits, and that State regulatory commissions can do no less. The FCC, in effect, has greatly strengthened A.T. & T.'s case for increased local rates and has greatly enhanced the possibility that these local increases will be granted by State regulatory commissions. When that happens, as I feel certain it will, A.T. & T. will more than recover the \$150 million reduction it has made in interstate rates. And the consumer will be the loser.

Finally, there is the matter of the quality of telephone service. It seems ironic to me that the telephone company should be granted higher earnings at a time when its services to the consumer are getting worse instead of better. Breakdowns in service have occurred in New York City and experts predict that it is only a matter of time before they occur in other areas of the country. Indeed no one really knows, except perhaps the telephone company itself, what the extent of breakdowns in service have been or are likely

to be. If, as some experts claim, these breakdowns in service are a direct result of poor management decisions made by Bell Telephone officials, A.T. & T., like any other business, should be required to make the expenditures needed to correct this situation and bring the quality of service back up to satisfactory standards out of operating revenues, even if that means a reduction in total earnings. To sanction, as the FCC has done, increased earnings for A.T. & T. despite apparent degeneration of its services amounts to a profit guarantee. Such a guarantee, of course, is totally inconsistent with traditional regulatory treatment of utilities in this country.

The principal witness that was heard in this proceeding was Bell Telephone itself. The New York City Consumers Affairs Department requested an opportunity to appear and present its views, but was refused. According to Commissioner Nicholas Johnson, who dissented from the FCC action, not only did Bell Telephone monopolize the presentation of information on this case, it even participated in the wording of the press release announcing the FCC's majority decision.

All of these factors point in only one direction—that this whole matter and its implications must be opened to full public disclosure and participation before this ruling is allowed to stand.

THE SENATE SHOULD PASS WITHOUT DELAY THE HOUSE BILL TO MAKE A DRAFT LOTTERY POSSIBLE

(Mr. STRATTON asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. STRATTON. Mr. Speaker, the other day, when we had the draft lottery bill before us, H.R. 14001, some Members wanted to be able to load it down with all sorts of nongermane amendments, on the ground that the Senate would never pass it anyway without first holding a long debate on all sorts of other possible draft reforms. In my remarks on the floor at the time, winding up the crucial debate on the rule, I urged the House to approve the rule—as it thereupon did, by a margin of better than 2 to 1—because this lottery feature was obviously the only draft reform feature we could agree on quickly, and I did not believe we should delay this one significant draft reform that we can get now because some of us might also like to see even more extensive draft reforms at some later date.

I said that we in the House have our own need to be responsible, and if the Senate wanted to assume the duties for delaying this one universally approved draft reform, then that decision would have to be theirs to make, and the responsibility for delay would be theirs.

I said I did not really think the Senate, once they gave the matter some thought, would want to assume that responsibility for preventing Congress from taking this one important step to lift some of the burden of uncertainty from the shoulders of millions of young men of draft age.

Of course, at first blush some Senate leaders did take the course which some Members had predicted; they did vow to block enactment of the House-passed lottery feature until more sweeping draft reforms could be debated and enacted.

But wiser heads have now entered the argument. The president of Yale University testified publicly on this Hill yesterday as to the violent reactions of college students to the refusal of Senate leaders to allow this one lottery feature to be added to the draft system.

And the other day, before President Brewster spoke out, one of the leading columnists of the Washington Post, Mr. David Broder, made the same telling point in a column dated November 4. I hope the Senate will listen to Mr. Broder and to President Brewster, even if they will not listen to me.

Under leave to extend my remarks I include the column of Mr. Broder, to which I have referred:

[From the Washington Post, Nov. 4, 1969]
SENATE DEMOCRATS MISTAKEN IN POSTPONING DRAFT REFORM

(By David S. Broder)

CAMBRIDGE, MASS.—In deciding to postpone until next year consideration of the draft reform bill that President Nixon recommended and the House passed, the Democratic leaders of the Senate have taken a heavy responsibility on themselves and their party.

The inequities of the present draft law are so obvious that the corrosive effects of its continuance so severe that the decision to delay relief—even the partial relief promised by the Nixon plan—is one for which the Democrats can properly be held to political account.

Some of the arguments for delay are reasonable enough in themselves. The Senate calendar for the remainder of the year is crowded with matters of some urgency, including the Haynsworth nomination, the tax-reform bill and most of the tardy appropriations measures.

While Congress itself is at least partially to blame for the logjam, there is no doubt that adding draft reform to the agenda would be burdensome.

But this would not be the case if the advocates of major draft reform—including Senators Hart, Hatfield and Kennedy—were willing to pass the simple measure the President requested, authorizing a random lottery system, and to delay consideration of other changes until next year. In rejecting the half-loaf proposition passed by the House, the liberals have exposed themselves to accusations of political opportunism, which are probably unjust. What can be questioned is whether their holdout tactics take into account the urgency of some immediate relief from the inequities of the present system.

