responsible for regulating the environmental effects of such activity." History seems to have made clear that executive branch agencies have extreme difficulty balancing promotion and regulation of a specific resource.

Senator Gaylord Nelson (D-Wis), while supporting the basic concept of EPA, has introduced a resolution to disapprove Plan 4 pending thorough congressional consideration of alternatives. He took exception to remarks by CEQ's Russell Train and Under Secretary of Commerce Rocco Siciliano at the July 9 press conference announcing the plans. Train, when asked why NOAA was not put in EPA, replied: "Because the new EPA is intended to focus on the control of pollution . . . ocean programs, obviously, go far beyond that, development efforts of all sorts." To a similar question Siciliano replied: "As far as NOAA is concerned, let's make a comparison. One is a standard-setting enforcement-type agency which needs independence and this is your EPA. The other is a research, development, protection, and conservation function which we are doing already in the Commerce Department. . . ."

Senator Nelson is concerned that NOAA does not unscramble the jurisdictional tangle of federal agencies having marine responsibilities. "The Corps of Engineers lets all kinds of waste dumping go on beyond the 3-mile limit off our coasts, because it is unsure of its authority in this area, and for inshore waters, the Corps recently did not even know how many permits it had issued. Plan Number 4 does not deal with this serious inadequacy in federal policy."

Senator Nelson, who has introduced two bills to protect the environmental integrity of the oceans, feels that it would be far better to reorganize and strengthen the Department of Interior or to build on the foundation of EPA than to place NOAA in the Department of Commerce.

Maine's Senator Edmund Muskie, chairman of the Senate Public Works Subcommittee on Air and Water Pollution, is concerned about the money and manpower commitment behind the Administration's Reorganization Plans 3 and 4. Muskie is troubled by the President's remarks on July 9. "It is not practical, however, to itemize or aggregate the exact expenditure reductions which will result from this action," Nixon said. Muskie argues that "We should not expect expenditures for these already underfunded, undermanned programs to decrease."

An alternative approach to Senator Nelson's resolution to place NOAA in EPA was introduced by Congressman John D. Dingell (D-Mich). Dingell, who is chairman of the Merchant Marine and Fisheries subcommittee on Fisheries and Wildlife Conservation, introduced two resolutions recommending House disapproval of Reorganization Plans 3 and 4. He favors subsequent legislative action to coordinate environmental programs and jurisdictions.

Reorganization Plans 3 and 4 bear further implications. At present, environmental programs are represented at the cabinet level, although the cabinet members in question often have to serve both promotion and protection interests of their clientele. EPA would be headed by an administrator below cabinet rank, similar to the directors of NASA and the AEC. Both these agencies, however, have been essentially promotional, not regulatory, agencies. They have received almost undivided support and significant funds because promotion usually means spending federal money in one or more congressional districts. Promotion-prone agencies reap political support. But this tends not to be the case with regulatory agencies when their performance is effective. The EPA director would be unlikely to possess clout equivalent to that of the NASA and AEC directors.

Coordination of *all* environmental programs, as opposed to transfer of several programs to a new agency, should be the keystone of an urgently needed environmental executive reorganization. *Not needed* is another congregation of an incomplete list of existing federal programs to be transferred to an umbrella agency possessing no new coordination authority. *Needed* is more strength within the newly created President's Council on Environmental Quality. This enhanced authority of the CEQ should range from coordination of operating environmental programs to stop-order authority against environmentally destructive construction projects or programs to more sophisticated research capabilities that would better assist the CEQ in exercising its enhanced authority. The CEQ should and could become the focus of environmental research, planning, and coordination at the Presidential level, with review and stop-order authority. Executive reorganization is tangential to the central need for SEQ policy coordination and enforcement authority.

HOUSE OF REPRESENTATIVES—*Wednesday, September 30, 1970*

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

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

Thou shalt love the Lord thy God with all thine heart and with all thy soul and with all thy might.—Deuteronomy 6: 5.

Almighty and ever-living God, by whose mercy we have come with our Hebrew brethren to the beginning of another year, grant that we may enter it together with humble and grateful hearts. Confirm our resolutions, we pray Thee, to walk more closely with Thee and to labor more faithfully for the good of our fellow men according to the teaching of our law and the example of our Lord.

We invoke Thy blessing upon our country. Enlighten with Thy wisdom and sustain with Thy power those whom the people have set in authority, our President, our Speaker, Members of Congress, and all who are entrusted with our safety and our freedom. May peace and good will live in the lives of our citizens and may religion spread its blessings among us, exalting our Nation in righteousness.

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 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. 3558) entitled "An act to amend the Communications Act of 1934 to provide continued financing for the Corporation for Public Broadcasting."

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

H.R. 17604. An act to authorize certain construction at military installations, and for other purposes.

The message also announced that the Senate insists upon its amendments to the bill (H.R. 17255) entitled "An act to amend the Clean Air Act to provide for a more effective program to improve the quality of the Nation's air," disagreed to by the House; agrees to the conference asked by the House on the disagreeing votes of the two Houses thereon, and appoints Mr. RANDOLPH, Mr. YOUNG of Ohio, Mr. MUSKIE, Mr. SPONG, Mr. EAGLETON, Mr. COOPER, Mr. BOGGS, Mr. BAKER, and Mr. DOLE to be the conferees on the part of the Senate.

The message also announced that the Senate insists upon its amendments to the bill (H.R. 17604) entitled "An act to authorize certain construction at military installations, and for other purposes," requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. JACKSON, Mr. STENNIS, Mr. ERVIN, Mr. CANNON, Mr. BYRD of Virginia, Mr. THURMOND, Mr. TOWER, and Mr. DOMINICK to be the conferees on the part of the Senate.

The message also announced that the Senate agrees to the amendment of the House with an amendment to a bill of the Senate of the following title:

S. 3479. An act to amend section 2 of the Act of June 30, 1954, as amended, providing for the continuance of civil government for the Trust Territory of the Pacific Islands.

REQUEST FOR PERMISSION FOR COMMITTEE ON THE JUDICIARY TO FILE REPORT ON S. 30, THE ORGANIZED CRIME CONTROL BILL

Mr. RODINO. Mr. Speaker, I ask unanimous consent that the Committee on the Judiciary may have until midnight tonight to file a report on the bill (S. 30) relating to the control of organized crime in the United States.

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

Mr. GROSS. Mr. Speaker, reserving the right to object, and if I may have the attention of the gentleman from New Jersey, I assume this has been cleared with the minority members of the committee?

Mr. RODINO. Mr. Speaker, if the gentleman will yield, I have every reason to believe so.

Mr. GROSS. Well, Mr. Speaker, I wonder if the gentleman under these circumstances will withhold his request briefly?

The SPEAKER. Will the gentleman withhold briefly his unanimous-consent request until he is able to contact the ranking member on the minority side and the Republican leadership?

Mr. RODINO. I shall be glad to do so, Mr. Speaker.

THE WHINERS AND COMPLAINERS OUGHT TO THANK THE PRESIDENT'S COMMISSION ON CAMPUS UNREST

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

Mr. RIEGLE. Mr. Speaker, some of those who blindly criticize the findings of the President's Commission on Campus Unrest—whether they realize it or not—are slapping the President in the face. After all, the men who wrote this report were selected by the President; given their charter of responsibility by the President; and their findings are the direct responsibility of the President.

Actually, the whiners and complainers ought to thank the President—and thank the Scranton Commission—because it has done an excellent job—and has made a correct and compelling set of recommendations.

The truth, gentlemen, is never the enemy—and we ought to be big enough to face facts—even if we dislike them.

Like it or not, the President of the United States has the greatest opportunity, and responsibility, to provide moral leadership for our country. He asked for that responsibility, the voters gave it to him in good faith, and we do him no favors when we suggest otherwise. And do not sell him short—I think he wants that responsibility.

The fact is that the President of the United States can do more than any other person to help the country understand the campus unrest problem. The country desperately needs his full leadership in this area. All of us can do more to help solve this problem—including the President—and it is time that each of us step up to that challenge.

If the political arsonists now out throwing firebombs of inflamed rhetoric and explosive anger would stop complaining long enough to offer even one constructive suggestion, the country would be much better off. The caustic condemners and complainers who know all the problems and none of the answers, ought to listen to the President's Commission on Student Unrest—at least until they have something more constructive to offer themselves.

JOINT ECONOMIC COMMITTEE'S ENERGY HEARINGS POSTPONED

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

Mr. PATMAN. Mr. Speaker, the following release has just been issued:

Representative Wright Patman (D-Tex.), Chairman of the Joint Economic Committee, today announced that hearings on "The Energy Outlook: An Overview of Price and Supply," previously announced for October 5, 6, 9, and 10, would be postponed until a later date. Mr. Patman explained that, because of the press of other Congressional business prior to the anticipated October 15 recess, it had been found that it would be difficult for the Committee members to devote adequate time to these hearings. It was decided that the extensive investigation of the energy sector of the economy which the Committee plans to undertake could better be initiated at a later date.

Mr. Patman emphasized his appreciation to the government officials and other experts who had agreed to testify and expressed the hope that they would again be available to assist the Committee when the hearings are rescheduled.

PERMISSION FOR COMMITTEE ON THE JUDICIARY TO FILE A REPORT ON S. 30

Mr. RODINO. Mr. Speaker, I renew my unanimous-consent request that the Committee on the Judiciary may have until midnight tonight to file a report on the bill S. 30, the proposed Organized Crime Control Act.

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

There was no objection.

TO STRENGTHEN LAW RELATING TO COUNTERFEITING OF POSTAGE METER STAMPS

Mr. ROGERS of Colorado. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H.R. 14485) entitled "An act to amend sections 501 and 504 of title 18, United States Code, so as to strengthen the law relating to the counterfeiting of postage meter stamps or other improper uses of the metered mail system," with Senate amendments thereto, and concur in the Senate amendments.

The Clerk read the title of the bill.

The Clerk read the Senate amendments, as follows:

Page 1, line 3, after "That" insert "(a) notwithstanding the amendment made to".

Page 1, line 3, strike out "is" and insert "such section is".

Page 1, strike out lines 5 and 6 and insert:

"§ 501. Postage stamps, postage meter stamps, and postal cards"

Page 2, line 15, strike out "Department," and insert "Department or by the Postal Service,".

Page 2, line 16, strike out "said department" and insert "the Department or Postal Service".

Page 2, line 22, strike out "Department," and insert "Department or the Postal Service,".

Page 2, after line 24, insert:

"(b) Section 6(j)(6) of the Postal Reorganization Act is repealed."

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

Mr. GROSS. Mr. Speaker, reserving the right to object, I assume from the Clerk's reading of the Senate amendments that they are germane to the bill, but will the gentleman from Colorado state that the amendments adopted in conference are germane to the bill?

Mr. ROGERS of Colorado. Mr. Speaker, will the gentleman yield?

Mr. GROSS. Of course I yield to the gentleman from Colorado.

Mr. ROGERS of Colorado. Mr. Speaker, they are germane. You see, we had to bring the bill into conformity with the so-called postal reform bill.

Mr. GROSS. Mr. Speaker, I thank the gentleman for his explanation, and withdraw my reservation of objection.

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

There was no objection.

The Senate amendments were concurred in.

A motion to reconsider was laid on the table.

EXPRESSING THE SENSE OF CONGRESS WITH RESPECT TO THE CONQUEST OF CANCER AS A NATIONAL CRUSADE

Mr. ROGERS of Colorado. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk House Concurrent Resolution 675 entitled "Concurrent Resolution expressing the sense of the Congress with respect to the conquest of cancer as a national crusade", with Senate amendments thereto, and concur in the Senate amendments.

The Clerk read the title of the concurrent resolution.

The Clerk read the Senate amendments, as follows:

Page 2, line 4, after "That" insert "it is the sense of".

Page 2, line 4, strike out "appropriate the funds" and insert "that sufficient funds be appropriated".

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

Mr. HALL. Mr. Speaker, reserving the right to object, is it the opinion of the gentleman presenting handling the resolution that the second senate amendment would make this an open ended funding of this cancer crusade bill?

Mr. ROGERS of Colorado. That is already the case. There has been an open end authorization for cancer research in existence for many years. The second Senate amendment does not affect that at all. Any and every appropriation must go through the regular appropriation procedure.

Mr. HALL. Mr. Speaker, I think it is important to establish that legislative record.

Mr. ROGERS of Colorado. Yes, sir.

Mr. HALL. I will ask the gentleman from Colorado further if this is the piece of legislation coming back from the other body that was proposed by our colleague, the gentleman from New York (Mr. ROONEY), which is known as the Rooney Cancer Crusade resolution.

Mr. ROGERS of Colorado. Yes, it is.

Mr. HALL. I thank the gentleman. Mr. Speaker, I withdraw my reservation of objection.

Mr. ROONEY of New York. Mr. Speaker, I am highly gratified by the unanimous adoption of House Concurrent Resolution 675 with the Senate Amendments which I introduced in the House in its original form on March 4, 1970. I am glad that my colleagues in both Houses have joined in the Crusade for the Conquest of Cancer by 1976, the 200th anniversary of the independence of our Nation.

I am aware that it is difficult, if not impossible, to set a precise time as the target date for the solution of a disease like cancer. I am also sure, however, that

our national dedication to such a goal and such a target date may well provide the added motivation necessary for its success. The sense of Congress is now clear: It is to provide the means for the men and women in the scientific community to address themselves to the solution of cancer without stint and without unreasonable limitation on the resources at their disposal. With this knowledge and the confidence that will flow from it, they can proceed at a more rapid rate than has ever been possible before. They will know that the research they start will be carried to a conclusion and that new men with new ideas will enter the field of cancer research and give added impetus to the total effort. With these forces brought into play, it is my conviction that the goal will be reached as we in the Congress carry out the intent of this resolution.

There is a study of the cancer problem now going on under the auspices of the other body. The panel making the study will report its findings soon. It is a panel of brilliant men and women, scientists of stature and laymen who are leaders in industry and finance. Their recommendations, I am sure, will be worthy of our earnest consideration. The resolution which you have just adopted in final form will spur congressional support of the recommendations they make. I am confident that next year, the year of 1971, will be the year which medical historians will record as the beginning of the end of cancer.

The SPEAKER. Is there objection to the request of the gentleman from Colorado (Mr. ROGERS)?

There was no objection.

The Senate amendments were agreed to.

A motion to reconsider was laid on the table.

REQUEST FOR PERMISSION FOR COMMITTEE ON EDUCATION AND LABOR TO SIT DURING SESSION TODAY

Mr. BOGGS. Mr. Speaker, I ask unanimous consent that the Committee on Education and Labor be permitted to sit today while the House is in session.

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

Mr. GROSS. Mr. Speaker, reserving the right to object, has this request been concurred in by the minority?

Mr. BOGGS. It is, by the ranking member of the committee who has also asked permission that they sit today.

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

Mr. GROSS. I yield to the gentleman.

Mr. HALL. Mr. Speaker, I have just left an important, vital, and previously scheduled committee meeting in order to convene with Members for essential legislation, at an unusual hour agreed to by unanimous consent, after much coordination and staffing yesterday.

I see no particular reason why if we are going to expedite our business regardless of the cause, that these committees should sit. What is proper for one is proper for the other. If the gentleman will yield for that purpose, Mr. Speaker, I do object.

The SPEAKER. Objection is heard.

NATIONAL VOLUNTEER FIREMEN'S WEEK

Mr. ROGERS of Colorado. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the joint resolution (H.J. Res. 1154) authorizing the President to proclaim National Volunteer Firemen's Week from September 19, 1970, to September 26, 1970, with Senate amendments thereto, and concur in the Senate amendments.

The Clerk read the title of the joint resolution.

The Clerk read the Senate amendments as follows:

Page 1, line 5, strike out "September 19," and insert "October 24,".

Page 1, line 5, strike out "September 26," and insert "October 31,".

Amend the title so as to read: "Joint resolution authorizing the President to proclaim National Volunteer Firemen's Week from October 24, 1970, to October 31, 1970."

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

Mr. GROSS. Mr. Speaker, reserving the right to object, and I shall not object, I merely want to ask the gentleman if this proposed resolution, and it is my understanding that he has two or three additional and similar resolutions, authorize the expenditure of any funds whatsoever.

Mr. ROGERS of Colorado. It does not in any manner whatsoever, I can assure the gentleman.

Mr. GROSS. Nor do any of the other amendments that the gentleman is prepared to offer today?

Mr. ROGERS of Colorado. That is true as to those already offered and adopted and those to be considered hereafter.

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

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

There was no objection.

The Senate amendments were concurred in.

A motion to reconsider was laid on the table.

NATIONAL CLOWN WEEK

Mr. ROGERS of Colorado. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the joint resolution (H.J. Res. 236), authorizing the President to designate the week of August 1 through August 7 as "National Clown Week", with Senate amendments thereto, and concur in the Senate amendments.

The Clerk read the title of the joint resolution.

The Clerk read the Senate amendments as follows:

Page 1, line 5, after "August 7" insert ", 1971".

Amend the title so as to read: "Joint resolution authorizing and requesting the President of the United States to issue a proclamation designating the week of August 1 through August 7, 1971, as 'National Clown Week'."

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

There was no objection.

The Senate amendments were concurred in.

A motion to reconsider was laid on the table.

AMENDING JOINT RESOLUTION ESTABLISHING "NATIONAL EMPLOY THE PHYSICALLY HANDICAPPED WEEK"

Mr. ROGERS of Colorado. Mr. Speaker, I ask unanimous consent that the Committee on the Judiciary be discharged from further consideration of the Senate Joint Resolution (S.J. Res. 110) to amend the joint resolution entitled "Joint resolution to establish the first week in October of each year as National Employ the Physically Handicapped Week," approved August 11, 1945 (59 Stat. 530), so as to broaden the applicability of such resolution to all handicapped workers, and ask for its immediate consideration.

The Clerk read the title of the Senate joint resolution.

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

There was no objection.

The Clerk read the Senate joint resolution as follows:

S.J. RES. 110

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the first two sentences of the joint resolution entitled "Joint resolution to establish the first week in October of each year as National Employ the Physically Handicapped Week", approved August 11, 1945 (59 Stat. 530), are amended to read as follows: "That hereafter the first week in October of each year shall be designated as National Employ the Handicapped Week. During such week appropriate ceremonies shall be held throughout the Nation, the purposes of which will be to enlist public support for and interest in the employment of otherwise qualified but handicapped workers."

The Senate joint resolution was ordered to be read a third time, was read the third time and passed, and a motion to reconsider was laid on the table.

AUTHORIZING THE PRESIDENT TO DESIGNATE JANUARY 1971 AS "NATIONAL BLOOD DONOR MONTH"

Mr. ROGERS of Colorado. Mr. Speaker, I ask unanimous consent that the Committee on the Judiciary be discharged from further consideration of the Senate joint resolution (S.J. Res. 223) to authorize and request the President to issue annually a proclamation designating the month of January of each year as "National Blood Donor Month," and ask for its immediate consideration.

The Clerk read the title of the Senate joint resolution.

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

There was no objection.

The Clerk read the Senate joint resolution as follows:

S.J. RES. 223

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That, in recognition of the vital contribution of the voluntary blood donor to medical care, the President is authorized and requested to issue annually a proclamation designating the month of January of each year as "National Blood Donor Month", and calling upon the people of the United States and interested groups and organizations to observe such month with appropriate ceremonies and activities.

AMENDMENTS OFFERED BY MR. ROGERS OF COLORADO

Mr. ROGERS of Colorado. Mr. Speaker, I offer amendments.

The Clerk read as follows:

Amendments offered by Mr. ROGERS of Colorado: On page 1, line 5, strike the word "annually".

On page 1, line 6, strike out the phrase "of each year" and insert in lieu thereof "1971".

The amendments were agreed to.

The Senate Joint Resolution was ordered to be read a third time, was read the third time, and passed.