Just how urgent draft reform is can perhaps be better seen from this college community than from Washington. The present system keeps young men in a state of jeopardy for the unconscionable period of 7½ years. Their fate is controlled by a complex of regulations, which are subject to constant change and which are applied by local boards in so capricious a manner as to make the ultimate decision on induction or deferment seem highly arbitrary to the individual concerned.

The present regulations discriminate against the poor, the less educated and the minorities, and work in favor of the wealthy, better educated whites, who can find temporary and sometimes permanent draft havens, in college, in graduate school, in teaching and in other favored professions.

It is easy to guess the kind of resentment

this stirs among draftees toward those who enjoy draft exemptions while preparing themselves for lucrative, high-status careers. If the veterans of Vietnam do not despise the college-trained contemporaries who manage to avoid the draft, they are a darn sight more forgiving than we have any right to expect.

Equally serious is the effect of the current system on the draft-exempt college students themselves. From their privileged sanctuaries, they have become the most severe critics of the Vietnam war, the "military-industrial complex" and the purposes of American foreign policy. One cannot say to what extent their criticisms stem from their need to rationalize their own advantageous position in the draft, but the connection between privilege and protest is hard to overlook.

Today's campus culture sanctions the use of almost any lawful tactic—and some of questionable legality—to avoid the draft.

Career decisions are routinely altered to improve the odds on staying out of the Army. Uncounted numbers of young men have taken up teaching because it is draft-exempt, thus increasing the likelihood that their views of military service are passed on to those still below draft age.

What it will do to this country if a whole generation of its potential leaders grow up with this cynical view of the obligations of national service cannot be calculated. But that is the price we pay for the present draft law.

The Senate Democrats note quite correctly that Mr. Nixon's plan will not reach all these evils, and they claim he can do almost as much by executive order as by legislation. They vow to consider major reform next year.

But is that enough, under the circumstances? When the system of government is as seriously challenged as ours is today, is there not a duty to act when the opportunity for action exist? A Congress that procrastinates is no help in an era of confrontation politics.

PURCHASE OF ADDITIONAL PROPERTY TO COMPLETE PHILADELPHIA'S INDEPENDENCE NATIONAL HISTORICAL PARK

(Mr. GREEN of Pennsylvania asked and was given permission to extend his remarks at this point in the RECORD.)

Mr. GREEN of Pennsylvania. Mr. Speaker, I introduced today a bill authorizing the purchase of additional property vital to the completion of Philadelphia's Independence National Historical Park. In recent years, Philadelphia and the Federal Government have embarked upon a massive renewal of the historical park, containing not only Independence Hall but most of the surrounding area as well. In order to complete plans for the national park, the U.S. Park Service and the Department of the Interior have requested this legislation.

My bill would amend the act passed in 1948 to establish and guarantee the preservation of this site as a National Historical Park.

Today, Independence Hall, Carpenters' Hall, the First and Second Banks of the United States, and all other related historical buildings within the park's boundaries are owned by the Federal Government, the Commonwealth of Pennsylvania, the city of Philadelphia, or private, nonprofit organizations. Three buildings, however, completely unrelated to the park's historical significance, yet

located within its boundaries at the northwest corner of Walnut and Fourth Streets, remain as an exception. An authorization for the demolition of these buildings exists, but the structures must first be acquired. My bill would make this possible by increasing to \$11,200,000 the \$7,950,000 authorization contained in the original act.

Mr. President, the need for this additional legislation is both critical and timely. The structures in question, the 16-story Irvin Building and two smaller adjacent buildings, are all owned by the Reliance Insurance Co. of Philadelphia. On April 21, 1967, Reliance executed an option giving the Federal Government an opportunity to purchase this property at a value, based on a 1966 appraisal, of \$3,250,000. This is the amount provided by my bill. This option, which was once extended, expired on October 21 of this year and the company is reluctant to extend it. What is needed is prompt action on my bill in order to avoid risking the loss of an opportunity to make this purchase at what appears to be a very reasonable price, especially in view of continually rising real estate costs elsewhere in the area.

Important, too, are the longer range considerations as America looks forward, just a little over 6 years from now, to the 1976 bicentennial celebration commemorating the 200th anniversary of the independence which grew out of the July 4 Declaration signed at Independence Hall. Plans for the city of Philadelphia, having nationwide implications, are well in progress and will be the subject of even more extensive cooperation between the city and the States immediately involved, Pennsylvania, New Jersey, and Delaware, in the months to come.