The title was amended so as to read: "To authorize and request the President to issue a proclamation designating January 1971 as 'National Blood Donor Month.' "

A motion to reconsider was laid on the table.

APPOINTMENT OF CONFEREES ON H.R. 17604, MILITARY CONSTRUCTION AUTHORIZATIONS, 1971

Mr. RIVERS. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 17604), to authorize certain construction at military installations, and for other purposes, with a Senate amendment thereto, disagree to the Senate amendment, and agree to the conference asked by the Senate.

The SPEAKER. Is there objection to the request of the gentleman from South Carolina? The Chair hears none, and appoints the following conferees: Messrs. RIVERS, HAGAN, CHARLES H. WILSON, NICHOLS, DANIEL of Virginia, BRAY, CLANCY, KING, and FOREMAN.

PRESIDENT'S COMMISSION ON CAMPUS UNREST HAS DRAWN A BLANK

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

Mr. SIKES. Mr. Speaker, the President's Commission to study campus unrest has drawn a blank. The report is an exercise in phonetics and nothing more. It simply passes the buck for campus problems back to the President who, in the opinion of most people, has plenty to do without trying to police the campuses. Admittedly, there is much to be done to preserve order on the campuses and admittedly the President, as Chief Executive, has a measure of responsibility, but there is much more to the problem than the report would indicate. The report should have dealt with the immediate need for forceful action on the part of college administrators.

Colleges have been opening all over the land for the fall term. A straightforward approach by college heads to stress the attitudes and activities which are expected of the students is imperative. The students should be made to realize that they have responsibilities to help preserve law and order. They should be told that agitators will not be welcome. Much of the trouble in recent years has stemmed from the fact that college heads simply failed to assume the responsibility entrusted to them in dealing with problems of student unrest.

It is equally important that useful alternatives be provided to the students. It is to be assumed that most students will have their time fully occupied with academic requirements. That is why they are in college. When they have time on their hands, it is doubly important that sound outlets be provided for their energies. There are many worthwhile programs which offer such outlets, and leadership and participation on the campus in these activities should be encouraged.

The most serious danger is a do-nothing attitude toward campus disorders on the part of those responsible for college administration.

PROVIDING FOR CONSIDERATION OF H.R. 17538, HIGH-SPEED GROUND TRANSPORTATION EXTENSION

Mr. O'NEILL of Massachusetts. Mr. Speaker, I call up House Resolution 1223 and ask for its immediate consideration.

The Clerk read the resolution as follows:

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. 17538) to extend for one year the Act of September 30, 1965, relating to highspeed ground transportation, and for other purposes. After general debate, which shall be confined to the bill and shall continue not to exceed one hour, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Interstate and Foreign Commerce, the bill shall be read for amendment under the five-minute rule. 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.

Mr. O'NEILL of Massachusetts. Mr. Speaker, I yield 30 minutes to the gentleman from Ohio (Mr. LATTA) pending which I yield myself such time as I may consume.

Mr. Speaker, House Resolution 1223 provides an open rule with 1 hour of general debate for consideration of H.R. 17538 to extend the High-Speed Ground Transportation Act.

The purpose of H.R. 17538 is to extend existing law relating to high-speed ground transportation for 1 year. It authorizes an appropriation for fiscal year 1971 in the amount of $21.7 million for research and development and demonstrations in high-speed ground transportation.

Five years ago the Congress passed high-speed ground transportation legislation. We recognized then, as we know even better now, that fast, efficient, mass transportation had to be developed to replace the polluting and congesting increase of the automobile in American life.

American technology is the greatest in the world. It has not been directed to many of the pressing domestic needs of the Nation. High-speed ground transportation can be successfully developed, built, and utilized.

This authorization will enable many of the research projects which have been developed to be built. It will provide for engineering research and development and demonstration projects.

The research and development of reasonably priced, efficient, high-speed ground transportation will benefit the economy and the ecology of the entire United States.

This 1-year extension and the additional funding will furnish the opportunity to effect the transition into transportation equipment and assist in the programing of future requirements.

Mr. Speaker, I urge the adoption of House Resolution 1223 in order that H.R. 17538 may be considered.

Mr. LATTA. Mr. Speaker, the purpose of the bill is to extend for 1 year—through fiscal 1971—existing law with respect to high-speed ground transportation.

The bill authorizes appropriations of $21,700,000 during the year for research and development and for demonstration projects in the field.

During this year the Department of Transportation will begin to use its new laboratory facilities at Cambridge, Mass., and its high-speed ground test site in Colorado. New equipment will be purchased with some of the funds as the Department's test programs expand.

The administration supports the bill as evidenced by letters from the Secretary of Transportation. There are no minority views.

Mr. O'NEILL of Massachusetts. 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.

CALL OF THE HOUSE

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

The SPEAKER. Evidently a quorum is not present.

Mr. BOGGS. 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. 323]

Abbitt	Fish	Murphy, N.Y.
Andrews, N. Dak.	Fisher	Nedzi
Ashley	Ford, Gerald R.	O'Konski
Aspinall	Foreman	Olsen
Ayres	Friedel	Ottinger
Betts	Fulton, Tenn.	Pepper
Bingham	Gallagher	Pickle
Bray	Gilbert	Pirnie
Brock	Green, Pa.	Pollock
Brooks	Harsha	Powell
Burton, Utah	Hays	Reifel
Bush	Hébert	Robison
Button	Ichord	Rosenthal
Cabell	Jones, N.C.	Rostenkowski
Cederberg	Keith	Roudebush
Celler	Kleppe	Satterfield
Chisholm	Landrum	Scheuer
Clark	Lloyd	Shipley
Clay	Long, La.	Skubitz
Colmer	Lowenstein	Staggers
Conyers	McCarthy	Stephens
Cramer	McClory	Stratton
Crane	McKneally	Taft
Daddario	Macdonald, Mass.	Teague, Tex.
Dawson	MacGregor	Thompson, N.J.
de la Garza	Mann	Tunney
Derwinski	Martin	Watson
Diggs	Melcher	Weicker
Dowdy	Meskill	Wilson, Charles H.
Edwards, La.	Miller, Calif.	Wold
Fallon	Minshall	Zablocki
Farbstein	Mizell	
Feighan	Morse	

The SPEAKER. On this rollcall 332 Members have answered to their names, a quorum.

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

GENERAL LEAVE TO EXTEND

Mr. ROGERS of Colorado. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks on the bills and joint resolutions that were previously adopted.

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

There was no objection.

PERMISSION TO FILE SUPPLEMENTAL REPORT ON H.R. 2175, RESIDENTIAL COMMUNITY TREATMENT CENTERS

Mr. KASTENMEIER. Mr. Speaker, I ask unanimous consent to file a supplemental report, containing a Ramseyer, on H.R. 2175 dealing with residential community treatment centers.

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

There was no objection.

ROSH HASHANAH

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

Mr. ANDERSON of Illinois. Mr. Speaker, we welcome the advent of the Jewish New Year, Rosh Hashanah, marking the beginning of the year 5731 as recorded by the Hebrew calendar.

The Jewish New Year this autumn comes at a time when our Government is actively concerned about the events surrounding the Holy Land, where the religions of the Jewish people and other great faiths originated. We give thanks to God for delivering safety the hostages. whose safety concerned all Americans.

The cause of America is served by the spirit of the Jewish New Year. We reflect on the past and seek guidance to meet the trials of the future. In this wholesome pursuit, this quest for renewal, we can fully identify with our fellow citizens of the ancient Hebrew faith.

It is a source of pride to this Congress that our President is now abroad seeking to perpetuate peace, justice, and freedom. His leadership has been constructive. I wish to refer to the practical steps just taken by this House to provide the necessary items of defense to Israel to deter aggression in the Middle East. We feel this is a constructive contribution to the preservation of peace.

I wish to extend my sincere greetings to the Jewish community on this solemn and sacred occasion. I would like to join in praying for peace for Israel and all mankind. May the coming Jewish year see a new era of human understanding and compassion. Let us cherish and preserve our own Nation's great moral heritage which is so much based upon the teachings of the Old Testament.

Let us strive for a year of progress, human dignity, peace, and law and order—at home as well as abroad. And let us give thanks anew to the Divine Creator of us all, the compassionate God whose trust we seek to keep.

AMERICA'S DIPLOMACY IN THE MIDDLE EAST

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

Mr. STEIGER of Wisconsin. Mr. Speaker, we have heard remarks in recent days from commentators and writers who should know better about America's "gunboat diplomacy" in the Middle East.

Surely, Mr. Speaker, it is not gunboat diplomacy to take the steps necessary to bring about peace anywhere in the world without imposing America's will on those nations at the brink of war.

Gunboat diplomacy was the use of the Navy for seizing rights for Americans in other nations.

In no way does that apply here.

America's move and the President's decision were made in order to maintain peace in the Middle East and in the world.

Can there by any nobler purpose for the use of a nation's armed might?

Mr. Speaker, some Americans have grown accustomed to the sight of their Nation backing off at the first sign of danger. Some, today, even demand that we retreat to the shores of an isolationist America. The President is not one of those.

It is to his credit and the Nation's honor that he recognizes America's proper role in the world and that he does not cringe at the sight of danger.

PROVIDING FOR CONSIDERATION OF H.R. 18679, TO AMEND THE ATOMIC ENERGY ACT OF 1954

Mr. YOUNG. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 1227 and ask for its immediate consideration.

The Clerk read the resolution as follows:

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. 18679) to amend the Atomic Energy Act of 1954, as amended, to eliminate the requirement for a finding of practical value, and for other purposes. After general debate, which shall be confined to the bill and shall continue not to exceed one hour, to be equally divided and controlled by the chairman and ranking minority member of the Joint Committee on Atomic Energy, the bill shall be read for amendment under the five-minute rule. 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. The gentleman from Texas is recognized for 1 hour.

Mr. YOUNG. Mr. Speaker, I yield 30 minutes to the distinguished gentleman from Illinois (Mr. ANDERSON) pending which I yield myself such time as I may consume.

Mr. Speaker, House Resolution 1227 provides an open rule with 1 hour of general debate for consideration of H.R. 18679 to eliminate the requirement for a finding of "practical value," and for other purposes.

The purpose of the bill is to revise the Atomic Energy Act of 1954, as amended, to accomplish three principal objectives, as set forth below.

The bill would abolish the statutory requirement for a finding of practical value before nuclear powerplants can be licensed for industrial or commercial purposes and would clarify the prelicensing antitrust review process applicable to the Atomic Energy Commission's regulation of nuclear plants used for industrial or commercial purposes.

H.R. 18679 would require the Government to enter into an arrangement with the National Council on Radiation Protection and Measurements and the National Academy of Sciences for a comprehensive and continuing review of basic radiation protection standards and for recommendations by these scientifically preeminent bodies respecting basic radiation protection standards.

The bill would reaffirm, with even greater clarity, the original intention of the Joint Committee on Atomic Energy underlying a provision of the Private Ownership of Special Nuclear Materials Act. This has to do with the statutory basis for AEC's charges for enriching services incident to the production of nuclear fuel.

Mr. Speaker, I urge the adoption of the rule in order that the bill may be considered.

Mr. ANDERSON of Illinois. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, this rule would make in order, with 1 hour of general debate under an open rule, H.R. 18679. The gentleman from Texas (Mr. YOUNG) has already, I believe, very well summarized the three principal features of this legislation.

This bill contains the following three features:

First. The abolition of the concept of a finding of practical values and clarification of the prelicensing antitrust review of nuclear power plants by the AEC.

Second. Slight revision of the statutory language which governs AEC's basis for charging for uranium enriching services, to assure that, as heretofore, AEC will continue to charge for enriching services on the basis of recovering the Government's full costs averaged over a period of years.

Third. The imposition of a requirement that the Government arrange with the National Council on Radiation Protection and Measurements and with the National Academy of Sciences for a continuing and comprehensive review of basic radiation protection standards and for recommendations by these scientifically preeminent bodies respecting basic radiation protection standards.

The report was a unanimous report, and I am sure that the substantive features of the legislation will be fully explained by the chairman and ranking member of the committee.

I know of no objection to the rule, Mr. Speaker, and I reserve the remainder of my time.

Mr. YOUNG. 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.

PROVIDING FOR CONSIDERATION OF H.R. 19444, PROVIDING FOR GUARDS TO ACCOMPANY AIRCRAFT OPERATED BY U.S. AIR CARRIERS

Mr. YOUNG. Mr. Speaker, by direction of the Committee on Rules and on behalf of our distinguished chairman (Mr. COLMER), I call up House Resolution 1231 and ask for its immediate consideration.

The Clerk read the resolution as follows:

H. RES. 1231

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. 19444) to authorize for a temporary period the expenditure from the Airport and Airway Trust Fund of amounts for the training and salary and expenses of guards to accompany aircraft operated by United States air carriers, to raise revenue for such purpose, and to amend section 7275 of the Internal Revenue Code of 1954 with respect to airline tickets and advertising, and all points of order against said bill for failure to comply with the provisions of clause 3, rule XIII, are hereby waived. After general debate, which shall be confined to the bill and shall continue not to exceed one hour, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Ways and Means, the bill shall be considered as having been read for amendment. No amendments shall be in order to said bill except amendments offered by direction of the Committee on Ways and Means, and said amendments shall be in order, any rule of the House to the contrary notwithstanding. Amendments offered by direction of the Committee on Ways and Means may be offered to any section of the bill at the conclusion of the general debate, but said amendments 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. The gentleman from Texas is recognized for 1 hour.

Mr. YOUNG. Mr. Speaker, I yield 30 minutes to the distinguished gentleman from Illinois (Mr. ANDERSON), pending which I yield myself such time as I may require.

Mr. Speaker, House Resolution 1231 provides a closed rule with 1 hour of general debate for the consideration of H.R. 19444, providing for revenue to cover the costs of guards on American airlines.

Mr. Speaker, I urge adoption of the rule.

Mr. ANDERSON of Illinois. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, in this case the Committee on Ways and Means requested a closed rule of the Committee on Rules on the proposition of the theory that to do otherwise would open up the entire Internal Revenue Code, because this is a bill that does change the tax code with respect to the tax on passenger tickets on American airlines. It is a matter that relates, I would emphasize, solely to the question of financing the costs of the guards who are now on U.S. air carriers. The authority to put those guards on those air carriers was already, we were told, with the Secretary of Transportation. Therefore this is merely a bill dealing with the question of financing.

The waiver of points of order comes about because of the committee's obvious inability to comply with the Ramseyer Rule. This is the only reason for the request that all points of order be waived against the bill. It is because of the failure to comply with the provisions of clause 3 of rule XIII of the rules of the House.

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

Mr. ANDERSON of Illinois. I am glad to yield to the distinguished gentleman from Missouri.

Mr. HALL. I appreciate the gentleman from Illinois yielding.

My question is trying to rationalize his first statement about the waiver of all points of order with his immediate past statement concerning the waiver of points of order only for failure to comply with clause 3 of rule XIII, which we all know is the Ramseyer Rule.

I have read this resolution, and as I read it, any other point of order except those based on clause 3 of rule XIII would be in order in the consideration of H.R. 19444.

Mr. ANDERSON of Illinois. The gentleman is absolutely correct in his interpretation of the resolution. If I indicated otherwise, I would certainly hasten to correct the impression, because the rule does use the words "all points of order," but solely with reference to this failure to comply with the Ramseyer Rule. The gentleman is correct that other points of order could be raised and would lie against the bill.

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

Mr. ANDERSON of Illinois. I am glad to yield to the distinguished chairman of the Committee on Ways and Means.

Mr. MILLS. I can assure my friend from Missouri that there are no other points of order that could be made to the bill except the one point of order cited. It is a moot question, because no other points of order could be made.

Mr. HALL. Will the gentleman yield further?

Mr. ANDERSON of Illinois. I am glad to yield.

Mr. HALL. Certainly in the interests of economy and the saving of printing, I feel it is not necessary to reprint every word of this change, every time we have up for consideration the entire tax code, or even that portion that this resolution might amend. I think that is good. I do find fault, of course, as the gentlemen both know, with the purported chronic and almost constant elimination of the rights of individuals to raise points of order against any and all tax bills.

The gentleman in his opening statement said that points of order were waived because the Committee on Ways and Means requested it and they were afraid that it would open up the entire tax proposition to amendments and, of course, this is why no amendments are in order except by the Committee on Ways and Means or the chairman thereof.

But, I wanted to make the legislative record to the effect that should there be any other points of order in this particular legislation that this rule makes in order, they could be lodged at least in the Committee of the Whole, or otherwise, if they did not conform to clause 3 of rule 13.

Mr. ANDERSON of Illinois. I certainly have a great measure of sympathy for what the gentleman from Missouri has just said. I personally, find it exceedingly difficult myself, as do other members of the committee to deal with these constant requests for closed rules. But this certainly did not seem to the majority of the Committee on Rules to be the time to depart from that rule in matters of this kind.

Mr. Speaker, I wish to take this opportunity to commend the committee and to commend the administration which I think acted very expeditiously on a very important and critical problem. Of course we all recognize that it is not the entire solution to the problem. Yet, in view of the very volatile situation that exists in the Middle East

and the hijacking of American air carriers, it seems to me that the administration has come up very quickly with the best solution that can be devised. However, we cannot control this matter with respect to foreign air carriers, but we hope this legislation will be a precursor to further efforts on their part to deal effectively with the problem.

Mr. Speaker, I know of no objection to the rule and have no requests for time.

Mr. YOUNG. 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.

HIGH-SPEED GROUND TRANSPORTATION EXTENSION

Mr. DINGELL. Mr. Speaker, I call up the bill (H.R. 17538) to extend for 1 year the act of September 30, 1965, relating to high-speed ground transportation, and for other purposes, and ask unanimous consent that the bill be considered in the House as in the Committee of the Whole.

The Clerk read the title of the bill.

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

There was no objection.

The Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) the first sentence of section 11 of the Act entitled "An Act to authorize the Secretary of Commerce to undertake research and development in high-speed ground transportation, and for other purposes", approved September 30, 1965 (49 U.S.C. 1641), is amended (1) by striking out "and", and (2) by striking out the period at the end thereof and inserting in lieu thereof a semicolon and the following: "and $21,700,000 for the fiscal year ending June 30, 1971.".

(b) The first sentence of section 12 of such Act of September 30, 1965 (49 U.S.C. 1642), is amended by striking out "1971" and inserting in lieu thereof "1972".

Mr. DINGELL. Mr. Speaker, I move to strike the last word.

Mr. Speaker, this bill extends existing law relating to highspeed ground transportation—Public Law 89–220, September 30, 1965—for 1 year.

It authorizes an additional $21.7 million for fiscal year 1971. The original authorization was $90 million for 3 years. If appropriated, the present request of $21.7 million would bring the total appropriations to $97.7 million for the 6-year period.

Hearings were held before the Subcommittee on Transportation and Aeronautics on June 11. Favorable testimony was received from the Federal Railroad Administration. The legislation was also supported in writing by the Department of Transportation and the Bureau of the Budget. No opposition was received. On June 16, the subcommittee reported the bill unanimously without amendment, as did the full committee on June 23.

The Office of High-Speed Ground Transportation has been given the responsibility for implementing the legislation over the past 5 years. Many research projects have been completed and are now ready for transition into efficient transportation equipment. The extension sought here and the additional funds will permit the transition. The Department of Transportation has acquired NASA's research center at Cambridge, Mass. It will be used for research and development, and the high-speed ground test site in Colorado will serve as a proving ground for new vehicles. The committee believes that this work is of high importance to the Nation, and through it we can advance high-speed rail, tracked air cushion and tube vehicles which will be able to operate at speeds up to 150, 300, and 500 miles per hour respectively.

Mr. Speaker, the committee has strongly endorsed the legislation. We know of no opposition. The level of expenditure in its entirety comes within the recommendation of the Bureau of the Budget and the President's budget.

It would be my hope, Mr. Speaker, that the bill be speedily passed as it is presented to the body.

Mr. SPRINGER. Mr. Speaker, I move to strike the requisite number of words.

Mr. Speaker, the bill before us today is a 1-year extension of a research and demonstration program in high speed ground transportation which has now been going forward for 5 years. Most people think immediately of the Metroliner train which now runs between Washington and New York or the turbo train which links Boston and New York when this subject comes to mind. These projects are a part of this effort and have contributed greatly to the experience with high quality rail service in the northeast megalopolis, but they are only two units in a great effort.

While these more apparent and more newsworthy projects went forward, other work was being done by the Office of High Speed Ground Transportation to assist in developing entirely new means of ground transportation for the Nation. Great progress has been made in working with unconventional forms of locomotion such as the air-cushioned vehicle and the linear induction power system. Vehicles of these kinds can be expected to perform satisfactorily at speeds up to 300 miles per hour. Tube-type vehicles, which are technically feasible, would operate as high as 500 miles per hour. The extension of authority and the money authorized in this bill would keep this work going.

When the original authorization was made 5 years ago it was contemplated that we should make a good start including initiation of the Metroliner. Our expectations have been realized. This is remarkably good in view of the progress in unconventional systems which could only be hoped for but hardly predicted so soon.

The Department of Transportation acquired the electronic research center at Cambridge, Mass., formerly operated by NASA, in which to conduct continuing research on advanced systems and other technology of ground transportation. Also in the making is a test site in Colorado which will provide facilities for trying out new vehicles.

In comparison with research efforts in other fields such as health, this whole program has been very modest in its demands upon the Treasury. Its results, however, have been exceptionally satisfying. Certainly ground transportation for passengers has already become one of the acute problems of the Nation. We all know that it will get much worse before it gets much better. The answer must lie in new and improved types of vehicles and systems which can carry people rapidly, safely and comfortably between distant points by means of surface transportation.

The future demands an efficient system of rail passenger service or some replacement therefor. As time goes on we will need all the development which air travel can hope for, but we shall also need new means of traveling on the surface as well. This program, despite its appearance as a minor, almost invisible item in the huge Federal budget holds our hopes for this accomplishment. It is proceeding in orderly fashion at about the rate it can make best progress, and I recommend support of the measure as it has come from the Committee on Interstate and Foreign Commerce.

AMENDMENT OFFERED BY MR. ADAMS

Mr. ADAMS. Mr. Speaker, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. ADAMS: Page 1, line 10, strike out "21,700,000" and insert in lieu thereof "$36,650,000".

(Mr. ADAMS asked and was given permission to revise and extend his remarks, and to include extraneous material.)

Mr. ADAMS. Mr. Speaker, at the conclusion of my remarks I shall include a letter from the Department of Transportation to the distinguished gentleman from Texas (Mr. PICKLE) dated September 14, 1970.

Mr. Speaker, I am offering this amendment which was discussed in committee and which is actually an amendment which was developed by the gentleman from Texas (Mr. PICKLE) to add to this bill approximately $14,950,000.

This was discussed at great length in the committee and at that time the gentleman from Texas was unable to receive a specific statement from the Bureau of the Budget regarding it, and he also did not have a particular letter from the Department of Transportation as to precisely what was needed during the next fiscal year. I have asked that they be included at the conclusion of my remarks, the letter which the gentleman from Texas (Mr. PICKLE) has now received from Mr. Myles Mitchell of the Department of Transportation. Listed in this is a specific breakdown of the amount of money that should be appropriated for the fiscal year 1971 for the development of high-speed ground transportation, and in particular, certain vehicles.

I would point out to the Members on the floor today, and those who are from the New England area and those who are particularly involved in the urban areas of the Nation—in California, Chicago, Washington, D.C., Philadelphia,

and many others such as my own city of Seattle, that this particular bill is the one that has created and provided money for the development of vehicles such as the Metroliner and the train presently running to Boston, the TurboTrain.

We know we are going to have to have money for the improvement of these vehicles.

In addition to that, we are trying to develop a low cost rail intercity vehicle or hovercraft vehicle. We presently have a bill pending before the Committee on Rules, and we will try to bring it to the floor of the House within the next 2 or 3 weeks, and hopefully, before that, provides for intercity rail transportation.

This would involve a government corporation. It is sponsored by the present administration. It was supported by the prior administration.

This bill, with a government corporation, would designate areas where rail passenger trains would run between the major cities in order to solve the problem we presently have—the inability to transport people between our urban cities.

Again, the airplane is only capable of carrying approximately 10 percent of the people in and out of the city, with our present configuration of airports and their connections to the cities.

We are at the present time in a position where certain cities have had to say—no more combustion-engine vehicles.

So we are going to try to maintain the train. To do that we need this bill, and in particular we need the development of vehicles which will be able to run on these rights-of-way that we have in an efficient fashion.

The gentleman from Texas (Mr. PICKLE) has informed me, that he has discussed this matter with the Bureau of the Budget. They are not in a position to make recommendations on particular bills of this nature. But they do not indicate to him any opposition to it.

It was discussed in the full committee, and the only reason it was not made a part of the bill and put in at that time was because we did not have the recommendation of the amount of money, which we now have, and that amount of money is the precise amount of money that is in the amendment I have offered.

I think I would just close by saying this: There are three vehicles presently being developed in the United States—the linear induction motor vehicle, the Aerotrain and TurboTrain. The Department of Transportation is presently working on these.

I would hope that the committee would accept this amendment. It carefully details how the money would be spent and I think we need it over the years in developing these vehicles.

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

Mr. ADAMS. I yield to the gentleman.

Mr. DINGELL. On behalf of the committee I cannot accept the amendment the gentleman offers. I would point out that this is an important amendment. Its function is to afford a level of funding for the project that the gentleman has alluded to, a level at which the money can be spent efficiently.

I believe that construction is highly desirable and I would hope that at an early time our funding of our rapid and high-speed ground transportation endeavors would be at a level that would begin to pay off before we finally find ourselves in a major environmental crisis and a major transportation crisis, which is a matter which immediately impends over the head of this Nation.

Mr. ADAMS. I thank the gentleman very much. I just want to point out that the reason for the fundings at this time of some of the vehicles I have mentioned is, for example, the air cushion research vehicle, what they call TACV, will take 5 years to develop. What they are trying to do with this is to develop a vehicle that will travel at the rate of 300 miles an hour and will not require the actual building of rails and the very, very expensive type of right-of-way development presently required by rail transportation. The Metroliner, for example, which has already been developed under this program, is currently carrying 3,000 passengers a day. It took almost 5 years to develop.

The only train we now have available to send out through the Midwest and through the areas of the United States that we hope to provide for rail passenger service is the turbotrain, and that is part of this program. I hope the committee will adopt the amendment.

Mr. Speaker, I include at this point the entire letter which I have referred to:

DEPARTMENT OF TRANSPORTATION,
FEDERAL RAILROAD ADMINISTRATION,
Washington, D.C., September 14, 1970.

Hon. J. J. PICKLE,
House of Representatives,
Washington, D.C.

DEAR MR. PICKLE: In response to your inquiry of September 11, 1970, soliciting recommendations whereby intercity high speed ground transportation can be advanced in a meaningful manner with increased funding emphasis, I offer the following information.

The Office of High Speed Ground Transportation has, over the past several years, conducted the necessary studies leading to improved intercity ground transportation. These studies included both the engineering viability of various potential systems and the resulting economic impact should they be exploited. Engineering research and exploratory development has been initiated on those candidate systems which appear to offer the maximum benefit to the public. A balance between programs for near-term application and advanced systems was used to provide an immediate payoff while the longer range, advanced systems are being developed. An example of this process is the Metroliner Demonstration and the 300-mile per hour Tracked Air Cushion Research Vehicle (TACRV). The Metroliner is currently carrying over 3,000 passengers daily whereas the TACRV will take five to six years to develop.

The Office is now in a position to move more rapidly in the area of hardware development and prototype testing on components subsystems and complete systems of several concepts which will lead to an early solution to our existing intercity ground transportation dilemma. Unfortunately, hardware development requires considerably more funds than engineering studies. It is, therefore, very difficult to move forward with intercity ground transportation on several fronts simultaneously without appropriate consideration of the balance between other transportation modes and their funding requirements.

As you know, the President's budget supports the FY71 appropriation request of $21-688,000 for the Office of High Speed Ground Transportation. This amount was determined by evaluating the needs and priorities of intercity ground transportation against other national needs within the overall budget constraints. This Office endorses and supports the request.

You requested that I submit to you a listing of programs and associated funding whereby we could, in a prudent manner, accelerate our activities should monies be made available. The enclosed summary is in response to that request.

I would add, however, in addition to the funding constraints, that a detriment to the advancement of intercity ground transportation is the lack of an industry motivating force. They do not have sufficient visibility downstream with regard to system implementations. Currently, the High Speed Ground Transportation Act of September 30, 1965 and extensions thereto do not provide legislative authority beyond the development of candidate systems and demonstrations. This, of course, inhibits the realization of the Congressional purpose that there be maximum participation by private industry.

I hope the above provides you with the needed information.

Sincerely,

MYLES B. MITCHELL,
Acting Director, Office of High Speed Ground Transportation.

OFFICE OF HIGH SPEED GROUND TRANSPORTATION PROGRAMS

METROLINER DEMONSTRATION PROGRAM

The OHSGT has determined that an engineering program to solve the technical deficiencies of the Metroliner is required before the demonstration will reach fruition. The Government is negotiating with Penn Central in this joint venture. It is anticipated that the Government's share will be approximately $3 million to fix a single six-car consist this year. An additional $5 to $8 million will be required next year to modify the remainder of the fleet.

TURBO TRAIN DEMONSTRATION PROGRAM

The only rail passenger equipment of advanced design available for nonelectrified railroads which can be produced immediately is the Turbo train of United Aircraft Corporation. United has offered to sell 11 Turbos (each of 325 seat capacity) for $27.5 million, or $2.5 million apiece. The trainsets could be produced in 14 months and would incorporate modifications found desirable as a result of DOT's Boston-New York Demonstration.

The fleet of 11 trains would equip a total of from three to five demonstrations of intercity service in selected corridors around the country.

ADVANCED SYSTEMS

Several advanced systems currently being exploited by OHSGT could be accelerated in FY71. Most of the activity would, however, be devoted to the subsystem or component level. They are listed, with funding, as:

1. Suspended Vehicle Systems	$400,000
2. Tube Vehicles	750,000
3. Automobile Related Systems	800,000
4. Rail Technology	3,000,000
5. Communications	300,000
6. Tunneling	1,800,000
7. Single Sided Linear Induction Motor	2,000,000
8. Power Conditioning	250,000
9. Intercity TACV Demo. Planning	1,000,000
10. Regional Ground Transportation System Demo. Planning	3,000,000

HIGH SPEED GROUND TEST CENTER

High speed ground transportation development and testing of advanced systems will be done at the High Speed Ground Test Center at Pueblo, Colorado. Several of the programs, as well as the development of the Center, are being deferred for several years to conform with the budget limitations. An acceleration in some areas would be beneficial. They are:

1. Completion of the Linear Induction Motor (LIM) Test Track—Construction of the initial segment of the test track is underway. It is approximately six miles in length. Completion of the LIM track loop (15 mile balance of 21 miles) would allow the LIMRV tests to be extended to its maximum potential of 250 mph. This novel concept—marrying the best of wheel-rail technology with the new propulsion and braking systems growing out of advanced systems research is a very attractive intermediate mode of ground transportation. At the same time, upper limits of rail guidance can be better established through use of this facility. The cost of this extension would be approximately $6 million.

2. Federal Rail Test Track—Construction of a conventional rail test track is planned for FY73. Advancing this activity to FY71 would be very beneficial to both the Government and the rail industry. The purpose of the test track is to provide a controlled, flexible facility for checking out new equipment and concepts, experimenting with track standards for both comfort and safety and better defining construction and maintenance cost associated with higher speed running. It will also provide the ability to experiment with the stability of continuous welded rail track, which is prone to sudden type failures and is thus difficult to test in service. The program cost is estimated at $3 million.

3. Facilities—The present master planning of the Test Center calls for facility development as program activity accelerates. However, three items which should be augmented are the initial six-month operating contract, the construction of the control center, and the building for administraive offices. Additional funding required is $2 million.

Also, Mr. Speaker, I ask that the gentleman from Texas (Mr. PICKLE) may revise and extend his remarks at the conclusion of my remarks.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. PICKLE. Mr. Speaker, earlier today, my good friend and colleague, BROCK ADAMS, introduced an amendment in my behalf to H.R. 17538, the High Speed Ground Transportation Act. A long standing prior commitment prevented me from being present on the floor during the debate.

Although H.R. 17538, the bill extending the High Speed Ground Transportation Act for another year passed unanimously in both the full committee and the subcommittee, I reserved the right to make an amendment on the floor requesting more money be put into the bill if it could be shown that additional funds could be prudently used. At my request, Mr. Myles Mitchell has written me pointing out specific programs upon which more money could wisely be spent in fiscal year 1971.

I am offering this amendment to increase the authorization for funding of the Office of High Speed Ground Transportation because I believe that we should be concentrating our efforts in research and development of new types of land transportation equipment. Of the $21.7 million authorized in H.R. 17538, only a little over $18 million is authorized for research and development. I wonder if we are not putting priority on the wrong type of transportation spending.

Yesterday Congress authorized billions of dollars for urban mass transportation and the Commerce Committee has recently reported out the railway passenger bill authorizing the spending of several hundreds of millions of dollars. I support both of these bills, but we may have the cart before the horse. Both the railway passenger bill and the urban mass transit bill are involved with traditional, conventional equipment. I do not feel that this is the way real progress is made. We should be concentrating our efforts on trying to find faster, more efficient ways of moving groups of people. In the 1970's we should launch a program in developing new transportation means in the same manner that we undertook the space programs in the 1960's.

By introducing this amendment, I am not out of line with the original intent of the Commerce Committee. Even if the $21.7 million authorized by H.R. 17538 plus the $14.9 million authorized by my amendment were fully appropriated, the total appropriation would only be $111.6 million of a total $164 million authorization.

I wish to submit for your information a list of priority programs presented to me by Myles Mitchell at my request. The total cost of these priority programs would cost an additional $14,950,000. Mr. Mitchell's list describes these programs:

OFFICE OF HIGH SPEED GROUND TRANSPORTATION PROGRAMS

1. Suspended Vehicle Systems	$400,000
2. Federal Rail Test Track	3,000,000
3. Completion of LIM Test Track	6,000,000
4. Single Sided LIM	2,000,000
5. Rail Technology	3,000,000
6. Power Conditioning	250,000
7. Communications	300,000
Total	14,950,000

These are areas where additional funding in FY 1971 could cause an acceleration in the advancement of high speed ground transportation technology and lead to early implementation of advanced systems. A brief note on each follows:

SUSPENDED VEHICLE SYSTEMS

Of all of the high speed advanced ground transportation systems, the suspended vehicle system appears the most promising for early public demonstration of systems which go beyond the flexibility and performance potential of TACV. Because of the necessary development cycle; i.e., engineering feasibility analysis, exploratory development, fabrication, and demonstration, the Office cannot justify a greater expenditure in FY 1971. In FY 1972, model testing can be conducted and the funding requirement for that activity is estimated at $3 million.

RAIL TEST TRACK

Construction of a conventional rail test track is planned for FY 1973. Advancing this activity to FY 1971 would be very beneficial to both the Government and the rail industry. The purpose of the test track is to provide a controlled, flexible facility for checking out new equipment and concepts, experimenting with track standards for both comfort and safety and better defining construction and maintenance cost associated with higher speed running. It will also provide the ability to experiment with the stability of continuous welded rail track, which is prone to sudden type failures and is thus difficult to test in service. The program cost is estimated at $3 million.

LINEAR INDUCTION MOTOR (LIM) TEST TRACK

Construction of the initial segment of the test track is underway. It is approximately six miles in length. Completion of the LIM track loop (15 mile balance of 21 miles) would allow the LIMRV tests to be extended to its maximum potential of 250 mph. This novel concept—marrying the best of wheel-rail technology with the new propulsion and braking systems growing out of advanced systems research is a very attractive intermediate mode of ground transportation. At the same time, upper limits of rail guidance can be better established through use of this facility. The cost of this extension would be approximately $6 million.

SINGLE SIDED LIM

The most readily developed linear induction motor is the one where two halves of the active portion straddle the reaction rail which extends upward from the guideway. An arrangement where a single active member faces a reaction surface which lies flat on the guideway offers much greater flexibility in vehicle and guideway design, plus a simpler, sturdier rail. We are well into our program on the double LIM and are ready to begin applying the electrical knowledge gained there to the single sided motor—which presents unique mechanical problems to be solved.

RAIL TECHNOLOGY

This effort is directed at near-term rail passenger service and would be divided between improvements in train equipment in the Northeast Corridor, derivation of specifications for a next generation of medium speed (120 to 150 mph) rail vehicles—taking into account all recent experience here and abroad—acceleration experiments with new suspension techniques and proving out roadbeds on which comfort at such speeds may be maintained economically.

POWER CONDITIONING

Application engineering to bring down the space, weight, and cost of electrical apparatus installed in HSGT vehicles, thus making this pollution-free, noiseless form of propulsion more economical.

COMMUNICATIONS

The application of modern electronics technology to the burgeoning demand for information and accessibility is moving steadily but slowly, limited only by funding levels. The Metroliner telephones are only a sample of the service which can be provided to moving vehicles to increase their attraction, counteracting in part the occupancy time relative to air travel.

Installation of a communication system on the LIM Research Vehicle Track and perhaps on the TACRV guideway is planned to determine performance of the system with communication to and from a high speed vehicle and also to establish preferable low cost installation techniques.

Mr. SPRINGER. Mr. Speaker, I rise in opposition to the amendment, and for very good reason. If I may say to my colleagues in the House, my distinguished colleague and beloved friend from Texas (Mr. PICKLE) offered the amendment in the subcommittee and it was not accepted. He offered it in the full committee and it was rejected. He did reserve the right to offer it on the floor of the House even though he had been defeated on it twice.

We have considered most carefully the

amount of money that ought to be put into this program. Overwhelmingly the Committee on Interstate and Foreign Commerce felt that the best we could do this year, if we were to spend money wisely, was $21.7 million. The proposal to add roughly another $14,950,000 to that amount would almost double the amount of money that we have determined, we think wisely, could be spent.

The Bureau of the Budget is opposed to it. It would almost double the Budget figure to add this $15,560,000 to it. I do not want to take anything away from the dedication of the gentleman from Texas. He has been a hard-working member of the Subcommittee on Transportation and Aviation. But he has submitted the amendment to the subcommittee and it has been defeated; he has submitted it to the full committee and it has been defeated, and I think for very good and very solid reasons, in spite of what my distinguished colleague from Michigan (Mr. DINGELL) and my equally distinguished colleague from Washington (Mr. ADAMS) have said. We do not need this money in the next few years. This is an extremely technical development, may I say.

High-speed ground transportation development is exceedingly technical. I would hope that the House would stay with the committee because, as I recall, there were only one, two, or three votes in favor of the amendment when it was offered in the committee.

I trust that my colleagues will defeat the amendment and that we can pass the legislation as it came from the committee.

Mr. GROSS. Mr. Speaker, I move to strike the necessary number of words.

Mr. Speaker, I should like to ask someone knowledgeable in this matter how many millions have been expended over the 5-year life of this program.

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

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

Mr. DINGELL. About $78 million.

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

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

Mr. SPRINGER. The distinguished gentleman from Michigan has predicted the amount with the present $21.7 million included. We have spent $78 million. We have committed $78 million. With the proposed additions it would come out to $97 million.

Mr. GROSS. So with the addition proposed in the pending amendment, it would be much more than $100 million?