In recent years, more than 3 million people annually have visited this national shrine. A bicentennial celebration would, of course, dramatically increase these visits. My bill will help the park to accommodate these increases and because of this, I urge its immediate and favorable consideration.

RECESS

The SPEAKER pro tempore (Mr. ALBERT). The Chair declares a recess subject to the call of the Chair.

Accordingly (at 6 o'clock and 50 minutes p.m.), the House stood in recess subject to the call of the Chair.

AFTER RECESS

The recess having expired, the House was called to order by the Speaker at 7 o'clock and 6 minutes p.m.

FURTHER MESSAGE FROM THE SENATE

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

H.J. Res. 934. Joint resolution to increase the appropriation authorization for the food stamp program for fiscal year 1970 to \$610 million.

H. Con. Res. 441. Concurrent resolution providing for adjournment of the House from Thursday, November 6, 1969, to Wednesday, November 12, 1969.

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 2546) entitled "An act to authorize appropriations during the fiscal year 1970 for procurement of aircraft, missiles, naval vessels, and tracked combat vehicles, and research, development, test, and evaluation for the Armed Forces, and to authorize the construction of test facilities at Kwajalein Missile Range, and to prescribe the authorized personnel strength of the Selected Reserve of each reserve component of the Armed Forces, and for other purposes."

LEAVE OF ABSENCE

By unanimous request leave of absence was granted to:

Mr. DENNEY (at the request of Mr. GERALD R. FORD), for today, on account of illness due to recurring knee ailment.

Mr. HOWARD (at the request of Mr. GRAY), for November 9 through 18, on account of official business.

Mr. BYRNE of Pennsylvania (at the request of Mr. BARRETT), for November 6, on account of illness.

Mr. THOMPSON of New Jersey, for November 12 through November 25, on account of official business.

Mr. DE LA GARZA, for 2 weeks, 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:

(The following Members (at the request of Mr. RUTH) and to revise and extend their remarks and include extraneous matter:)

Mr. SCHWENGLER, for 15 minutes today.

Mr. TAFT, for 1 hour, November 12.

Mr. TALCOTT, for 5 minutes, today.

Mr. DUNCAN, for 1 hour, November 12.

(The following Members (at the request of Mr. DANIEL of Virginia) to revise and extend their remarks and include extraneous matter:)

Mr. BINGHAM, for 30 minutes, today.

Mr. REUSS, for 20 minutes, today.

Mr. GONZALEZ, for 10 minutes, today.

EXTENSION OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

Mr. MADDEN.

Mr. PRICE of Illinois.

Mr. ALBERT to extend his remarks following Mr. POAGE.

Mr. MICHEL and to include several editorials.

Mr. GROSS, immediately following the remarks of Mr. HALL on the recess resolution today.

Mr. ICHORD.

Mr. HOWARD to revise and extend remarks made on H.R. 14465.

Mr. KEITH following the remarks of Mr. SPRINGER on H.R. 14465.

Mr. CAHILL, to extend his remarks immediately after those of Mr. FRELINGHUYSEN on the Frelinghuysen amendment.

Mr. MORTON (at the request of Mr. SPRINGER), to extend his remarks immediately after those of Mr. KUYKENDALL.

(The following Members (at the request of Mr. RUTH) and to include extraneous matter:)

Mr. PELLY in five instances.

Mr. ZWACH.

Mr. CONABLE.

Mr. REID of New York in three instances.

Mr. ASHBROOK in two instances.

Mr. ROUDEBUSH in two instances.

Mr. SHRIVER in two instances.

Mr. FINDLEY.

Mr. HOSMER in two instances.

Mr. SCHWENDEL.

Mr. WYMAN in two instances.

Mr. KEITH.

Mr. HORTON in two instances.

Mr. RUPPE.

Mr. LANDGREBE.

Mr. CONTE.

Mr. LIPSCOMB in three instances.

Mr. CUNNINGHAM in five instances.

Mr. KUYKENDALL.

Mr. ESCH.

Mr. SEBELIUS.

Mr. WHITEHURST.

Mr. FULTON of Pennsylvania in five instances.

Mr. BROYHILL of Virginia in two instances.

Mr. SCHADEBERG.

Mr. HOGAN.

Mr. NELSEN in five instances.

Mr. CARTER in two instances.

(The following Members (at the request of Mr. DANIEL of Virginia, and to include extraneous matter:)

Mr. EILBERG.

Mr. KLUCZYNSKI in two instances.

Mr. CHAIMO.

Mr. FRASER.

Mr. SYMINGTON in two instances.

Mr. LEGGETT.

Mr. MATSUNAGA in two instances.

Mr. NICHOLS in two instances.

Mrs. HANSEN of Washington in two instances.

Mr. WILLIAM D. FORD in two instances.

Mr. HAWKINS.

Mr. MONTGOMERY.

Mr. OLSEN in three instances.

Mr. STUCKEY.

Mr. WOLFF.

Mr. ROONEY of Pennsylvania.

Mr. TIERNAN in three instances.

Mr. BRADEMAS in six instances.

Mr. PICKLE in two instances.

Mr. CHARLES H. WILSON.

Mr. RARICK in three instances.

Mr. GONZALEZ in two instances.

Mr. DORN in three instances.

Mrs. SULLIVAN in three instances.

Mr. EVINS of Tennessee.

Mr. FEIGHAN in five instances.

Mr. HAGAN in two instances.

SENATE BILL 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. 118. An act to grant the consent of the Congress to the Tahoe regional planning compact, to authorize the Secretary of the Interior and others to cooperate with the planning agency thereby created, and for other purposes, to the Committee on the Judiciary.

SENATE ENROLLED BILL SIGNED

The SPEAKER announced his signature to an enrolled bill of the Senate of the following title:

S. 1857. An act to authorize appropriations for activities of the National Science Foundation, and for other purposes.

ENROLLED BILL AND JOINT RESOLUTION SIGNED

Mr. FRIEDEL, from the Committee on House Administration, reported that that committee had examined and found truly enrolled a bill and a joint resolution of the House of the following titles, which were thereupon signed by the Speaker:

H.R. 10595. An act to amend the act of August 7, 1956 (70 Stat. 1115), as amended, providing for a Great Plains conservation program; and

H.J. Res. 910. Joint resolution to declare a National Day of Prayer and Concern for American servicemen being held prisoner in North Vietnam.

JOINT RESOLUTION PRESENTED TO THE PRESIDENT

Mr. FRIEDEL, from the Committee on House Administration, reported that that committee did on this day present to the President, for his approval, a joint resolution of the House of the following title:

H.J. Res. 910. To declare a National Day of Prayer and Concern for American servicemen being held prisoner in North Vietnam.

ADJOURNMENT

Mr. DANIEL of Virginia. Mr. Speaker, I move that the House do now adjourn. The motion was agreed to.

The SPEAKER. Pursuant to the provisions of House Concurrent Resolution 441, 91st Congress, the Chair declares the House adjourned until 12 o'clock noon on Wednesday, November 12, 1969.

Thereupon (at 7 o'clock and 7 minutes p.m.), pursuant to House Concurrent Resolution 441, the House adjourned until Wednesday, November 12, 1969 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:

1318. A letter from the Secretary, Export-Import Bank of the United States transmitting a report of the activities of the Bank during the quarter ended September 30, 1969, under the export expansion facility program, pursuant to the provisions of Public Law 90-390; to the Committee on Banking and Currency.

1319. A letter from the Comptroller General of the United States transmitting a report on the effectiveness and administrative efficiency of the concentrated employment

program under title IB of the Economic Opportunity Act of 1964, Chicago, Ill., Department of Labor; to the Committee on Education and Labor.

1320. A letter from the Secretary, Export-Import Bank of the United States transmitting a report on the amount of Export-Import Bank loans, insurance, and guarantees issued during July-September 1969, in connection with U.S. exports to Yugoslavia, pursuant to the provisions of the provisions of the Export-Import Bank Act of 1945, as amended; to the Committee on Foreign Affairs.

1321. A letter from the Comptroller General of the United States transmitting a report on savings through greater use of Government-owned shipping capacity between New Orleans, La., and the Panama Canal Zone, Department of Defense, Panama Canal Company; to the Committee on Government Operations.

1322. A letter from the Comptroller General of the United States transmitting a report on the need for improvements in analyses of applications for business loans, Small Business Administration; to the Committee on Government Operations.

1323. A letter from the Assistant Secretary of the Interior transmitting a copy of a proposed concession contract for the provision of self-service food and nonalcoholic beverage services and the sale of souvenirs for the public in Muir Woods National Monument, Calif., covering the period January 1, 1970, through December 31, 1979, pursuant to the provisions of the act of July 31, 1953 (67 Stat. 271), as amended; to the Committee on Interior and Insular Affairs.

1324. A letter from the Director, Administrative Office of the United States Courts transmitting a draft of proposed legislation to amend chapter 313 of title 18 of the United States Code; 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. MORGAN: Committee on Foreign Affairs. H.R. 14580. A bill to promote the foreign policy, security, and general welfare of the United States by assisting peoples of the world to achieve economic development within the framework of democratic economic, social, and political institutions, and for other purposes (Rept. No. 91-611). Referred to the Committee of the Whole House on the State of the Union.

Mr. DIGGS: Committee on Foreign Affairs. Report of Special Study Mission to Southern Africa (Rept. No. 91-610). Referred to the Committee of the Whole House on the State of the Union.