Mr. SPRINGER. That is correct. It would be not quite double the amount—$14.9 million as against $21.7 million, about 40 percent.

Mr. GROSS. Now let me ask what we have to show for the expenditure of $78 million up to this point?

Mr. DINGELL. We have a great deal to show. There is nothing much in the way of trains moving from place to place, because most of what has been done has been highly innovative in character. For example, we have come to the point where we will be able to consider very shortly the actual utilization of a linear induction motor, which is an entirely new method of applying propulsion, where the vehicle itself is actually part of the motor that moves it from place to place. We have high-speed tracks, air-cushion vehicles, which are now approaching the point where they can be utilized for actual carriage of passengers from place to place on a highly efficient and high-speed basis at probably a great deal less cost, both in terms of pollution, environmental destruction, and in terms of construction costs in vehicle travel from point to point.

We have the multilinear and we have the turbotrains which are highly successful devices for moving people much more cheaply and efficiently from places like New York to Washington and New York to Boston.

Mr. GROSS. Did none of the experimentation and development take place before this program was initiated?

Mr. DINGELL. I would tell the gentleman from Iowa there was experimentation that was conducted. Very little was conducted either by the Government or by Government-financed endeavors previous to the origination of the program that this piece of legislation would extend.

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

Mr. GROSS. I yield to the gentleman from Illinois, but first I would like to ask someone what effect, if we go out and continue to spend millions of dollars on the development of these trains, this will have on the economic future of the jumbo jets and other aircraft?

Mr. SPRINGER. This has nothing whatever to do with air transportation. This is solely high-speed ground transportation.

Mr. GROSS. I understand that perfectly, but what is going to be the effect on air transportation?

Mr. SPRINGER. I think we ought to go a little further on, and we will have later in the session legislation which is before the Rules Committee. We will designate corridors and routes where passenger service would still continue. It is probable that passenger service would be discontinued on some routes, but continued on others. The only one we can point to presently we know will be continued will be the Washington to New York, and probably it would be extended to Boston, and probably there will be, if there is sufficient demand, a Chicago to St. Louis, and Chicago to Minneapolis, maybe Chicago to Omaha, maybe in the West, San Francisco to Los Angeles, and in the East, I would suspect there would be several—I cannot name them, but there may be several more.

The purpose of this experimentation, may I say to my distinguished colleague, the gentleman from Iowa, is to see if we can improve the type of service, not only just what the people ride in, but also the speed at which these vehicles will get over the ground. Unless we can do that, there cannot be any inducement to ride ground transportation.

When Secretary Alan Boyd, Secretary of Transportation, came before our committee 4 years ago, he gave us figures for 1975 and 1980 and 1990 and 1995, showing the people who would travel over the ground in this country. That absolutely astounded me, because it showed it would be an absolute impossibility to carry all these people by air. We will have to have ground transportation. We cannot even carry them all by bus.

The gentleman ought to have a more detailed answer. On the suspended vehicle systems, this is something similar to what the Japanese are doing with great success, but they can do it better because their distances are shorter between points. It works well for them.

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

(By unanimous consent, Mr. GROSS was allowed to proceed for 2 additional minutes.)

Mr. GROSS. Mr. Speaker, I yield to the gentleman from Illinois.

Mr. SPRINGER. We did not attempt to get into this from the Federal angle of spending money ourselves to get into research, because we do not have the technology to do the job. It has to be done by people who are experts in the field of transportation. A little has been done in the universities, but most of it has been done by companies who presently are in this field but who are not going to undertake this kind of research without our help.

Mr. GROSS. Mr. Speaker, in the light of what happened to the Penn Central, the merger of which was supposed to do great things, I wonder how much of this money is going down a rathole.

Mr. SPRINGER. What happened with the Penn Central does not reflect upon this as far as I can see.

There were great areas of the Penn Central where passenger service simply was not profitable. This was one of the reasons why they went under. They were losing about $60 million a year on passenger service.

Mr. GROSS. The gentleman from Michigan spoke of success of the new Metroliner, running between New York and Washington, D.C.

Mr. DINGELL. That is correct.

Mr. GROSS. I seem to remember that with the first snow flurry last year they were practically stopped.

Mr. DINGELL. Most of the rail transportation stopped on that occasion.

Mr. GROSS. In this part of the country. I do not recall that it stopped out West, where they make some pretense of having equipment capable of dealing with snow. But this Metroliner was not operating, or was practically at a standstill, during that entire snowstorm.

The SPEAKER. The question is on the amendment offered by the gentleman from Washington (Mr. ADAMS).

The question was taken; and on a division—demanded by Mr. ADAMS—there were—ayes 23, noes 42.

So the amendment was rejected.

Mr. BOLAND. Mr. Speaker, I rise in support of H.R. 17538 extending for 1 year the high-speed ground transportation program.

During the past 5 years the Office of High-Speed Ground Transportation has made great strides toward providing faster, more efficient rail transportation

The Metroliner and Turboservice demonstrations, I believe, will prove that it is still possible to have acceptable rail passenger transportation.

I am particularly impressed with the Turboservice demonstration project, Turboservice was initiated between Boston and New York, 229 miles, on April 8, 1969. The service is operated by Penn Central, utilizing two, three-car trains built and maintained by the United Aircraft Corp., and leased for a 2-year period by DOT. The demonstration is designed chiefly to test public reaction to experimental equipment incorporating significant new design features. It is also providing economic and technical data and operating costs which reflect aircraft-type components replacement and preventive maintenance techniques.

The present contract for this project was scheduled to end next month. I am advised, however, that with the $900,000 contained in this legislation the Department of Transportation will be able to continue the Turbo train demonstration.

With the selection of the high-speed ground test site in Colorado and the acquisition of NASA's Electronic Research Center at Cambridge, Mass., this office is now prepared to move ahead with research and development of more sophisticated ground vehicles, such as tracked air-cushioned vehicles and tube vehicles.

The Department of Transportation and its Office of High-Speed Ground Transportation should not attempt to proceed into the demonstration stage with a large variety of costly high-speed systems without first conducting sufficient research to determine the most efficient system and vehicle.

Mr. Speaker, I urge the adoption of the bill.

Mr. STRATTON. Mr. Speaker, I intend to support H.R. 17538, the bill to extend the High-Speed Ground Transportation Act of 1965 for 1 year, and to authorize an additional appropriation of $21.7 million for fiscal year 1971.

The concept of the legislation, to promote a "safe, adequate, economical, and efficient national transportation system" through "research and development in high-speed ground transportation" is one which should not only continue to be implemented, but should be extended. This concept, with emphasis on rail transportation, is important for two reasons:

First of all, we are at last becoming concerned over the state of our environment and the effects of automobiles on the air we breathe. A national system of high-speed rail transportation would seem to be a very effective way of reducing the number of cars and trucks on our highways and therefore reduce pollution caused by combustion engine exhausts.

Second, no one can deny that we are facing a major transportation crisis in this Nation. We have just about reached a saturation point both in air travel and in highways. Mass rail transportation is the only practical way to alleviate the congestion on both our highways and our airways.

The effects of the original 1968 act has been dramatically illustrated by the success of the Washington to New York Metroliner, the demonstration project contracted by the Department of Transportation under that act.

Such a demonstration will be continued by H.R. 17538. But I also hope this legislation will be utilized to extend those projects. In particular, I would urge that the Secretary of Transportation use the authority in this bill to contract for plans to extend the same kind of Metroliner service from New York City to Albany. We need this kind of fast 1-hour service between these two points. It is time the people of upstate New York had first-rate train service. During peak hours the thruway is often clogged bumper to bumper, airplanes are frequently stacked up for hours because of the overcrowded air corridors serving New York City.

While an Albany to New York City Metroliner is not specifically provided for in this legislation, the funding and authority is clearly there, and should be used. I would have preferred that such a project be specifically spelled out in the text of the bill, but since the authorization is broad enough to include such a project, I hope the Department will take steps without delay to get the Metroliner project extended from New York City to Albany.

Mr. MONAGAN. Mr. Speaker, I support H.R. 17538, the High-Speed Ground Transportation Extension Act. The need to improve our rapid-speed ground facilities cannot be denied. One need only ride our congested roadways or wait hours on an airport runway for takeoff to realize this. In the past as transportation demands have multiplied, they have been met through increased auto ownership and new highway construction. In 1945 approximately 25 million automobiles were registered in the United States, and out on our highways. By 1965 this figure had jumped to almost 75 million. The time has now come to emphasize additional transportation facilities.

This legislation authorizes an appropriation of $21.7 million for research, development, and demonstrations in high-speed ground transportation during the fiscal year 1971. The High-Speed Ground Transportation Act was originally established in 1965. Since that time it has provided funds to effect the transition from the past into transportation ideas and equipment of the future. Such successful projects as the New York to Boston Turboservice and the New York to Washington Metroliner have received much needed impetus from the High-Speed Ground Transportation Act. The Turboservice, which serves my own State of Connecticut, has received some $.9 million. As an experiment in new transportation methods it has proved many important points in modern railroading and could help usher in a whole new era of high-speed rail transportation.

The bill we are considering today, which authorizes funds for an additional year of the High-Speed Ground Transportation Act, will allow completion of several valuable projects already begun. The Department of Transportation plans to use this extension to coordinate facilities in Colorado and Massachusetts into a unified research and testing operation. High-speed ground transportation plans also include research and development to meet the door-to-door problems of transportation. One of the most demanding and challenging problems in transportation involves the need to improve both in speed and convenience the door-to-terminal and terminal-to-door segments of transportation. The funding which this bill provides will attack such problems. Finally, work will be continued under this legislation to improve the actual terminal-to-terminal ground travel. Previous work already indicates that high-speed rail equipment can perform satisfactorily for speeds of up to 150 miles per hour. Yet to be developed tracked air-cushioned vehicles will be able to operate at speeds of up to 300 miles per hour. Tube vehicles may reach 500 miles per hour speeds.

The High-Speed Ground Transportation Extension Act continues a program that has proved successful in the past, that plans for the future, and that is consistent with the administration's budget request. For these reasons it is a good bill and deserves our consideration and passage.

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, was read the third time, and passed, and a motion to reconsider was laid on the table.

Mr. DINGELL. Mr. Speaker, I ask unanimous consent for the immediate consideration of the Senate bill (S. 3730) to extend for 1 year the act of September 30, 1965, as amended by the act of July 24, 1968, relating to high-speed ground transportation, and for other purposes.

The Clerk read the title of the Senate bill.

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

Mr. SPRINGER. Mr. Speaker, reserving the right to object, I am not sure what the gentleman is requesting.

Mr. DINGELL. I have made a unanimous-consent request for the immediate consideration of an identical Senate bill in the House. This is simply to expedite the business of the House.

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

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

There was no objection.

The Clerk read the Senate bill, as follows:

S. 3730

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) the first sentence of section 11 of the Act entitled "An Act to authorize the Secretary of Transportation to undertake research and development in high-speed ground transportation", approved September 30, 1965 (Public Law 89–220; 79 Stat. 893; 49 U.S.C. 1631–1642), as amended, is amended by striking out ", and" and the period at the end thereof and inserting a semicolon and the following: "and $21,700,000 for the fiscal year ending June 30, 1971.".

(b) The first sentence of section 12 of such Act of September 30, 1965, as amended, is further amended by striking out "1971" and inserting in lieu thereof "1972".

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

A similar House bill (H.R. 17538) was laid on the table.

GENERAL LEAVE TO EXTEND

Mr. SPRINGER. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks on the bill just passed.

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

There was no objection.

PERMISSION FOR COMMITTEE ON PUBLIC WORKS TO FILE REPORT ON H.R. 19504

Mr. GRAY. Mr. Speaker, I ask unanimous consent that the Committee on Public Works may have until midnight Friday to file a report on H.R. 19504, the Federal-Aid Highway Act of 1970.

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

There was no objection.

REQUEST FOR PERMISSION FOR SUBCOMMITTEE ON ECONOMIC DEVELOPMENT, COMMITTEE ON PUBLIC WORKS, TO SIT DURING GENERAL DEBATE TODAY

Mr. GRAY. Mr. Speaker, I ask unanimous consent that the Subcommittee on Economic Development of the Committee on Public Works may be permitted to sit during general debate this afternoon.

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

Mr. HALL. There is, Mr. Speaker. I object.

AMENDING ATOMIC ENERGY ACT OF 1954

Mr. HOLIFIELD. 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. 18679) to amend the Atomic Energy Act of 1954, as amended, to eliminate the requirement for a finding of practical value, 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. 18679, with Mr. BURKE of Massachusetts in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

The CHAIRMAN. Under the rule, the gentleman from California (Mr. HOLIFIELD), will be recognized for 30 minutes and the gentleman from California (Mr. HOSMER), will be recognized for 30 minutes.

The Chair recognizes the gentleman from California (Mr. HOLIFIELD).

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

Mr. Chairman, the bill before us, H.R. 17679, covers three main features and several items that are needed to update, clarify, and improve the provisions of the Atomic Energy Act of 1954, as heretofore amended.

The bill was unanimously adopted by the Joint Committee on Atomic Energy, which I have the honor to chair. It was reported out by our committee without a dissenting vote. The legislation it embodies is distilled essence from a number of legislative proposals during the past several years, considerable testimony and submitted comments by representatives of the Government, industry, and other interested groups and, finally, very thorough consideration by the joint committee.

I will briefly summarize the contents of H.R. 18679, and then I, and my fellow committee members of the House, will be pleased to answer any questions that may be raised.

First, the bill would erase from the Atomic Energy Act of 1954 the requirement that the Atomic Energy Commission must make a finding of practical value before nuclear powerplants or other nuclear facilities may be licensed for industrial or commercial purposes. The Commission has not yet made a finding of practical value for any type of nuclear facility, and consequently nuclear powerplants are still being licensed as research and development facilities. The concept of a finding of practical value as a condition precedent to commercial licensing appeared to be a good idea in 1954, when the generation of electrical energy through the use of nuclear reactors was just a promising prospect for the distant future. Now, this concept serves no useful purpose. It is simply an unnecessary roadblock to the commercial licensing of nuclear powerplants. The bill removes this hurdle. Pursuant to section 6 of the bill, nuclear facilities—defined in the Atomic Energy Act as utilization and production facilities—that are to be used for industrial or commercial purposes, would have to be licensed accordingly, unless some future law otherwise specifically authorizes or a particular application is covered by either of the two small exception categories specified in revised section 102 of the Atomic Energy Act.

In amending the Atomic Energy Act to remove the concept of a finding, the bill clarifies and revises the present provisions of subsection 105(c) of the act, relative to prelicensing antitrust review of applications for nuclear facilities for commercial or industrial purposes. The revised subsection 105(c), as spelled out in section 6 of the bill and as further explained in the report accompanying the bill, represents many hours of careful consideration by the committee and its staff. Particularly close attention was devoted to all the ingredient details. In the committee's unanimous judgment, the procedure set forth in section 6 of the bill is reasonable, fair, and workable. It subjects applications for nuclear powerplants to a process involving a review by the Attorney General and then a finding by the Atomic Energy Commission as to whether the activities under the license would create or maintain a situation inconsistent with the antitrust laws. The Attorney General has up to 180 days to render advice to the Commission, and if the Attorney General recommends that there may be adverse antitrust aspects and recommends that there be a hearing, the Commission must conduct a hearing and give due consideration to the advice received from the Attorney General and also to such evidence as may be provided during the proceeding; and the Commission must then make a finding as to whether the activities under the license would create or maintain a situation inconsistent with the antitrust laws as specified in subsection 105(a) of the Atomic Energy Act. Additionally, if the Attorney General does not so advise and recommend, but antitrust issues are raised by another in a manner according with the Commission's rules or regulations, the Commission would be obliged to give such consideration thereto as may be required by the Administrative Procedure Act and the Commission's rules and regulations. In the latter regard, the committee intends that, in any event, the Commission's rules and regulations will set a fixed period in which such issues may be raised. It is hoped that this period will coincide with and not extend beyond the specified period in which the Attorney General's advice may be rendered. The bill contemplates that all aspects of the antitrust considerations constituting part of the Commission's total licensing procedure, including the ultimate findings by the Commission, would be dealt with in such a way as not to impose an additional delaying factor. We believe a separate board can be utilized by the Commission in connection with such antitrust considerations. This feature of the total licensing process should be completed by the Commission before the radiological health and safety matters are concluded in the licensing procedure.

I must emphasize, and it must be borne in mind, that this whole antitrust feature of the Atomic Energy Commission's licensing procedure will be completely separate and apart from the application of the antitrust laws now on the statute books. The antitrust laws, and the authorities and responsibilities of the Attorney General and others by virtue of these laws or in connection therewith, and the implementation of these laws, remain completely unaffected by the antitrust review dealt with in section 6 of the bill. The antitrust laws referred to in subsection 105(a) of the Atomic Energy Act are not qualified, limited, extended, or interfered with in any way whatsoever.

The second main feature of the bill is the amendment to the Atomic Energy Act contained in section 8 of the bill. When I use the word "amendment" I

overstate somewhat, because the committee's recommended change in language as set forth in section 8 merely is intended to assure that the original intent of Congress underlying the present wording of the statute will continue to be complied with by the Atomic Energy Commission.

Section 8 of the bill amends subsection 161(v) of the Atomic Energy Act which was added by the Private Ownership of Special Nuclear Materials Act of 1964. It relates to the furnishing by the AEC of uranium enrichment services—increasing the percentage of fissionable isotopes in natural uranium so that the enriched material can be used as fuel in nuclear reactors. The 1964 amendment provided that the AEC was to establish prices for that service "on a basis which will provide reasonable compensation to the Government." It further provided that the AEC was to establish written criteria for the furnishing of that service and the prices to be charged. The legislative background clearly indicated that it was intended that the basis for the charges would be the Government's costs.

In compliance with the statutory mandate and in keeping with the legislative history, including hearings and the joint committee report accompanying the statute, the AEC proposed and the joint committee after further extensive hearings concurred in, criteria which provided for prices based on the recovery of appropriate Government costs over a reasonable period of time. These criteria were formally established and remained in effect. In June of this year, the AEC proposed radically revised criteria which are not based on the recovery of the Government's costs. AEC has proposed shifting from pricing based on recovery of Government costs to charges based on a hypothetical, privately owned plant of the future, using assumed factors for construction costs, capital structure, operating costs, and profits that are not pinned down in terms of numbers or dollars. In other words, the new criteria are completely rubbery and can serve to justify whatever prices AEC may decide on from time to time.

The process for enriching uranium is under Government monopoly. There is no similar commercial operation. The concept of charging for enriching services performed by the Government on the basis of appropriate cost recovery is consistent with traditional methods of Government pricing for materials and services made available to others. The U.S. Government is not a profitmaking operation, and neither the joint committee nor the Congress, in authorizing the AEC to perform this service, intended to create a profitmaking operation.

The committee has consistently obtained the advice of the General Accounting Office on this subject. In 1966, the GAO reported that the then proposed and subsequently adopted, criteria relative to pricing provided a reasonable basis for recovering the Government costs. In 1967, after reviewing the actual price to be charged, the GAO reported that such price—$26 per unit—was adequate to recover appropriate costs and was consistent with the established criteria. In response to the joint committee's request for a review of AEC's proposed change in criteria, the GAO reported that the revised criteria do not appear to be consistent with the intention of the Congress. GAO also expressed the opinion that there is doubt that AEC's revised criteria are authorized.

Before I end my brief discussion of this feature, I would like to emphasize the amendment in this bill may not prevent price increases. AEC's new price may also be justified on the basis of the old criteria. The amendment will assure that any price charged is on the basis of recovery of the Government's costs—factors which at any point in time are known or ascertainable—concrete factors—not hypothetical, assumed factors which can easily be twisted and stretched to conform to any intended price. Just, fair and reasonable criteria can assure not only the validity of the price, based on the recovery of appropriate Government costs over a reasonable period of time, but also reasonable price stability so essential to reliable, long-range planning necessarily employed in the electric power industry. This is what Congress intended in 1964 and this is what section 8 of the bill will assure—no more and no less.