Mr. KASTENMEIER: Committee on the Judiciary. H.R. 14646. A bill granting the consent of Congress to the Connecticut-New York Railroad Passenger Transportation Compact (Rept. No. 91-608). Referred to the House Calendar.

Mr. MILLER of California: Committee of Conference. Conference Report on H.R. 11271 (Rept. No. 91-609). And ordered to be printed.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. MILLS (for himself and Mr. BYRNES of Wisconsin):

H.R. 14705. A bill to extend and improve the Federal-State unemployment compensation program; to the Committee on Ways and Means.

By Mr. BROWN of Ohio (for himself, Mr. ASHBROOK, Mr. BETTS, Mr. DEVINE, Mr. HARSHA, Mr. LUKENS, Mr. MINSHALL, Mr. MOSHER, and Mr. STANTON):

H.R. 14706. A bill to adjust agricultural production, to provide a transitional program for farmers, and for other purposes; to the Committee on Agriculture.

By Mr. CONYERS:

H.R. 14707. A bill to amend title XVIII of the Social Security Act to provide payment for chiropractors' services under the program of supplementary medical insurance benefits for the aged; to the Committee on Ways and Means.

By Mr. CORMAN:

H.R. 14708. A bill to provide for the more effective prevention and treatment of alcoholism; to the Committee on Interstate and Foreign Commerce.

By Mr. FOLEY:

H.R. 14709. A bill to amend title XVIII of the Social Security Act to provide payment for chiropractors' services under the program of supplementary medical insurance for the aged; to the Committee on Ways and Means.

By Mr. GAYDOS:

H.R. 14710. A bill to amend the Social Security Act to provide increases in benefits under the old-age, survivors, and disability insurance program, to provide health insurance benefits for the disabled, and for other purposes; to the Committee on Ways and Means.

By Mr. KING:

H.R. 14711. A bill relating to the interest rates on loans made by the Treasury to the Department of Agriculture to carry out the programs authorized by the Rural Electrification Act of 1936; to the Committee on Agriculture.

H.R. 14712. A bill to amend title 18 of the United States Code to make it unlawful to injure, intimidate, or interfere with any fireman performing his duties during the course of any riot; to the Committee on the Judiciary.

By Mr. LENNON:

H.R. 14713. A bill to encourage the growth of international trade on a fair and equitable basis; to the Committee on Ways and Means.

By Mr. MOSS:

H.R. 14714. A bill to amend authority of the Secretary of the Interior under the Act of July 19, 1940 (54 Stat. 773), to encourage through the National Park Service travel in the United States, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. NELSEN (for himself, Mr. BROYHILL of Virginia, Mr. CABELL, Mr. HOGAN, and Mr. WINN):

H.R. 14715. A bill for the establishment of a Commission on the Organization of the Government of the District of Columbia; to the Committee on District of Columbia.

By Mr. OBEY (for himself, Mr. KLUCZYNSKI, Mr. BUTTON, Mr. PODELL, Mr. GAIAMO, Mr. BINGHAM, Mr. KOCH, Mr. ROONEY of Pennsylvania, Mr. TUNNEY, Mr. DINGELL, Mr. REES, Mr. SCHEUER, Mrs. CHISHOLM, Mr. HELSTOSKI, Mr. ANDERSON of California, Mr. CORMAN, Mr. MATSUNAGA, Mr. FRIEDEL, and Mr. DANIELS of New Jersey):

H.R. 14716. A bill to amend the Federal Food, Drug, and Cosmetic Act to provide for the establishment of a National Drug Testing and Evaluation Center, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. QUILLEN:

H.R. 14717. A bill to provide for the establishment of a commission by the Secretary of Health, Education, and Welfare to review and assess all available data on smoking and health including the carrying on of original scientific research; to the Committee on Interstate and Foreign Commerce.

By Mr. REID of New York (for himself and Mr. WOLFF):

H.R. 14718. A bill to establish an Intergovernmental Commission on Long Island Sound; to the Committee on Interior and Insular Affairs.

By Mr. ROUDEBUSH:

H.R. 14719. A bill to establish a commission to study the usage, customs, and laws relating to the flag of the United States; to the Committee on the Judiciary.

By Mr. SCHNEEBELI:

H.R. 14720. A bill to continue until the close of June 30, 1973, the existing suspension of duties on manganese ore (including ferruginous ore) and related products; to the Committee on Ways and Means.

By Mr. TEAGUE of Texas:

H.R. 14721. A bill to modify ammunition recordkeeping requirements; to the Committee on Ways and Means.

By Mr. TEAGUE of Texas (by request):

H.R. 14722. A bill to amend section 620 of title 38, United States Code, to authorize an extension of the 6-month limitation on the furnishing of nursing home care in case of veterans who pay part of the cost of such care; to the Committee on Veterans' Affairs.

By Mr. WATSON:

H.R. 14723. A bill to amend title 10 of the United States Code to provide that the Secretary of Defense specify those groups entitled to commissary store and post exchange privileges, and for other purposes; to the Committee on Armed Services.

By Mr. WOLFF (for himself and Mr. REID of New York):

H.R. 14724. A bill to amend the General Bridge Act of 1946, to prohibit the construction of a highway bridge across Long Island Sound from any point on the north shore of Long Island between Oyster Bay Harbor and Hempstead Harbor to any point in Westchester County, N.Y., in the vicinity of the city of Rye and the village of Portchester; to the Committee on Public Works.

By Mr. BIESTER:

H.R. 14725. A bill to adjust agricultural production, to provide a transitional program for farmers, and for other purposes; to the Committee on Agriculture.

By Mr. BIESTER (for himself and Mr. ASHLEY):

H.R. 14726. A bill to amend the Food Stamp Act of 1964 to authorize elderly persons to exchange food stamps under certain circumstances for meals prepared and served by private nonprofit organizations, and for other purposes; to the Committee on Agriculture.

By Mr. DAVIS of Georgia:

H.R. 14727. A bill to amend the Civil Rights Act of 1964 by adding a new title, which restores to local school boards their constitutional power to administer the public schools committed to their charge, confers on parents the right to choose the public schools their children attend, secures to children the right to attend the public schools chosen by their parents, and makes effective the right of public school administrators and teachers to serve in the schools in which they contract to serve; to the Committee on the Judiciary.

By Mr. EDWARDS of Alabama:

H.R. 14728. A bill to amend title 18 and title 28 of the United States Code with respect to the trial and review of criminal actions involving obscenity, and for other purposes; to the Committee on the Judiciary.

By Mr. GREEN of Pennsylvania:

H.R. 14729. A bill to amend the act of June 28, 1948, as amended, relating to the acquisition of property for the Independence National Historical Park; to the Committee on Interior and Insular Affairs.

By Mr. LENNON (for himself and Mr. MOSHER):

H.R. 14730. A bill to provide for the effective management of the Nation's coastal and estuarine areas; to the Committee on Merchant Marine and Fisheries.

H.R. 14731. A bill to provide for the establishment of a national policy and comprehensive national program for the preservation, study, use, and development of the coastal zone of the Nation and its resources; to the Committee on Merchant Marine and Fisheries.

By Mr. O'NEAL of Georgia:

H.R. 14732. A bill to amend the Civil Rights Act of 1964 by adding a new title, which restores to local school boards their constitutional power to administer the public schools committed to their charge, confers on parents the right to choose the public schools their children attend, secures to children the right to attend the public schools chosen by their parents, and makes effective the right of public school administrators and teachers to serve in the schools in which they contract to serve; to the Committee on the Judiciary.

By Mr. ROGERS of Florida (for himself, Mr. JARMAN, Mr. SATTERFIELD, Mr. KYROS, Mr. PREYER of North Carolina, Mr. NELSEN, Mr. CARTER, Mr. SKUBITZ, and Mr. HASTINGS):

H.R. 14733. A bill to amend the Public Health Service Act to extend the program of assistance for health services for domestic migrant agricultural workers and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. RYAN (for himself and Mr. BURKE of Massachusetts):

H.R. 14734. A bill to provide that Federal assistance to a State or local government or agency for rehabilitation or renovation of housing and for enforcement of local or State housing codes under the urban renewal program, the public housing program, or the model cities program, or under any other program involving the provision by State or local governments of housing or related facilities, shall be made available only on condition that the recipient submit and carry out an effective plan for eliminating the causes of lead-based paint poisoning; to the Committee on Banking and Currency.

By Mr. RYAN (for himself and Mr. BURKE of Massachusetts):

H.R. 14735. A bill to provide Federal financial assistance to help cities and communities of the United States develop and carry out intensive local programs to eliminate the causes of lead-based paint poisoning; to the Committee on Banking and Currency.

By Mr. RYAN (for himself and Mr. BURKE of Massachusetts):

H.R. 14736. A bill to provide Federal financial assistance to help cities and communities of the United States develop and carry out intensive local programs to detect and treat incidents of lead-based paint poisoning; to the Committee on Interstate and Foreign Commerce.

By Mr. STUCKEY:

H.R. 14737. A bill to amend the Investment Company Act of 1940, the Investment Advisers Act of 1940 and the Securities Exchange Act of 1934 to define the equitable standards governing relationships between investment companies and their investment advisers and principal underwriters, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. ST GERMAIN:

H.J. Res. 980. Resolution to provide for the issuance of a commemorative postage stamp in honor of Robert Francis Kennedy; to the Committee on Post Office and Civil Service.