Section 11 covers the third principal feature of the bill. This section of H.R. 18679 would enlist the preeminent scientific talents of the National Council on Radiation Protection and Measurements and the National Academy of Sciences in a comprehensive and coordinated effort to review the presently applicable basic radiation protection standards, and the scientific bases therefor, pertinent to the health and safety aspects of exposure to radioactivity resulting from the development, use, or control of atomic energy.

Any Government agency designated by the President would be authorized and directed to enter into and administer arrangements with two uniquely qualified bodies under which they would conduct full-scale reviews on a continuing and comprehensive basis, furnish annual and other reports of their findings, and submit their recommendations. The National Academy of Sciences would conduct a comprehensive and continuing review of the biological effects of radiation on man and the ecology in order to provide information pertinent to basic radiation protection standards. The arrangement with the National Council on Radiation Protection and Measurements would essentially focus on radiation protection standards. Pursuant to section 11, the arrangements would provide for the conduct of the activities of the National Council on Radiation Protection and Measurements and of the National Academy of Sciences in accordance with high substantive and procedural standards of sound scientific investigation and findings; among other things, this should assure that all interested and qualified individuals and groups would have the opportunity to present information and views to these bodies.

If Reorganization Plan No. 3 becomes law, the President could, for example, designate the Environmental Protection Agency created by that plan as the contracting or administering agency for the Government. Both the National Council on Radiation Protection and Measurements and the National Academy of Sciences have advised the joint committee informally that they would be pleased to enter into the arrangements contemplated by section 11.

Under the bill, reports by the National Council on Radiation Protection and Measurements and the National Academy of Sciences would be promptly published, and all recommendations in such reports pertinent to the health and safety aspects of exposure to radioactivity resulting from the development, use or control of atomic energy would have to be carefully considered by any Government agency having authority to establish such standards. Additionally, within a reasonable period of time, each of such Government agencies would be required to submit a report to the Congress setting forth in detail its determinations respecting the recommendations by the National Council and the Academy, and the measures, revisions, or other actions it plans to take, adopt, or effect in relation to the recommendations. Such agencies would, of course, be free to continue to avail themselves of any expert outside advice.

The Joint Committee believes that the public can only be reassured by the knowledge that the finest scientific brains in the country are keeping abreast of scientific developments on a continuing and comprehensive basis, and providing recommendations in regard to basic radiation protection standards. The Joint Committee unanimously believes that such a solid basis incident to the establishment of basic radiation protection standards would be invaluable.

I should like to have inserted in the RECORD at this point the section-by-section analysis of the bill, as contained in the committee's accompanying report. This material, together with the remainder of the report—all of which should be perused by anyone deeply interested in all the aspects of the bill and its background—elaborates on each section. The section-by-section analysis also contains a paragraph which the committee specially wished to add to lay to rest any concern that section 272 of the Atomic Energy Act, which relates to commercially licensed nuclear powerplants, was intended to modify or affect in any way the provisions of the Federal Power Act. It was not so intended, and the committee unanimously reaffirms this. Incidentally, this explanatory paragraph, which appears on page 27 of the report accompanying the bill was intended to precede the paragraph starting with the words "section 4 of the bill."

The material follows:

SECTION-BY-SECTION ANALYSIS

Section 1 of the bill amends paragraph (4) of subsection 31 a. of the Atomic Energy Act of 1954, as amended, which now reads as follows:

"(4) utilization of special nuclear material, atomic energy, and radioactive material and processes entailed in the utilization or production of atomic energy or such material for all other purposes, *including industrial uses*, the generation of usable

energy, and *the demonstration of the practical value of utilization or production facilities for industrial or commercial purposes;* and" (italic added)

The italicized portions would be re-worded to accord with the subsequent provisions of the bill respecting the elimination of the concept of a finding of "practical value" and concerning the licensing of utilization and production facilities for industrial or commercial purposes. The phrase "including industrial uses" would be revised to "including industrial or commercial uses" and the phrase "the demonstration of the practical value of utilization or production facilities for industrial or commercial purposes" would be changed to "the demonstration of advances on the commercial or industrial application of atomic energy." These changes are essentially technical in nature; they do not effect any major substantive alteration of subsection 31 a. of the Act.

Section 2 of the bill amends the second sentence of section 56 of the Atomic Energy Act of 1954, as amended, which now provides:

"The Commission shall also establish for such periods of time as it may deem necessary but not to exceed ten years as to any such period, guaranteed purchase prices for uranium enriched in the isotope 233 produced in a nuclear reactor by a person licensed *under section 104* and delivered to the Commission within the period of the guarantee." (Italic added.)

The italicized phrase would be revised to "under section 103 or section 104". With respect to guaranteed purchase prices for U233, which the Commission has recently established for a 5-year period, it is appropriate and advisable that these apply to licensed nuclear facilities, including, as provided for in the bill, those licensed under section 103.

Section 3 of the bill amends section 102 of the Atomic Energy Act of 1954, as amended, to eliminate the requirement for a finding by the Commission "that any type of utilization or production facility has been sufficiently developed to be of practical value for industrial or commercial purposes" as a condition precedent to the "commercial" licensing of such type of facility under section 103.

Under the revised section 102, all utilization and production facilities for industrial or commercial purposes, with two exceptions, would be subject to licensing under section 103. The two exceptions would be (1) facilities constructed or operated under an arrangement with the Commission entered into under the cooperative power reactor demonstration program, unless the applicable law required licensing under section 103, and (ii) facilities covered by a subsection 104b. construction permit or operating license before and at the time the bill is enacted into law. In regard to (i), the bases for arrangements under the cooperative power reactor demonstration program, which program has for many years been separately covered in the AEC's authorization acts, are carefully reviewed by this committee. Should it be desirable in the case of any contemplated future cooperative demonstration project to require that the nuclear facility involved be licensed under section 103 instead of subsection 104b., this could be done in the enabling statute. In regard to (ii), the committee believes it would impose an unnecessary hardship on subsection 104b. licensees to compel them to convert their permits to section 103 licenses; the matter of potential antitrust review of certain subsection 104 licenses is specifically dealt with in section 6 of the bill, and is discussed below, and it appears to the committee that no useful purpose could be served by compelling any conversion to section 103. The committee here visualizes that amendments, as such, to an existing subsection 104b. license will not affect the exception to section 103 licensing. If, however, the facility is to be modified to such a degree as to constitute a new or substantially different facility, as provided in a regulation or order issued by the Commission, the exception to section 103 licensing is not intended to be applicable to the necessary license amendment. Aside from these two exception categories—demonstration facilities under the cooperative power reactor demonstration program and previously licensed 104b. facilities—any license for a utilization or production facility for industrial or commercial licenses would be issued under section 103, unless some future law otherwise specifically provides.

Section 4 of the bill amends the first sentence of subsection 103 a. of the Act which now reads as follows:

During the hearings pertaining to this legislation there was a suggestion that there ought to be a clearer indication of Congressional intent that section 272 of the Atomic Energy Act did not constitute a modification of the Federal Power Act. The Joint Committee very carefully considered this item and concluded that the legislative history of section 272 indicated quite clearly that the committee and the Congress had not intended thereby to modify or affect in any way the provisions of the Federal Power Act. The committee unanimously reconfirms this intention. In effect section 272 should be read as if the clause "to the extent therein provided" appeared at the end of the text.

"Subsequent to a finding by the Commission as required in section 102, the Commission may issue licenses to transfer or receive in interstate commerce, manufacture, produce, transfer, acquire, possess, use, import, or export under the terms of an agreement for cooperation arranged pursuant to section 123, such type of utilization or production facility." (Italics added.)

The italicized clause would be deleted, since the requirement for a "practical value" finding would be eliminated. The concluding clause "such type of utilization or production facility" would be changed to "utilization or production facilities for industrial or commercial purposes." The revised version would provide for the issuance to persons of "commercial" licenses with respect to "utilization and production facilities for industrial or commercial purposes."

Section 5 of the bill would revise subsection 104 b. of the act to authorize the issuance of licenses under that subsection for utilization or production facilities for industrial or commercial purposes (i) where specifically authorized by law, or (ii) where the facility is constructed or operated under an arrangement with the Commission entered into under the cooperative power reactor demonstration program, and the applicable statutory authorization does not require licensing under section 103, or (iii) where the facility was theretofore licensed under subsection 104 b.

In revising the text of subsection 104b, the committee has retained the present requirement that "the Commission shall impose the minimum amount of such regulations and terms of license as will permit the Commission to fulfill its obligations under the Act," but deleted the balance of the present text because subsection 104b licenses would not be convertible to section 103 licenses under the bill, and because there is no longer any need to provide for priority of licenses "to those activities which will, in the opinion of the Commission, lead to major advances in the application of atomic energy for industrial or commercial purposes."

In retaining the present language respecting the imposition of the minimum amount of regulations and terms of license, the committee wishes to emphasize that the only purpose here was to reiterate, not to make new law; thus, requirements of applicable laws, such as the National Environmental Policy Act of 1969 (Public Law 91–190) and the Water Quality Improvement Act of 1970 (Public Law 91–224), enacted subsequent to the Atomic Energy Act of 1954, remain unaffected by the reiteration of this feature of the present provisions of subsection 104b.

The bill does not affect in any way subsections 104a, 104c, or 104d, or the caption of section 104, "Medical Therapy and Research and Development."

The committee is aware that university-licensees under subsection 104c, and other licensees under subsections 104a or 104c, sometimes use these reactors for industrial or commercial purposes. It is the intention of the committee that such insubstantial use not affect licensing under section 104; however, should the Commission find that any facility so licensed is being used substantially for industrial or commercial purposes, then the Commission shall determine whether such use is sufficiently substantial to entail licensing under section 103.

Section 6 of the bill clarifies and revises subsection 105 c. of the act. The bill does not affect in any way the important features contained in the provisions of subsections 105 a. and 105 b. of the 1954 act. These subsections remain separate, distinct and wholly unaffected by the proposed revised subsection 105 c. For example, the Attorney General's advice under the new subsection 105 c., and the participation by the Attorney General or his designee in the proceedings referred to in paragraph (5) of the subsection, would be completely separate and apart from any actions the Attorney General may deem advisable in relation to the antitrust laws referred to in subsection 105 a. Also, under paragraph (1) of the new subsection 105 c., the Attorney General may, in his discretion, should he consider that his advice might prejudice planned actions under the antitrust laws referred to in subsection 105 a., or for any other reason, render no advice to the Commission.

Paragraph (1) of revised subsection 105 c., requires the Commission promptly to transmit to the Attorney General a copy of any license application to construct or operate a utilization or production facility under section 103. Paragraph (1) also requires the Commission promptly to transmit to the Attorney General written requests for potential antitrust review which are made by persons who intervened, or who sought by timely written notice to the Commission to intervene, in the construction permit proceeding for a facility licensed under subsection 104 b. prior to the enactment of the bill into law.

The Attorney General would have "a reasonable time, but in no event to exceed 180 days after receiving a copy of such application or written request" to "render such advice to the Commission as he determines to be appropriate in regard to the finding to be made by the Commission" with respect to antitrust considerations. The committee expects full and expeditious cooperation by the applicant, the Commission and the Attorney General. To facilitate an early review by the Attorney General, the committee suggests that, promptly upon enactment into law of this bill, the Commission and the Attorney General work out a suitable understanding in regard to the nature of the the information the Attorney General would wish to have at the outset; the Commission could then plan to obtain the information from the applicant at the same time that the application is submitted to the Commission.

The advice which the Attorney General may provide would be advice which he "determines to be appropriate in regard to the finding to be made by the Commission." The advice need not necessarily fall within the orbit of the present clause "tend to create or maintain a situation inconsistent with the antitrust laws." If the Attorney General deems it to be appropriate, he need not render any advice, in which case he should

so inform the Commission. If he renders advice, subparagraph (1) requires that it include "an explanatory statement as to the reasons or basis therefor"; this requirement is only fair and reasonable, and it should help facilitate and expedite the subsequent procedure.

Paragraph (2) of revised subsection 105c. provides that the potential antitrust review shall not apply to an application for a license to operate a utilization or production facility for which a construction permit was issued under section 103 "unless the Commission determines such review is advisable on the ground that significant changes have occurred in the licensee's activities or proposed activities subsequent to the previous review by the Attorney General and the Commission under this subsection in connection with the construction permit for the facility." The committee sees no sense in two such exercises unless there have been significant intervening changes. The committee expects that the Commission will consult with the Attorney General in regard to its determination respecting significant changes. The term "significant changes" refers to the licensee's activities or proposed activities; the committee considers that it would be unfair to penalize a licensee for significant changes not caused by the licensee or for which the licensee could not reasonably be held responsible or answerable.

The committee recognizes that applications may be amended from time to time, that there may be applications to extend or review a license, and also that the form of an application for a construction permit may be such that, from the applicant's standpoint, it ultimately ripens into the application for an operating license. The phrases "any license application", an application for a license", and "any application" as used in the clarified and revised subsection 105 c. refer to the initial application for a construction permit, the initial application for operating license, or the initial application for a modification which would constitute a new or substantially different facility, as the case may be, as determined by the Commission. The phrases do not include, for purposes of triggering subsection 105 c., other applications which may be filed during the licensing process.

Paragraph (3) provides that with respect to any Commission permit issued under subsection 104 b. before enactment of the bill into law, any person who intervened or who sought by timely written notice to the Commission to intervene in the construction permit proceeding to raise the prelicensing antitrust issue will have the right to obtain an antitrust review under this subsection; to do this, such person must make a written request to the Commission within 25 days after the date of initial Commission publication in the Federal Register of notice of the filing of an application for an operating license for the facility or the date of enactment into law of this subsection, whichever is later. It is the committee's intent that such potentially eligible intervenors must be persons who could have qualified as intervenors under the Commission's rules at the time of the initial attempt to intervene if prelicensing antitrust review were then properly for Commission consideration.

Paragraph (4) provides that, upon the request of the Attorney General, the Commission shall furnish or cause to be furnished "such information as the Attorney General determines to be appropriate" for the advice he is to give. The committee expects that the Commission will make every reasonable effort to provide information sought by the Attorney General.

There is an important aspect that the committee considers must be recognized and especially dealt with in a prudent and responsible manner, and that is the matter of proprietary information or data. The system in subsection 105 c. as in connection with other aspects of the licensing procedure, should be such as to provide reasonable safeguards against any leaks or unwarranted dissemination of information or data of a proprietary nature provided by or in behalf of the applicant, and whether or not the applicant is the proprietor.

Paragraph (5) requires that the Commission promptly publish in the Federal Register the advice it receives from the Attorney General. It further provides that if the Attorney General "advises that there may be adverse antitrust aspects and recommends that there be a hearing" that the Attorney General or his designee may participate as a party "in the proceedings thereafter held by the Commission on such licensing matter in connection with the subject matter of his advice." Such proceedings must be held by the Commission if the Attorney General advises that there may be adverse antitrust aspects and recommends a hearing. Also, if he does not so advise and recommend, but antitrust issues are raised by another in a manner according with the Commission's rules or regulations, the Commission would be obliged to give such consideration thereto as may be required by the Administrative Procedure Act and the Commission's rules or regulations. Paragraph (5) requires that the Commission "give due consideration to the advice received from the Attorney General and to such evidence as may be provided during the proceedings in connection with such subject matter." Whether or not the Attorney General appears as a party, all advice and information provided by the Attorney General that is utilized by the Commission in arriving at its finding must be made a matter of record. Paragraph (5) further requires that the Commission "make a finding as to whether the activities under the license would create or maintain a situation inconsistent with the antitrust laws as specified in subsection 105a." This finding by the Commission is required only in those cases where the Attorney General advises there may be adverse antitrust aspects or antitrust issues are raised by another in a manner according with the Commission's rules and regulations.

With respect to the above finding, although the words "reasonable probability" do not appear in the standard, the concept of reasonable probability is intended to be a silent partner to the factors in the standard. The standard must be considered in the focus of reasonable probability—not certainty or possibility.

The standard pertains to the activities of the license applicant. The activities of others, such as designers, fabricators, manufacturers, or suppliers of materials or services, who, under some kind of direct or indirect contractual relationship may be furnishing equipment, materials or services for the licensed facility would not constitute "activities under the license" unless the license applicant is culpably involved in activities of others that fall within the ambit of the standard.

Paragraph (6) provides that if the Commission finds "the activities under the license would create or maintain a situation inconsistent with the antitrust laws as specified in subsection 105 a." that the Commission "shall also consider, in determining whether the license should be issued or continued, such other factors, including the need for power in the affected area, as the Commission in its judgment deems necessary to protect the public interest." On the basis of all its findings—the finding under paragraph (5) and its finding under paragraph (6)—the Commission would have the authority "to issue or continue a license as applied for, to refuse to issue a license, to rescind a license or amend it, and to issue a license with such conditions as it deems appropriate." While the Commission has the flexibility to consider and weigh the various interests and objectives which may be involved, the committee does not expect that an affirmative finding under paragraph (5) would normally need to be overridden by Commission findings and actions under paragraph (6). The Committee believes that, except in an extraordinary situation, Commission-imposed conditions should be able to eliminate the concerns entailed in any affirmative finding under paragraph (5) while, at the same time, accommodating the other public interest concerns found pursuant to paragraph (6). Normally, the committee expects the Commission's actions under paragraph (5) and (6) will harmonize both antitrust and such other public interest considerations as may be involved. In connection with the range of Commission discretion, the committee notes that pursuant to subsection 105 a. the Commission may also take such licensing action as it deems necessary in the event a licensee is found actually to have violated any of the antitrust laws. Of course, in the event the Commission's finding under paragraph (5) is in the negative, the Commission need not take any further action regarding antitrust under subsection 105 c.

Paragraph (7) of revised subsection 105c. substantively carries over from the present text the exception that the Commission "with the approval of the Attorney General, may except from any of the requirements of this subsection such classes or types of licenses as the Commission may determine would not significantly affect the applicant's activities under the antitrust laws."

Paragraph (8) endeavors to deal sensibly with those applications for a construction permit which, upon the enactment of the bill into law, would have to be converted to applications under section 103. In some cases, there might well be hardships caused by delays due to the new requirement for a potential antitrust review under revised subsection 105 c. Paragraph (8) would authorize the Commission, after consultation with the Attorney General, to determine that the public interest would be served by the issuance of a permit containing conditions to assure that the results of a subsequently conducted antitrust review would be given full force and effect. Paragraph (8) similarly applies to applications for an operating license in connection with which a written request for an antitrust review is made as provided for in paragraph (3).

Section 7 of the bill effects a perfecting change in subsection 161 n. of the act to delete the reference to a finding of practical value.

Section 8 of the bill changes several words in the first proviso of subsection 161 v. to support the intention of the Congress when this subsection was enacted into law. The clarified provision expressly indicates that the prices for enriching services "shall be on a basis of recovery of the Government's costs over a reasonable period of time." As the legislative history of this statute discloses, and as the Comptroller General has discerned in his report to the Joint Committee on July 17, 1970, it was intended that the price to be charged by the AEC for toll enrichment should be based on the recovery of appropriate Government costs averaged over a period of years. Under the clarified version of subsection 161 v., the committee intends that the criteria in effect since 1966 will continue to be in effect subject to any Commission proposed revisions thereto that conform to the requirement of the statute and are submitted to the committee for its review. The committee expects that the Commission will consult with the General Accounting Office in regard to any such proposed revisions.

Section 9 of the bill amends subsection 182 c. to delete the phrase "within trans-

mission distance" and to amend the general notice provision.