By Mr. ADAIR:

H. Con. Res. 442. Resolution Red Cross Prisoner-of-War Declaration; to the Committee on Foreign Affairs.

By Mr. CRAMER (for himself and Mr. WEICKER):

H. Con. Res. 443. Resolution expressing the sense of the Congress with respect to public expression of religious faith by American astronauts; to the Committee on the Judiciary.

By Mr. BROCK:

H. Res. 657. Resolution toward peace with

justice in Vietnam; to the Committee on Foreign Affairs.

By Mr. JASEY:

H. Res. 658. Resolution to express the sense of the House of Representatives that the United States maintain its sovereignty and jurisdiction over the Panama Canal Zone; to the Committee on Foreign Affairs.

By Mr. DELLENBACK:

H. Res. 659. Resolution paying tribute to each American serviceman who has given his life or has been wounded in Vietnam conflict; to the Committee on Armed Services.

By Mr. DENT (for himself, Mr. GALIFIANAKIS, and Mrs. GREEN of Oregon):

H. Res. 660. A resolution toward peace with justice in Vietnam; to the Committee on Foreign Affairs.

By Mr. GIAIMO (for himself, Mr. ALBERT, Mr. ANDERSON of California, Mr. ANDERSON of Illinois, Mr. ANNUNZIO, Mr. BARING, Mr. BELCHER, Mr. BENNETT, Mr. BROCK, Mr. BROTZMAN, Mr. BROWN of Michigan, Mr. BUCHANAN, Mr. BURLESON of Texas, Mr. BUTTON, Mr. DON H. CLAUSEN, Mr. CORBETT, Mr. DADDARIO, Mr. DINGELL, Mr. DULSKI, Mr. EDWARDS of California, Mr. EILBERG, Mr. EVANS of Colorado, Mr. FISHER, Mr. FLOOD, and Mr. FLYNN):

H. Res. 661. A resolution commending the American serviceman and veteran of Vietnam for his efforts and sacrifices; to the Committee on Armed Services.

By Mr. GIAIMO (for himself, Mr. FRELINGHUYSEN, Mr. FRIEDEL, Mr. FULTON of Pennsylvania, Mr. GONZALEZ, Mr. GREEN of Pennsylvania, Mr. HALPERN, Mrs. HANSEN of Washington, Mr. HARSHA, Mr. HELSTOSKI, Mr. HENDERSON, Mr. HICKS, Mr. HOLFIELD, Mr. HORTON, Mr. HOWARD, Mr. ICHORD, Mr. JOHNSON of California, Mr. JONAS, Mr. JONES of Tennessee, Mr. KARTH, Mr. KUYKENDALL, Mr. KOCH, Mr. LEGGETT, Mr. LENNON, and Mr. LUJAN):

H. Res. 662. A resolution commending the American serviceman and veteran of Vietnam for his efforts and sacrifices; to the Committee on Armed Services.

By Mr. GIAIMO (for himself, Mr. MCCARTHY, Mr. MCCLORY, Mr. MCDADE, Mr. MCKNEALLY, Mr. MAILLIARD, Mr. MANN, Mr. MATSUNAGA, Mrs. MAY, Mr. MESKILL, Mr. MICHEL, Mr. MIKVA, Mr. MILLER of Ohio, Mrs. MINN, Mr. MIZE, Mr. MOLLOHAN, Mr. MONAGAN, Mr.

MONTGOMERY, Mr. MOORHEAD, Mr. MORSE, Mr. MURPHY of Illinois, Mr. MYERS, Mr. OBEY, Mr. O'NEAL of Georgia, and Mr. PHILBIN):

H. Res. 663. A resolution commending the American serviceman and veteran of Vietnam for his efforts and sacrifices; to the committee on Armed Services.

By Mr. GIAIMO (for himself, Mr. PODELL, Mr. POLLOCK, Mr. POWELL, Mr. PUCINSKI, Mr. RAILSBACK, Mr. RANDALL, Mr. RARICK, Mr. REES, Mr. REIFEL, Mr. ROBERTS, Mr. ROBISON, Mr. RODINO, Mr. ROGERS of Colorado, Mr. ROTH, Mr. RUTH, Mr. SCHEUER, Mr. SHRIVER, Mr. SIKES, Mr. SISK, Mr. SLACK, Mr. STAFFORD, Mr. STEED, Mr. STUBBLEFIELD, and Mrs. SULLIVAN):

H. Res. 664. A resolution commending the American serviceman and veteran of Vietnam for his efforts and sacrifices; to the Committee on Armed Services.