Section 10 of the bill amends the first sentence of subsection 191 a. which now requires that of the three members of any Atomic Safety and Licensing Board two members "shall be technically qualified," and the third "shall be qualified in the conduct of administrative proceedings". Section 10 would permit two members to have "such technical or other qualifications as the Commission deems appropriate to the issues to be decided"; the third member would continue to be one "qualified in the conduct of administrative proceedings."

Section 11 of the bill revises the present text of subsection 274 h. to abolish the Federal Radiation Council and to provide for contractual arrangements with the National Council on Radiation Protection and Measurements and with the National Academy of Sciences. Under the revised text, any Government agency designated by the President for the purpose would be authorized and directed to enter into and administer an arrangement with the National Council on Radiation Protection and Measurements for a comprehensive and continuing review of basic radiation protection standards, and the scientific bases therefor, pertinent to the health and safety aspects of exposure to radioactivity resulting from the development, use or control of atomic energy. Any Government agency designated by the President for the purpose would also be authorized to enter into and administer an arrangement with the National Academy of Sciences for a comprehensive and continuing review of the biological effects of radiation on man and the ecology in order to obtain information pertinent to basic radiation protection standards. The revised subsection 274 h. specifies that the respective arrangements shall require the conduct by the National Council on Radiation Protection and Measurements and by the National Academy of Sciences, respectively, of a number of functions relative to the fields of radiation and the biological effects of radiation. Under the arrangements the National Committee on Radiation Protection and Measurements and the National Academy of Sciences will concern themselves essentially with information and matters relative to the "hard" sciences, as distinguished from sociological or "soft" science considerations. The latter considerations would be identified and dealt with by the Government agency having authority to establish radiation protection standards. All matters pertaining to basic radiation protection standards pertinent to the health and safety aspects of exposure to radioactivity resulting from the development, use or control of atomic energy would be promptly reported to the Joint Committee. The contracting Government agency may, in the discretion of the President, be any Government agency or agencies; the contractual arrangements may be administered by any Government agency or agencies designated by the President.

At this point I want to depart from my prepared script to say that this country is facing a crisis in electrical energy. We must double the electrical generating capacity of this country within the next 10 years, and then double that again in the succeeding 10 years.

We Members in this Capitol know that just a week ago we had half of the lights turned off in the Capitol because of reduced availability of power in this area. I am telling you that this whole country faces that situation; we are facing brownouts and blackouts unless we get these electrical plants into operation—these new additional generating capacities.

Now, I am speaking today for nuclear power alone. I am saying that we are going to have to have electricity from uranium, from coal, from oil, and from gas. We are going to need every kilowatt we can produce from all of these substances, and we are going to have to revise our methods so that present contaminating effluents are removed.

Now, the public is going to have to pay for that, and they will pay for it. If we want a clean environment we are going to have to pay for it, and the public will pay for it through increased rates, and I think they will want to pay for it.

Already we have had brownouts and blackouts.

I tell you, we will never—never solve the problem of pollution itself without adequate nonpolluting energy. I do not care whether the problem is cleaning up our water, or taking the particulates out of smokestacks so we can have clean air, or whether it is solidifying old automobiles into small masses to be disposed of properly or recycled for some reuse of material—it does not make any difference what field of pollution we face, we are going to have to have adequate, economical, and clean electricity to solve that problem. We are just kidding ourselves if we overlook this basic fact.

This is one of the reasons we are here on the floor of the House today—to see, in connection with this bill I am explaining, that we do have an adequate chance to get these plants into operation without a lot of interference from people who do not have a sufficient understanding of the technical problems involved or about the technical safeguards that have been engineered into nuclear plants.

These people, who are ignorant in some instances and misinformed in many cases, do not realize the obstructive harm they are doing.

Seventy percent of electrical energy is used in industry which provides their jobs.

Thirty percent of electrical energy is used for local and residential services. It runs their appliances, their refrigerators, and their air conditioners.

When the brownouts and blackouts hit their communities they will suddenly realize the foolishness of their actions. Then it may be too late. It takes 4, 5, and 6 years to build a modern generating plant. You cannot wave a wand and create electricity.

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

Mr. HOLIFIELD. I yield to the gentleman.

Mr. EDMONDSON. Mr. Chairman, I want to commend the chairman of the committee for what he has just said, and said very forcefully and very honestly, as to the energy crisis confronting this country.

The chairman of the Joint Committee on Atomic Energy has demonstrated to me through the years the capacity and the ability to see down the road as far as anybody I know in the House. When the gentleman tells us that our power requirements are going to double in 10 years, I think he is, if anything, understating what the situation is.

Mr. HOLIFIELD. The gentleman will agree with me, coming from a gas-producing area, that there is going to be a shortage of gas this winter.

There is already a shortage of coal and delays in the delivery of coal. You cannot get a contract today for coal longer than 1 or 2 years. The customary time used to be 5 and 10 years for coal contracts for delivery at a specified time.

On the average, the cost of coal has gone up about 56 percent in the last 18 months. The cost of imported residual low sulfur content oil has almost doubled. So these are some of the factors that are building up to an actual and serious scarcity of energy.

The fact that the coal is not being delivered, pursuant to contracts to these electrical plants, as it has been in the past, is another factor.

These are the factors that make me believe we are going to have serious blackouts and brownouts in this country before we realize it.

Mr. EDMONDSON. We are already having them, as the chairman well knows, and we are going to have more of them this winter and next summer, regardless of what we do.

What we must do is to address ourselves to this problem as rapidly as possible.

I know that the chairman did not intend to omit, when he listed the principal sources of power, another source, which he has always supported vigorously, and that is hydroelectric power.

Mr. HOLIFIELD. That is right. Let me say, I did not mention it because it only amounts to a very few percent of the total electrical supply. It is important as it can be, because it is clean and because it is cheap. Every hydroelectric facility in the Nation should be utilized because we are going to need every kilowatt that we can get.

Mr. EDMONDSON. I agree wholeheartedly with what the chairman is saying. I think he has emphasized it at a most appropriate time. I congratulate the gentleman on his presentation.

Mr. HOLIFIELD. I will append to my remarks some very pertinent excerpts from national papers and magazines on the national fuel shortage:

NATIONAL FUEL SHORTAGE

I. COAL

TVA had invited coal supply bids at the same time as the nuclear but none were forthcoming, and apparently it wouldn't have mattered anyway. TVA said its cost analysis showed that a coal-fired plant would have had to have coal at 19c/million Btu to be competitive with the nuclear power-production costs. This would have been the equivalent of about $4.30/ton of average coal and TVA said recent coal bids it has received have been about twice that price. ("Nucleonics Week," September 3, 1970.)

During the 3½ years elapsing between our studies, the change in the cost of coal as burned completely negates any assertion that "coal alone could provide the nation with economical and dependable fuel for generation." In March 1966, our system average coal cost was 26.9c per million Btu. By December 1969 it had increased to 30.9c. By July, 1970, our coal cost had reached 42.1c. (Duke Power Company—letter of August 31, 1970 in response to Sporn Report.)

TVA reports that its coal delivery schedules

are not being met. It says stockpiles to feed the coalburning generating plants that produce 80 per cent of the system's electric power are reaching critically low levels.

The utility, which has already established a priority schedule for winter "brownouts," reports that unless coal deliveries are increased and the decline in stockpiles halted, sharp power cutbacks are inevitable.

Dover, Ohio registered a 65 per cent increase in its coal prices in the first six months of this year.

In Hamilton, Ohio, the electric company a year ago paid $4.97 a ton for coal, plus $3 transportation. Last month, the utility received bids of $10.25 and $11.25 a ton, plus $4.20 for transportation. ("New York Times"—September 28, 1970.)

II. OIL

Braintree Electric Light Department's shortages started a few weeks ago when its old contract for oil expired. Braintree had been paying $1.78 a barrel for oil. Now its oil is supplied on a day-to-day basis at $3.65 a barrel, and there is no guarantee of delivery.

Braintree has appealed to 25 oil firms all the way down to New Jersey to bid on a new contract. But no one is interested.

In Montpelier, Vt., Alan Weiss, the superintendent of schools, says that the schools' supplier makes no guarantee that he can provide enough oil this year. To conserve fuel, Montpelier schools may have to hire a custodian to keep thermostats down at night.

Changes in the international situation started price soaring in May this year. By September 1, 1970, the price has zoomed to $2.72 a barrel; and the spot (non-contracted) price had risen to as much as $3.85 a barrel—almost double the price in May ($1.80). ("Christian Science Monitor"—September 28, 1970.)

During the past year, the city of Vineland Electric Utility converted to oil to meet state air pollution regulations. We now use 90,000 gallons daily. The supplier has cut back delivery to 50,000 gallons daily September 1 and will promise no oil whatsoever after October 1, 1970. We have contacted six or seven of the biggest suppliers. None will offer any oil in October. Coal is also unavailable. Unless the U.S. Government orders priority to utilities for oil deliveries after October 1, we face shut down of 80 per cent of our plant production which will mean most of our customers will be without light and power service. (Vineland Electric Utility Company, Vineland, N.J. telegram of August 21, 1970 to American Public Power Association.)

The "Inflation Alert" reported that prices of industrial fuel oil rose at an annual rate of 48% during the first half of 1970, and bituminous coal prices increased at an annual rate of 56%. ("Inflation Alert"—August 7, 1970 published by President Nixon's Council of Economic Advisers.)

Mr. JONES of Alabama. Mr. Chairman, will the gentleman yield?

Mr. HOLIFIELD. I yield to the gentleman.

Mr. JONES of Alabama. Mr. Chairman, I, too, want to commend the gentleman from California and particularly for the knowledge the gentleman has about the energy situation which confronts us, and which will be with us certainly for the next decade.

At the present time, the building or construction period is some 6 years that it takes to build a plant producing say, 500,000 kilowatts. So there is need for great haste. I am pleased that the chairman of the committee, the gentleman from California (Mr. HOLIFIELD) has pointed out to the committee the dire necessity of hastening the production of atomic energy and fissionable material that is going to be required along with other impediments that face us in supplying the fuel that is necessary for the generation of power.

Certainly, if we are going to live in the comfort of the past, we are going to have to recognize and confront the problem, and the sooner the better.

Again I want to express my appreciation for the vast amount of work that you have done in the past in accumulating the knowledge, practices, and policies that have been sound and rewarding to the American people.

Mr. HOLIFIELD. I thank the gentleman from Alabama.

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

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

Mr. WOLFF. I thank the gentleman. I wish to join in the statements that have been made in congratulating the gentleman in the well for his leadership in this field. However, I feel there are one or two points that should be given consideration in addition to the great need for power in this country. I am sure the gentleman is, and always has been, a champion of the protection of our environment at the same time as an advocate of nuclear power. Serious questions have been raised regarding the effect on our environment and our ecology that nuclear power presents. On this score I have wondered if the gentleman in the well would comment on Reorganization Plan No. 3, which has just passed the House, which actually separates the functions of the AEC. This is a development I have been trying to achieve in Congress for some time. I believe it is important that we separate the functions of the AEC which in the past has had the responsibility for both promoting nuclear power as well as acting as the policeman of nuclear power.

According to the Environmental Protection Act, which is established under the Reorganization Plan No. 3:

There are hereby transferred to the Secretary to be administered by him through the Administrator of the Environmental Protection Administration all functions, powers, and duties—

. . . consist of establishing and enforcing environmental standards and safeguards for the protection of the general environment from radioactive material which standards are defined to mean: limits on radiation exposures or levels, or concentrations of or quantities of radioactive material, in the general environment outside the boundaries of locations under the control of persons possessing or using radioactive material.

Mr. HOLIFIELD. The answer to the gentleman is "yes." The gentleman knows that I handled Reorganization Plan No. 3 on Monday of this week. The gentleman has read a section from the plan. It does transfer people who set the environmental radiation standards over from the Atomic Energy Commission into the Environmental Protection Agency. I was just about to address myself to the third section of the bill having covered the first two, because it deals in substance in this area.

The gentleman from California knows of the gentleman's longstanding interest in this matter, and the gentleman I think can feel today quite satisfied that the changes that are proposed to be made by the Presidential reorganization plan are along the lines that he has been advocating.

Mr. WOLFF. I thank the gentleman.

Mr. HOLIFIELD. I will address myself to that section which pertains to the radiation protection of the people. Section 11 covers the third principal feature of the bill. This section of H.R. 18679 would enlist the preeminent scientific talents of the National Council on Radiation Protection and Measurements and the National Academy of Sciences in a comprehensive and coordinated effort to review the statutorily applicable radiation protection standards and the scientific bases thereof.

The National Academy of Sciences, by the way, was established in 1863 under President Abraham Lincoln's administration. That is how old that institution is. The National Council on Radiation Protection and Measurements was established in 1929. It is composed of some 65 or 70 distinguished scientists from all over the United States, from the universities, fields of medicine, and many other fields.

These people serve without special compensation. They serve as members of an honorable body chartered by Congress, they are most knowledgeable in the field of radiation and its biological effects.

The National Academy of Sciences has an equally distinguished list of scientists. They are particularly interested in the effects of radiation on humans. Their recommendations will have to be considered and I hope the agencies will be guided by them.

We want to allay forever the fears of the ignorant and uninformed as to the source of recommendations for the standards of allowable and permissible radiation from any of these reactors. We want the people to know what the expert bodies recommend and not have to rely only on bureaucrats or administrators in Government. We want to go to the source of the greatest fund of wisdom in this field that there is in the world, because some of these people are also members of the International Commission on Radiological Protection and these bodies work in harmony. So, we can go no further than that toward protecting the people of the United States.

I believe the people will place their trust in the most eminent bodies of scientists that exist in the world.

I hope they will refuse to be scared and deceived by the few sensation-seeking, biased pseudo-scientists that are obstructing and delaying the production of electricity.

I also wish to say to many of the new converts to antipollution causes that they should weigh carefully their opposition to generating plants whether they are fossil fueled or nuclear. They should consider the futility of solving all of our environmental pollution problems without an abundant supply of electrical energy.

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

Mr. HOLIFIELD. I yield to the gentleman from Kansas.

Mr. MIZE. Mr. Chairman, coming from the State of Kansas, I can say we are quite interested in the disposition of atomic waste, as it appears possibly one of the best places to put these atomic wastes is in the saltbeds, which quality as a sort of garbage pail for this material.

My question is, when a license is granted one of these privately-owned nuclear powerplants, who has the responsibility of determining where that waste material will be taken?

Mr. HOLIFIELD. The Atomic Energy Commission has the responsibility for the health and safety of the people of America in that respect as in other radiological respects. The responsibility has been placed in them by statute.

Mr. MIZE. With the AEC?

Mr. HOLIFIELD. Yes.

Mr. MIZE. I thank the gentleman from California.

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

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

Mr. HALL. Mr. Chairman, I appreciate the gentleman yielding.

Mr. Chairman, I believe the accolades and commendations to the members of the committee are deserved for bringing in these changes in the Atomic Energy Act of 1954. They are well deserved.

I have studied the bill, and I have read the report. I am personally interested in this, and I admire the work of the committee. There is just one thing that bothers me a little about this, and I wonder if the gentleman would expound on it a little more than he did in his obvious haste to dispatch our business today. That is, the first concept, the finding of practical value. This committee and this House are very familiar with the need and the formulae for developing cost-benefit ratios. I full well understand the exclusions that are earned in many of the research and development projects for the Atomic Energy Commission and laboratories and so forth, but it would seem to me on the face of it, reading no deeper than I have and not being privy to an intense study of the hearings, that a little explanation is in order as to why we are eliminating the practical value concept right at the time when we should be applying it to each commercial firm that we want to license.

Mr. HOLIFIELD. It is a little difficult to explain, but I think the gentleman will understand. Congress is eliminating the need for an administrative finding of practical value. We are not waiting for the AEC to make this finding. We are eliminating the necessity for making a finding of practical value, because in the judgment of this committee, in a real sense, these nuclear reactors have achieved practical value. They are being bought, without Government subsidy, by utilities all over the Nation, and therefore we feel these reactors should come under regular commercial practices.

It is a little bit confusing, because it was a part of the act of 1954, which did not envision arriving so soon at the point we are now at. It is in effect a stamp of approval by the Congress that no longer should these reactors be considered as research and development reactors and therefore potentially eligible for research and development subsidies. Light water reactors have arrived. They are now of utility and commercial value.

Mr. HALL. The gentleman is convinced that he has, in the wording of the legislation before us, done just that?

Mr. HOLIFIELD. That is right.

Mr. HALL. The gentleman has explained it adequately to me. As I understand it, we are eliminating the double negative, having proved through the years since 1954 that this is of commercial value, and hereafter licensing will be direct but they will still be subject to the antitrust laws, et cetera.

Mr. HOLIFIELD. Yes. It will take its place in private industry.

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

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

Mr. EDMONDSON. I have just one point. In making this change in the law the committee is not recommending and the Congress is not in any way relaxing or lifting any of the safety requirements which are in the law?

Mr. HOLIFIELD. No. The gentleman makes a valuable contribution. The AEC is still responsible for the radiological safety and health of the people and will continue, under this committee's jurisdiction, to watch that very closely. I am glad the gentleman brought up that point.

Mr. Chairman, I reserve the remainder of my time.

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

Mr. Chairman, the distinguished chairman of the Joint Committee on Atomic Energy has ably summarized the principal features of H.R. 18679. I would like to add a few brief comments.

In my judgment, each of the three principal features of this bill is timely and important.

The advisability of removing the requirement of a finding of practical value before nuclear powerplants can be commercially licensed has been endorsed by every single witness who testified before our committee during the hearings held last year and this year on this subject. No one needs it or wants it. There is simply no reason to retain it. It is not only useless, but has grown into a major source of irritation and controversy—preventing, as it has, the commercial licensing of nuclear facilities that are being industrially or commercially employed. The bill excises this licensing wart.

Opening the door to routine commercial licensing involved a close look at a related provision of the Atomic Energy Act of 1954; namely, subsection 105(c). This provision, normally characterized as prelicensing antitrust review, is written simply in terms of advice from the Attorney General. And the nature and scope of the advice are described in a broad-brush, imprecise, clause. The committee concluded that it was imperative to clarify and revise the present text of subsection 105(c). H.R. 18679 does this. The proposed revision of subsection 105(c) in the bill clarifies the antitrust review standard and explicitly describes the Commission's authority and responsibility in relation to advice from the Attorney General. The committee and its staff spent many hours on the standard and the procedures described in the clarified, revised version of subsection 105(c). The resulting product is a fair, reasonable compromise which the committee unanimously approved. Frankly, I do not like each and every ingredient aspect of subsection 105(c) in the bill, and I do not know a single committee member who does. However, there are many aspects which I do favor, and this, too, represents the opinion of each of my colleagues on the committee. In its totality—as a package product—revised subsection 105(c) represents a desirable improvement of the present provisions, and I, together with all the members of the joint committee, support it.

As for the aspects that I favor, let me briefly point to a few:

First. Paragraph (1) of subsection (c) provides that the Attorney General's advice must include an explanatory statement as to the reasons or basis therefor.

Second. Paragraph (2) of subsection (c) calls for the antitrust review in connection with the application for a construction permit, and provides that it is not to be repeated at the operating license stage "unless the Commission determines such review is advisable on the ground that significant changes in the licensee's activities or proposed activities have occurred subsequent to the previous review by the Attorney General and the Commission under this subsection in connection with the construction permit for the facility."

Third. By virtue of subsection 102(b), AEC licenses issued prior to enactment of the bill into law maintain their status as 104(b) licenses.

Fourth. The report accompanying the bill clearly expresses the important intention that the standard applies to the activities of the license applicant. As stated in the report:

> The activities of others, such as designers, fabricators, manufacturers, or suppliers of materials or services who, under some kind of direct or indirect contractual relationship may be furnishing equipment, materials or services for the licensed facility would not constitute "the activities under the license" unless the license applicant is considerably involved in activities of others that fall within the ambit of the standard.