By Mr. GIAIMO (for himself, Mr. SYMINGTON, Mr. TALCOTT, Mr. VIGORITO, Mr. WEICKER, Mr. WHALEN, Mr. CHARLES H. WILSON, Mr. WOLD, Mr. WOLFF, Mr. WRIGHT, Mr. PETTIS, Mr. BYRNE of Pennsylvania, Mr. GIBBONS, Mr. ABERNETHY, Mr. ROONEY of Pennsylvania, Mr. EDWARDS of Louisiana, Mr. CHAPPELL, Mr. DONOHUE, Mr. ANDERSON of Tennessee, Mr. St GERMAIN, Mr. JACOBS, Mr. O'NEILL of Massachusetts, Mr. HULL, and Mr. DOWDY):

H. Res. 665. A resolution commending the American serviceman and veteran of Vietnam for his efforts and sacrifices; to the Committee on Armed Services.

By Mr. GIAIMO (for himself, Mr. BEALL of Maryland, Mr. BLANTON, Mr. BRASCO, Mr. CASEY, Mr. COHELAN, Mr. CONTE, Mr. FINDLEY, Mr. FRASER, Mr. KYROS, Mr. MADDEN, Mr. NIX, Mrs. REID of Illinois, Mr. ROGERS of Florida, Mr. SCHADEBERG, Mr. STEPHENS, Mr. THOMPSON of New Jersey, and Mr. YATRON):

H. Res. 666. A resolution commending the American serviceman and veteran of Vietnam for his efforts and sacrifices; to the Committee on Armed Services.

By Mr. GIAIMO (for himself, Mr. ADDABBO, and Mr. BROYHILL of North Carolina):

H. Res. 667. A resolution commending the American serviceman and veteran of Vietnam for his efforts and sacrifices; to the Committee on Armed Services.

By Mr. HATHAWAY:

H. Res. 668. A resolution commending the serviceman and veteran of Vietnam for his efforts and sacrifices; to the Committee on Armed Services.

By Mr. SANDMAN:

H. Res. 669. A resolution toward peace with justice in Vietnam; to the Committee on Foreign Affairs.

By Mr. WATSON:

H. Res. 670. A resolution toward peace with justice in Vietnam; to the Committee on Foreign Affairs.

By Mr. RANDALL:

H. Res. 671. Resolution toward peace with justice in Vietnam; to the Committee on Foreign Affairs.

By Mr. STAGGERS:

H. Res. 672. Resolution toward peace with justice in Vietnam; to the Committee on Foreign Affairs.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. MINISE:

H.R. 14738. A bill for the relief of Irving Forsten; to the Committee on the Judiciary.

By Mr. MURPHY of New York:

H.R. 14739. A bill for the relief of Habibollah Cohen; 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:

324. By Mr. MYERS: A petition from Mr. Charles E. Marsh of Brownsburg, Ind., and 20,002 other signatures to stop, promptly and completely, giving aid in any form, directly or indirectly, to the total Communist bloc of nations; to the Committee on Foreign Affairs.

325. By the SPEAKER: Petition of the Ad Hoc Student-Faculty Committee on the Vietnam Moratorium, Polytechnic Institute of Brooklyn, Brooklyn, N.Y., relative to the Vietnam Moratorium on October 15, 1969; to the Committee on Foreign Affairs.

326. By the SPEAKER: Petition of the American Academy of General Practice, Kansas City, Mo., relative to standardized tests for drivers of motor vehicles; to the Committee on Interstate and Foreign Commerce.

SENATE—Thursday, November 6, 1969

The Senate met at 11 o'clock a.m. and was called to order by the President pro tempore.

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

Dear Lord and Father of mankind, giver of life and liberty, above the tumult and confusion of many voices may we hear Thy voice that we may worship as we work, and find fulfillment of life's purpose by offering to Thee the service of our minds and the love of our hearts.

Draw together the diverse and divided people of this land in common loyalty to Thee, made strong in the Lord and the power of His might, so as to serve the ways of peace and the kingdom of righteousness. Give to the Members of this body greatness of mind and spirit to match the vastness of their problems. Help this Nation to lead the separated

peoples of the world into a firm spiritual alliance, in that order which has as its guide the mind and spirit of the Man of Nazareth, in whose name we make our prayer. Amen.

THE JOURNAL

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the reading of the Journal of the proceedings of Wednesday, November 5, 1969, be dispensed with.

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

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States submitting nominations were communicated to the

Senate by Mr. Leonard, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session, the President pro tempore laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)

LIMITATION ON STATEMENTS DURING TRANSACTION OF ROUTINE MORNING BUSINESS

Mr. MANSFIELD. Mr. President, I ask unanimous consent that statements in relation to the transaction of routine morning business be limited to 3 minutes.