Thus, unless the license applicant is seemingly in a collusion or conspiracy situation with respect to suppliers or others, its license application would not be encumbered or held up by any antitrust considerations pertaining to the activities of others.

Fifth. Paragraph (8) of subsection (c) enables the Commission to avoid delaying the issuance of licenses in certain cases, pending the antitrust review. The committee intends that this flexibility be benevolently and sensibly used to help avoid unnecessary delays in the scheduling of needed power plants. In connection with paragraph (8), I must mention for the record another important com-

mittee concern and related intention. It is not intended that a construction permit proceeding that is in progress at the time the bill becomes law be begun anew procedurally because of the new section 103 status. That would be foolish and self-defeating in this time of power shortages, or for that matter at any other time. We want to see this licensing procedure as an aid in obtaining a safe and adequate supply of power to the people—not an impediment. We want no snags whatsoever to cause delay because of licensing. We expect no lack of attention to this matter whatsover on the part of the Atomic Energy Commission. Rather, it is intended that the Commission, by rule or regulation, provide for a sensible transition into the section 103 licensing posture so that, to the fullest extent reasonably practicable, the measures and substance of the licensing proceeding theretofore conducted will continue to be recognized and utilized and delay held to a minimum.

The purpose here is to avoid hardships as specified at the top of page 32 of our report on this bill. Now, hardships are not limited to, say, situations where the utility involved might risk bankruptcy by any delay. What the committee is talking about here is things that might delay or impede bringing necessary and desirable power to the utility system. In short, hardship in the sense of this bill has a very broad and liberal connotation.

I want to make it perfectly clear that the principle of no impediment and no delay applicable to the transition to the provisions of this bill applies equally to pending construction permit applications and to pending operating license proceedings. There is need for expediency in both instances.

Sixth. The change in section 10 of the bill introduces greater flexibility in the composition of atomic safety and licensing boards. This flexibility should be utilized in accordance with the Commission's discretion; it is not intended for example, that the Commission's judgment respecting the qualifications of members of a board should be opened to challenge in relation to the nature of the matters that may be considered in the antitrust review. Nor, for example, is it intended that all three members of a board must be present at all times during the conduct of a board's business. Incidentally, Chairman HOLIFIELD and I have been much concerned with the apparent recent trend toward procrastination, and administrative and legal roadblocks, in the overall licensing system. We are worried about the apparently deteriorating licensing situation, and have recently written a letter to Dr. Seaborg which I would like to have inserted in the RECORD at this point.

Before leaving this feature, I, too, want to join Chairman HOLIFIELD in emphasizing the fact that this whole antitrust review in the Commission's licensing procedure in no way extends, impairs, amends, or affects any of the antitrust laws or prevents their application. This major point is underwritten by subsection 105(a) of the Atomic Energy Act, which remains unchanged. By like token, this bill in no way enlarges the substance of the antitrust review in any respect over the provisions of the existing law for commercial licenses. What we are trying to do is clear away precedural uncertainties in the manner in which both the Justice Department and the AEC are to proceed.

The second feature of the bill—the statutory basis for the Commission's charges for uranium enriching services—is not really directed at the recently announced increase in price from $26 to $28.70 per separative unit. The price increase may represent an appropriate price adjustment in the light of the criteria for pricing that the Commission has consistently used since subsection 161(v) became law in 1964.

The bill merely changes several words in subsection 161(v) to reaffirm with greater clarity the underlying intention, as evidenced by the legislative history and as correctly discerned by the Comptroller General in his recent report, that AEC's charges are to be based on the recovery of Government costs averaged over a period of years. AEC's new criteria not only conflicted with the congressionally intended application of subsection 161(v), but they are unnecessarily vague and essentially meaningless. They really do not serve any useful purpose and they provide the appearance of potential for maladministration or mischief.

The third feature of the bill—to utilize on a continuing and comprehensive basis the unique talents of the National Council on Radiation Protection and Measurements and the National Academy of Sciences—I view as even more uniformly acceptable and less controversial these days than motherhood. The Federal Radiation Council, which we recognize statutorily in subsection 274(h) of the Atomic Energy Act has not really done its job as effectively as was originally contemplated by the committee and the Congress. The abolition of the Council, as a result of section 11 of the bill which emphasizes the need to enlist our most preeminent scientists in the determination of appropriate basic radiation protection standards, coincides with the President's intention to abolish the Council under the Reorganization Plan No. 3 on which the House took some favorable action earlier this week.

Mr. Chairman, in summary, the legislation before us will do three things.

First, it will eliminate, as Members have heard, the practical value requirement found in the Atomic Energy Act of 1954. Sixteen years ago, when we passed this act, the state of the technology as to generating nuclear power was rather new, and every license that has been issued for a nuclear power reactor in this country has been issued as a research and development or experimental reactor license.

The act provided that when nuclear power achieved practical value and practical value was found to exist—not by the Congress but by the AEC—then new plants were to be licensed under commercial procedures, and when that occurred, as a prelicensing requirement, there was to be an antitrust investigation by the Justice Department to make certain that in this large new technology everyone had an opportunity to enjoy some of the benefits, principally because the Government had put so much money into it.

Technology has proceeded, and now it is quite obvious that nuclear power has commercial value, and this seems to have overtaken the present law, and we propose to take this anachronism out of the law. As we do so, that brings in this feature about prelicensing investigation from an antitrust standpoint. We are not trying to take it out. What we are trying to do is to specify the procedures which will be employed for the first time, both by the Justice Department and by the AEC, so that the licensing of this great source of power will not be impeded, and power can go on the line and be available to our people.

In short, we are trying to take a step forward here to avoid blackouts and brownouts so far as nuclear power is concerned. I believe we have done it in a careful way.

I wish to congratulate the chairman of the Joint Committee on Atomic Energy for being able to negotiate this through the shoals of what might otherwise have been a private power versus public power fight, on account of the various interests involved. He skillfully avoided that.

Congratulations can also be accepted by the other members of the committee for negotiating this in such a way that the legislation could be brought to the floor without disagreement among the Republicans or the Democrats, the Senate Members or the House Members, so far as this legislation is concerned.

The second thing that the bill does is simply to say that since Uncle Sam is the only source of enriched uranium for the fuel for the Nation's power reactors and, in fact, the world's power reactors, this enriched uranium from the AEC's great gaseous diffusion plants will be made available on the usual basis. When Uncle Sam performs a service he is supposed to be paid for it, in an amount equivalent to the cost of doing business, and no more than that. That is quite a sensible way to operate. There apparently was some lack of clarity with respect to this requirement that the bill here seeks to dispel and make clear.

The third thing, as has been pointed out, is that this bill simply says whoever in the U.S. Government—it is about to be this new Environmental Protection Agency—whoever it is—that establishes the basic standards for radiation protection of the general public relative to nuclear activities shall do so not on any arbitrary basis. It will not just be left up to some bureaucrat who is a good paper shuffler but really does not know much about radiation considerations. Whoever it is who has responsibility to set Federal standards, is required by this Congress at least to go to two places for advice—the two places with the most qualified experts in the world for proper advice on this very important subject. One is the National Academy of Sciences and the other the National Council on Radiation Protection and Measurements.

This is an excellent piece of legislation, in my opinion, and I trust that we will have the support of the House when the time comes for a vote.

(Mr. McCULLOCH, at the request of Mr. HOSMER, was given permission to extend his remarks at this point in the RECORD.)

Mr. McCULLOCH. Mr. Chairman, I rise to associate myself with the views so clearly articulated by Mr. HOSMER.

As a member of the joint committtee, I know first-hand of the need for H.R. 18679 and of the careful work of our committee in arriving at the legislative proposal now before us.

I particularly want to underscore Mr. HOSMER's remarks about the fair and reasonable compromise that revised subsection 105(c) represents. This was a most difficult item for the committee to chart precisely. Potential issues in the sensitive, public-private power area seemed to be lurking behind each seeming suitable alternative. But the committee persevered, and ultimately unanimously arrived at a reasonable, workable compromise procedure which, I think, all fair-minded persons and groups should consider fair, nondiscriminatory, and appropriate.

I fully support H.R. 18679.

Mr. ANDERSON of Illinois. Mr. Chairman, will the gentleman yield

Mr. HOSMER. I am glad to yield to the gentleman from Illinois, a member of the committee.

Mr. ANDERSON of Illinois. When this matter was presented to the Committee on Rules yesterday, in a prepared statement that was delivered at that time to our committee by the distingiushed chairman of the Joint Committee on Atomic Energy (Mr. HOLIFIELD) he said:

> The ranking minority member of the Joint Committee on Atomic Energy is invariably the essence of sagacity, perspicacity, wit, aplomb, and brevity.

He has earned that accolade, which was given him on that occasion, by his performance in the well of the House this afternoon.

I should like, as a member of the Joint Committee, to join him in support of this legislation.

Mr. HOSMER. Let me say I think the gentleman was wise to get unanimous consent to revise and extend his remarks, because he went pretty far out on a limb with respect to the gentleman in the well.

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

Mr. HOSMER. I am glad to yield to the gentleman.

Mr. KYL. I thank the gentleman for yielding.

I would like to take advantage of this occasion and take advantage of the sagacity and perspicacity and the erudition of the gentleman in the well to get an answer to a couple of questions.

Permit me to premise it in this fashion. We now have in the space of about 25 miles on one of our Great Lakes one atomic energy power generation plant about ready to go into operation and another under construction. The people there or some of the people there are considerably worried that the warm water generated by these plants will keep the ice shelf from freezing along the shore and therefore the beaches and dunes and properties might be destroyed by winter storms. They also worry about the atmospheric questions, and so on.

My question is specifically this: Are we actually progressing in the method of obtaining efficiency from the heat generation in these plants so that in fact the volume of hot water is being significantly reduced?

Mr. HOSMER. Let me answer the gentleman in this way: Any time you produce electric power you are converting one form of energy into another form of energy. The process is not 100-percent efficient. Today in the plants they are fired by coal and oil the efficiency is about 40 percent. That means that 60 percent of the B.t.u.'s out of the fuel that is burned goes into the environment.

And, generally, they either go up a stack or they will go into some condenser cooling water. In the case of a conventionally-fired plant they go both ways. In the case of nuclear plants, we have a new technology whereby we are able to get about 35 percent efficiency which means a few more B.t.u.'s dispersed into the environment. Since you do not discharge heat through a stack in a nuclear plant essentially all of the waste heat goes into the condenser cooling water. So, you are putting more of the heat into these areas by a nuclear plant than by a conventional plant. But as efficiency improves, of course, it will equalize. Moreover, this heated water is dispersed as a result of the cold water going into these areas and the overall ambient temperature will be about the same.

The three plants which the gentleman from Iowa mentioned in the area of Lake Michigan together undoubtedly put into Lake Michigan a minuscule quantity of heat compared to that which the sun daily puts into Lake Michigan just by shining on it. But instead of putting it all over the lake they put it in at these three relatively restricted locations, and in that immediate location there is some heating of the water over the normal temperature of the lake. However, as it spreads out, it equalizes the ambient temperature.

Unfortunately, the Federal Government has informally proposed a standard that the ambient temperature can only be exceeded by 1 degree in discharging water at any particular point. That, of course, is virtually impossible.

When it rains, the city of Chicago could not discharge into Lake Michigan the water from its storm drains under that regulation, because that storm water is at least 3 or 4 degrees above the ambient temperature of the lake. So, you would always have to pay some price to get rid of the storm water in the city of Chicago, and you have to pay some price by way of some potential changes in natural conditions in order to have power. However, net value should always be considered in regard to the price.

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

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

Mr. WOLFF. On that same question there appears an article in the New York Times that states as follows:

> The National Environmental Policy Act, signed last year with great fanfare, will be of very little use unless President Nixon tells his subordinates that it means exactly what it says. The Atomic Energy Commission, for one, has a notion that in licensing nuclear plants it has no authority even to consider a threat of thermal pollution, though the Act clearly enjoins all Government agencies to weight environmental factors in their decisions.

Are the factors of thermal pollution considered by the Atomic Energy Commission in the licensing of a plant?

Mr. HOSMER. Let me say to the gentleman that the New York Times in this case, as often in other cases, in search of some desirable objective, leaves a lot to be desired in the way it approaches these matters.

In the licensing procedure that has been established under the law and the procedure that has been followed up until the passage of the National Environmental Policy Act, the AEC was directed, authorized and had the power in its licensing proceedings to consider only matters having to do with radiation. But let me say that with the passage of this Environmental Policy Act, all governmental agencies, including the AEC, are required to take into consideration all environmental matters in connection with the major actions which they might take. The AEC interpreted the licensing of a nuclear powerplant as a major action and, therefore, it does, under this law, refer the papers and the situation to the Environmental Quality Council, the Department of the Interior, and all other interested Federal agencies.

Mr. HOLIFIELD. And to the States involved.

Mr. HOSMER. It is referred not only to these Federal agencies but to essentially any agency that has any relevant expertise at all for its recommendation with respect to the particular licensing procedure.

So, I say that the New York Times is substantially in error. It is way off course in this summary.

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

Mr. HOSMER. I will yield further to the gentleman in just one moment, but first I want to yield to the gentleman from California.

Mr. HOLIFIELD. Mr. Chairman, I thank the gentleman for yielding, and I want to supplement what the gentleman says, because Congress passed the Water Quality Improvement Act of 1970 which continues the States' authority to control the water quality, and that includes whether it is too hot or too cold, as well as too dirty. The AEC must, as the gentleman says, take into consideration the Water Quality Improvement Act as well as the National Environmental Policy Act, which this Congress has passed.

Mr. HOSMER. The gentleman is entirely correct.

Mr. WOLFF. If the gentleman will yield, on that basis there seems to be somewhat of a conflict between the two gentlemen.

Mr. HOSMER. There is no conflict

whatsoever with respect to the advice of one of the Government agencies. The AEC follows those procedures with respect to the Water Quality Improvement Act, and it is met by the certification by the States of reasonable assurance that water quality standards will not be violated as is spelled out under that act.

Mr. WOLFF. If the gentleman will yield further, in the hearings that have been conducted at Shoreham, the hearing board referred over to the State the question of thermal pollution. Now, by referring it over to the State, am I to infer from that that this releases the Atomic Energy Commission from further consideration?

Mr. HOSMER. Of course not. The matter was referred to the State, insofar as the procedures were applicable, and its advice and certification are required under the Water Quality Improvement Act. The AEC on this same question also referred it over to the Interior Department and to other agencies and departments of the U.S. Government for such relevant advice on this same point that they were qualified to give in connection with this licensing procedure.

Mr. WOLFF. The hearing board will take into consideration, then, the advice of a State in making the final determination, or take into consideration the thermal pollution involved?

Mr. HOSMER. I think there should be a taking into consideration of environmental matters involved vis-a-vis the purpose and the need for a particular plant to produce electricity to meet the requirements of the community. In other words, there should be a balancing job in which nobody presumably will be allowed to get away with anything more than is reasonable in relation to the modus vivendi that has to be established in a high-energy society between the production of that energy and the environmental elements that are involved.

Mr. HOLIFIELD. If the gentleman will yield further, the AEC as a condition of granting a license requires that the applicant provide certification from the State in which the facility is located that it has met the water quality standards, and that came from the Committee on Public Works headed by the gentleman from California (Mr. JOHNSON).

Mr. HOSMER. I thank the gentleman for verifying exactly where the procedure is undergone.

Mr. ANDERSON of Illinois. Mr. Chairman, will the gentleman yield?

Mr. HOSMER. I yield to the gentleman from Illinois.

Mr. ANDERSON of Illinois. Mr. Chairman, I thank the gentleman from California for yielding.

I was going to merely amplify the point that I think has already now been made by the chairman of the committee, that in the actual writing of the construction permit the Atomic Energy Commission actually does write into each construction permit that is issued, each permit and operating license for a nuclear plant, an expressed condition that within 3 years of the date of this Water Quality Improvement Act that the licensee must submit to the AEC certification from the State involved that the discharges from the plant are or are planned to be within the applicable water quality standards, as they are promulgated by the State or other authority. So that is an expressed written condition in the licensing permit granted by the Atomic Energy Commission.

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

Mr. HOSMER. I yield to the gentleman.

Mr. HUTCHINSON. The gentleman referred in his remarks, and the chairman of the committee, to the prelicensing antitrust investigation by the Department of Justice.

My question is: Is this done prior to the construction permit or is it to be done prior to the operation permit?

Mr. HOSMER. The answer to that is in the report and it explains it. In connection with the application for the construction permit, that is the initial action. The antitrust investigation is made in the scope that is provided in the Atomic Energy Act.

Then, if the construction permit is granted and the antitrust procedures have been met, it will take up to 5 or 6 years for the plants to be built. As it nears the end of that construction period, the utility will go in for an operating license.

Now, unless there has been a significant change in the antitrust circumstances, it is not intended that there be a review de novo of the antitrust considerations. Only if there has been a substantial change in this regard, would it be intended that there be another investigation.

As a matter of fact, with respect to the pending applications for construction permits, but where the permit is not yet issued, the Atomic Energy Commission will establish such procedures to assure that this whole business does not have to be de novo, but that the equities on either side can be met without delaying the issuance of the construction permit.

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

Mr. HOSMER. I am delighted to yield to the gentleman.

Mr. HUTCHINSON. I certainly thank the gentleman for the clarification.

Perhaps the gentleman now in the well may have surmized that my question was prompted by the experience of two plants in my district in the State of Michigan. To the best of my knowledge, there never was any objection from anybody at the time the construction permit was granted. But now that the utility seeks an operation permit, the question of thermal pollution has completely tied up one of those plants. My concern was that this antitrust investigation would not amount to the same thing so that the utility could be permitted to expend millions of dollars in the construction of the plant.

Mr. HOSMER. The gentleman's concern is certainly well founded. We are trying to accomplish this with respect to this antitrust business.

The objections that have been made in the plants that the gentleman has referred to, have been made on any ground that could possibly be dredged up by people who either are just dead set against any nuclear power or who want to hold those particular plants for ransom for the installation of cooling towers and for the installation of certain very sophisticated type of radiation protection equipment.

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

Mr. PRICE of Illinois. Mr. Chairman, concern has been expressed that this legislation would permit the Atomic Energy Commission to exempt a license applicant from the necessity of correcting an antitrust abuse included in a Commission finding where the Commission finds that the need for power in the area or other factors are overriding.

The committee, as stated in the report, expects the Commission normally to take care of both the need for energy as well as to remedy the situation where there has been an affirmative finding under paragraph (5). The report on page 31 in this respect states:

> While the Commission has the flexibility to consider and weigh the various interests and objectives which may be involved, the committee does not expect that an affirmative finding under paragraph (5) would normally need to be overriden by Commission findings and actions under paragraph (6). The Committee believes that, except in an extraordinary situation, Commission-imposed conditions should be able to eliminate the concerns entailed in any affirmative finding under paragraph (5) while, at the same time, accommodating the other public interest concerns found pursuant to paragraph (6). Normally, the committee expects the Commission's actions under paragraphs (5) and (6) will harmonize both antitrust and such other public interest considerations as may be involved.

Considerations involving "the need for power in the affected area" or "other factors" will not permit the Commission to ignore an adverse antitrust finding under paragraph (5) of subsection 105(c).

Paragraph (6) provides that the Commission may issue a license which is so conditioned as to require subsequent corrective action in regard to antitrust problems while allowing the construction or operation of the facilities by the applicant to go forward. Paragraph (6) gives the Commission the opportunity to help cure deficiencies from an antitrust standpoint while enabling timely construction and operation of nuclear power facilities. On the other hand, there may be situations where the Commission might conclude that the public interest would be better served by delaying the issuance of a license until antitrust problems are solved.

The bill provides for the creation of a separate board to hear antitrust issues, and as the report on the bill notes:

> The committee anticipates that all the functions contemplated by these paragraphs would be carried out before the radiological health and safety review and determination process is completed, so that the entire licensing procedure is not further extended in time by reason of the added antitrust review function.

Paragraph (5) does not preclude in any manner the right of the Department of Justice to pursue antitrust suits, civil

or criminal in nature, in the courts, whether or not there are involved parties, facts, or issues that were, or are being, considered by the Commission and nothing in the bill would preclude or limit the intervention or participation of the Department of Justice in proceedings before other regulatory agencies where antitrust issues are involved, and irrespective of whether they involve parties, facts, or issues pertinent to Commission proceeding.

The intent in this regard is made clear in the report on the bill which states:

The bill does not affect in any way the important features contained in the provisions of subsections 105 a. and 105 b. of the 1954 act. These subsections remain separate, distinct and wholly unaffected by the proposed revised subsection 105 c.

The CHAIRMAN. There being no further requests for time, the Clerk will read.

The Clerk read as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That paragraph (4) of subsection 31 a. of the Atomic Energy Act of 1954, as amended, is amended to read as follows:

"(4) utilization of special nuclear material, atomic energy, and radioactive material and processes entailed in the utilization or production of atomic energy or such material for all other purposes, including industrial or commercial uses, the generation of usable energy, and the demonstration of advances in the commercial or industrial application of atomic energy; and".

SEC. 2. The second sentence of section 56 of the Atomic Energy Act of 1954, as amended, is amended to read as follows: "The Commission shall also establish for such periods of time as it may deem necessary, but not to exceed ten years as to any such period, guaranteed purchase prices for uranium enriched in the isotope 233 produced in a nuclear reactor by a person licensed under section 103 or section 104 and delivered to the Commission within the period of the guarantee."

SEC. 3. Section 102 of the Atomic Energy Act of 1954, as amended, is amended to read as follows:

"SEC. 102. UTILIZATION AND PRODUCTION FACILITIES FOR INDUSTRIAL OR COMMERCIAL PURPOSES.—

"a. Except as provided in subsections b. and c., or otherwise specifically authorized by law, any license hereafter issued for a utilization or production facility for industrial or commercial purposes shall be issued pursuant to section 103.

"b. Any license hereafter issued for a utilization or production facility for industrial or commercial purposes, the construction or operation of which was licensed pursuant to subsection 104 b. prior to enactment into law of this subsection, shall be issued under subsection 104 b.

"c. Any license for a utilization or production facility for industrial or commercial products constructed or operated under an arrangement with the Commission entered into under the Cooperative Power Reactor Demonstration Program shall, except as otherwise specifically required by applicable law, be issued under subsection 104 b."

SEC. 4. The first sentence of subsection 103 a. of the Atomic Energy Act of 1954, as amended, is amended to read as follows: "The Commission is authorized to issue licenses to persons applying therefor to transfer or receive in interstate commerce, manufacture, produce, transfer, acquire, possess, use, import, or export under the terms of an agreement for cooperation arranged pursuant to section 123, utilization or production facilities for industrial or commercial purposes",

SEC. 5. Subsection 104 b. of the Atomic Energy Act of 1954, as amended, is amended to read as follows:

"b. As provided for in subsection 102 b. or 102 c., or where specifically authorized by law, the Commission is authorized to issue licenses under this subsection to persons applying therefor for utilization and production facilities for industrial and commercial purposes. In issuing licenses under this subsection, the Commission shall impose the minimum amount of such regulations and terms of license as will permit the Commission to fulfill its obligations under this Act."

SEC. 6. Subsection 105 c. of the Atomic Energy Act of 1954, as amended, is amended to read as follows:

"c. (1) The Commission shall promptly transmit to the Attorney General a copy of any license application provided for in paragraph (2) of this subsection, and a copy of any written request provided for in paragraph (3) of this subsection; and the Attorney General shall, within a reasonable time, but in no event to exceed 180 days after receiving a copy of such application or written request, render such advice to the Commission as he determines to be appropriate in regard to the finding to be made by the Commission pursuant to paragraph (5) of this subsection. Such advice shall include an explanatory statement as to the reasons or basis therefor.

"(2) Paragraph (1) of this subsection shall apply to an application for a license to construct or operate a utilization or production facility under section 103: *Provided, however,* That paragraph (1) shall not apply to an application for a license to operate a utilization or production facility for which a construction permit was issued under section 103 unless the Commission determines such review is advisable on the ground that significant changes in the licensee's activities or proposed activities have occurred subsequent to the preview review by the Attorney General and the Commission under this subsection in connection with the construction permit for the facility.

"(3) With respect to any Commission permit for the construction of a utilization or production facility issued pursuant to subsection 104 b. prior to the enactment into law of this subsection, any person who intervened or who sought by timely written notice to the Commission to intervene in the construction permit proceeding for the facility to obtain a determination of antitrust considerations or to advance a jurisdictional basis for such determination shall have the right, upon a written request to the Commission, to obtain an antitrust review under this section of the application for an operating license. Such written request shall be made within 25 days after the date of initial Commission publication in the Federal Register of notice of the filing of an application for an operating license for the facility or the date of enactment into law of this subsection, whichever is later.

"(4) Upon the request of the Attorney General, the Commission shall furnish or cause to be furnished such information as the Attorney General determines to be appropriate for the advice called for in paragraph (1) of this subsection.

"(5) Promptly upon receipt of the Attorney General's advice, the Commission shall publish the advice in the Federal Register. Where the Attorney General advises that there may be adverse antitrust aspects and recommends that there be a hearing, the Attorney General or his designee may participate as a party in the proceedings thereafter held by the Commission on such licensing matter in connection with the subject matter of his advice. The Commission shall give due consideration to the advice received from the Attorney General and to such evidence as may be provided during the proceedings in connection with such subject matter, and shall make a finding as to whether the activities under the license would create or maintain a situation inconsistent with the antitrust laws as specified in subsection 105 a.

"(6) In the event the Commission's finding under paragraph (5) is in the affirmative, the Commission shall also consider, in determining whether the license should be issued or continued, such other factors, including the need for power in the affected area, as the Commission in its judgment deems necessary to protect the public interest. On the basis of its findings, the Commission shall have the authority to issue or continued a license as applied for, to refuse to issue a license, to rescind a license or amend it, and to issue a license with such conditions as it deems appropriate.

"(7) The Commission, with the approval of the Attorney General, may except from any of the requirements of this subsection such classes or types of licenses as the Commission may determine would not significantly affect the applicant's activities under the antitrust laws as specified in subsection 105 a.

"(8) With respect to any application for a construction permit on file at the time of enactment into law of this subsection, which permit would be for issuance under section 103, and with respect to any application for an operating license in connection with which a written request for an antitrust review is made as provided for in paragraph (3), the Commission, after consultation with the Attorney General, may, upon determination that such action is necessary in the public interest to avoid unnecessary delay, establish by rule or order periods for Commission notification and receipt of advice differing from those set forth above and may issue a construction permit or operating license in advance of consideration of and findings with respect to the matters covered in this subsection: *Provided,* That any construction permit or operating license so issued shall contain such conditions as the Commission deems appropriate to assure that any subsequent findings and orders of the Commission with respect to such matters will be given full force and effect."

SEC. 7. Subsection 161 n. of the Atomic Energy Act of 1954, as amended, is amended to read as follows:

"n. delegate to the General Manager or other officers of the Commission any of those functions assigned to it under this Act except those specified in section 51, 57 b., 61, 108, 123, 145 b. (with respect to the determination of those persons to whom the Commission may reveal Restricted Data in the national interest), 145 f., and 161 a.;"

SEC. 8. The first proviso in subsection 161 v. of the Atomic Energy Act of 1954, as amended, is amended to read as follows: *Provided,* That (i) prices for services under paragraph (A) of this subsection shall be established on a nondiscriminatory basis; (ii) prices for services under paragraph (B) of this subsection shall be no less than prices under paragraph (A) of this subsection; and (iii) any prices established under this subsection shall be on a basis of recovery of the Government's costs over a reasonable period of time:"

SEC. 9. Subsection 182 c. of the Atomic Energy Act of 1954, as amended, is amended to read as follows:

"c. The Commission shall not issue any license under section 103 for a utilization or production facility for the generation of commercial power until it has given notice in writing to such regulatory agency as may have jurisdiction over the rates and services incident to the proposed activity; until it has published notice of the application in

such trade or news publications as the Commission deems appropriate to give reasonable notice to municipalities, private utilities, public bodies, and cooperatives which might have a potential interest in such utilization or production facility; and until it has published notice of such application once each week for four consecutive weeks in the Federal Register, and until four weeks after the last notice."

SEC. 10. The first sentence of subsection 191 a. of the Atomic Energy Act of 1954, as amended, is amended to read as follows: "Notwithstanding the provisions of 7(a) and 8(a) of the Administrative Procedure Act, the Commission is authorized to establish one or more atomic safety and licensing boards, each comprised of three members, one of whom shall be qualified in the conduct of administrative proceedings and two of whom shall have such technical or other qualifications as the Commission deems appropriate to the issues to be decided, to conduct such hearings as the Commission may direct and make such intermediate or final decisions as the Commission may authorize with respect to the granting, suspending, revoking or amending of any license or authorization under the provisions of this Act, any other provision of law, or any regulation of the Commission issued thereunder."

SEC. 11. Subsection 274 h. of the Atomic Energy Act of 1954, as amended, is amended to read as follows:

"h. Any Government agency designated by the President is hereby authorized and directed to enter into and administer an arrangement with the National Council on Radiation Protection and Measurements for a comprehensive and continuing review of basic radiation protection standards, and the scientific bases therefor, pertinent to the health and safety aspects of exposure to radioactivity resulting from the development, use or control of atomic energy, and an arrangement with the National Academy of Sciences for a comprehensive and continuing review of the biological effects of radiation on man and the ecology in order to provide information pertinent to basic radiation protection standards. The respective scopes of the arrangements may, in the discretion of the President or the designated Government agency, also encompass exposure to the effects of radiation from sources other than the development, use or control of atomic energy. The respective arrangements shall require—

"(1) the conduct by the National Council on Radiation Protection and Measurements of a full-scale review of the radiation protection guides presently in effect by virtue of the recommendations of the Federal Radiation Council, and of all available scientific information;

"(2) the conduct by the National Academy of Sciences of a full-scale review of the biological effects of radiation, including all available scientific information;

"(3) consultations between the National Council on Radiation Protection and Measurements and the National Academy of Sciences to assure effective coordination between these bodies to serve the objective of the arrangements;

"(4) consultations by the National Council on Radiation Protection and Measurements and by the National Academy of Sciences, respectively, with scientists outside and within the Government;

"(5) the preparation and submittal by the National Council on Radiation Protection and Measurements to the President, or to the Government agency administering the arrangements, and to the Congress, by December 31, 1970, of its first complete report of its review activities, which shall also set forth its recommendations respecting basic radiation protection standards and the reasons therefor;

"(6) the maintenance by the National Council on Radiation Protection and Measurements of reasonably thorough knowledge of scientific matters pertinent to basic radiation protection standards within the scope of the arrangement, including studies and research previously performed, currently in progress or being planned;

"(7) such recommendations by the National Council on Radiation Protection and Measurements and the National Academy of Sciences respecting the conduct of any studies or research directly or indirectly pertinent to the basic radiation protection standards, or the biological effects of radiation on man and the ecology, under the respective scope of each arrangement, as either body deems advisable from time to time;

"(8) the furnishing of scientific information and advice by the National Council on Radiation Protection and Measurements and by the National Academy of Sciences, within the respective scopes of the arrangements, to the President, Government agencies, the states, and others, at the request of the President or the Government agency administering the arrangements;

"(9) the furnishing of scientific information and advice by the National Council on Radiation Protection and Measurements and by the National Academy of Sciences, within the respective scopes of the arrangements, to the Congress pursuant to the request of any Committee of the Congress;

"(10) the preparation and transmittal to the President or to the Government agency administering the arrangements, and to the Congress, by the National Council on Radiation Protection and Measurements and by the National Academy of Sciences, at the end of each calendar year subsequent to 1970, of a report covering their respective review activities during the year; the report by the National Council on Radiation Protection and Measurements shall also set forth any significant scientific developments relative to basic radiation protection standards, including any recommendations; and the report by the National Academy of Sciences shall set forth any significant scientific developments bearing on the biological effects of radiation on man and the ecology including recommendations;

"(11) the preparation and transmittal to the President, or to the Government agency administering the arrangements, and to the Congress, by the National Council on Radiation Protection and Measurments, of a prompt report of any significant changes which it deems advisable to recommend in regard to its previous recommendations respecting basic radiation protection standards or the scientific bases therefor and not theretofore identified in its reports; and

"(12) the conduct of the activities of the National Council on Radiation Protection and Measurements and of the National Academy of Sciences, under the respective arrangements, in accordance with high substantive and procedural standards of sound scientific investigation and findings.

"Reports received from the National Council on Radiation Protection and Measurements and the National Academy of Sciences under the arrangments shall be promptly published by the Government agency administering the arrangements. All recommendations, in such reports by the National Council on Radiation Protection and Measurements, respecting basic radiation protection standards pertinent to the health and safety aspects of exposure to radioactivity resulting from the development, use or control of atomic energy, shall be carefully considered by any Government agency having authority to establish such standards and, within a reasonable period of time, such Government agency shall submit to the Joint Committee a report setting forth in detail its determinations respecting the recommendations and the measures, revisions, or other actions it proposes to take, adopt, or effect in relation to the recommendations."

Mr. HOLIFIELD (during the reading). Mr. Chairman, I ask unanimous consent that the bill be considered as read, printed in the RECORD, and open to amendment at any point.

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

There was no objection.

Mr. HOLIFIELD. Mr. Chairman, the committee has no amendments to offer and knows of no amendments.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly the Committee rose, and the Speaker having resumed the chair, Mr. BURKE of Massachusetts, 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. 18679) to amend the Atomic Energy Act of 1954, as amended, to eliminate the requirement for a finding of practical value, and for other purposes, pursuant to House Resolution 1227, he reported the bill back to the House.

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

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

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

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

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

Mr. HOSMER. 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 346, nays 0, not voting 83, as follows:

[Roll No. 324]

YEAS—346

Abernethy	Blackburn	Carter
Adair	Blanton	Casey
Adams	Blatnik	Chamberlain
Addabbo	Boggs	Chappell
Albert	Boland	Clancy
Alexander	Bolling	Clark
Anderson, Calif.	Bow	Clausen, Don H.
Anderson, Ill.	Brademas	Clawson, Del
Anderson, Tenn.	Brasco	Clay
Andrews, Ala.	Brinkley	Cleveland
Andrews, N. Dak.	Broomfield	Cohelan
Annunzio	Brotzman	Collier
Arends	Brown, Calif.	Collins
Ashbrook	Brown, Mich.	Conable
Ashley	Brown, Ohio	Conte
Baring	Broyhill, N.C.	Corbett
Barrett	Broyhill, Va.	Corman
Belcher	Buchanan	Coughlin
Bell, Calif.	Burke, Fla.	Cowger
Bennett	Burke, Mass.	Crane
Berry	Burleson, Tex.	Culver
Bevill	Burlison, Mo.	Cunningham
Biaggi	Burton, Calif.	Daniel, Va.
Biester	Byrne, Pa.	Daniels, N.J.
Bingham	Byrnes, Wis.	Davis, Ga.
	Caffery	Davis, Wis.
	Camp	Delaney
	Carey	

Dellenback	Karth	Reid, N.Y.
Denney	Kastenmeier	Reuss
Dennis	Kazen	Rhodes
Dent	Kee	Riegle
Devine	Keith	Rivers
Dickinson	King	Roberts
Diggs	Kluczynski	Rodino
Dingell	Koch	Roe
Donohue	Kuykendall	Rogers, Colo.
Dorn	Kyl	Rogers, Fla.
Downing	Kyros	Rooney, N.Y.
Dulski	Landgrebe	Rooney, Pa.
Duncan	Langen	Rosenthal
Dwyer	Latta	Roth
Eckhardt	Leggett	Rousselot
Edmondson	Lennon	Roybal
Edwards, Ala.	Long, Md.	Ruppe
Edwards, Calif.	Lujan	Ruth
Eilberg	Lukens	Ryan
Erlenborn	McCarthy	St Germain
Esch	McCloskey	Sandman
Eshleman	McClure	Saylor
Evans, Colo.	McCulloch	Schadeberg
Evins, Tenn.	McDade	Scherle
Fascell	McDonald, Mich.	Schmitz
Findley	McEwen	Schneebeli
Flowers	McFall	Schwengel
Flynt	McKneally	Scott
Foley	Macdonald, Mass.	Sebelius
Ford, William D.	Madden	Shriver
Fountain	Mahon	Sikes
Fraser	Mailliard	Sisk
Frelinghuysen	Marsh	Skubitz
Frey	Mathias	Slack
Fulton, Pa.	Matsunaga	Smith, Calif.
Fuqua	May	Smith, Iowa
Galifianakis	Mayne	Smith, N.Y.
Gallagher	Meeds	Snyder
Garmatz	Michel	Springer
Gaydos	Mikva	Stafford
Gettys	Miller, Ohio	Stanton
Giaimo	Mills	Steed
Gibbons	Minish	Steiger, Ariz.
Goldwater	Mink	Steiger, Wis.
Gonzalez	Minshall	Stephens
Goodling	Mize	Stokes
Gray	Mizell	Stubblefield
Green, Oreg.	Mollohan	Stuckey
Griffin	Monagan	Sullivan
Griffiths	Montgomery	Symington
Gross	Moorhead	Talcott
Grover	Morgan	Taylor
Gubser	Morse	Teague, Calif.
Gude	Morton	Teague, Tex.
Hagan	Mosher	Thompson, Ga.
Haley	Moss	Thomson, Wis.
Hall	Murphy, Ill.	Tiernan
Halpern	Myers	Udall
Hamilton	Natcher	Ullman
Hammer-schmidt	Nelsen	Van Deerlin
Hanley	Nix	Vander Jagt
Hanna	Obey	Vanik
Hansen, Idaho	O'Hara	Vigorito
Hansen, Wash.	O'Neal, Ga.	Waggonner
Harrington	Passman	Waldie
Harvey	Patman	Wampler
Hastings	Patten	Watts
Hathaway	Pelly	Whalen
Hawkins	Perkins	Whalley
Hechler, W. Va.	Pettis	White
Heckler, Mass.	Philbin	Whitehurst
Helstoski	Pike	Whitten
Henderson	Poage	Widnall
Hicks	Podell	Wiggins
Hogan	Poff	Williams
Holifield	Pollock	Wilson, Bob
Horton	Preyer, N.C.	Wilson, Charles H.
Hosmer	Price, Ill.	Winn
Howard	Price, Tex.	Wolff
Hungate	Pryor, Ark.	Wright
Hunt	Pucinski	Wyatt
Hutchinson	Purcell	Wydler
Ichord	Quie	Wylie
Jacobs	Quillen	Wyman
Jarman	Railsback	Yatron
Johnson, Calif.	Randall	Young
Jonas	Rarick	Zion
Jones, Ala.	Rees	Zwach
Jones, Tenn.	Reid, Ill.	

NAYS—0

NOT VOTING—83

Abbitt	Button	de la Garza
Aspinall	Cabell	Derwinski
Ayres	Cederberg	Dowdy
Beall, Md.	Celler	Edwards, La.
Betts	Chisholm	Fallon
Bray	Colmer	Farbstein
Brock	Conyers	Feighan
Brooks	Cramer	Fish
Burton, Utah	Daddario	Fisher
Bush	Dawson	Flood
Ford, Gerald R.	McMillan	Reifel
Foreman	MacGregor	Robison
Friedel	Mann	Rostenkowski
Fulton, Tenn.	Martin	Roudebush
Gilbert	Melcher	Satterfield
Green, Pa.	Meskill	Scheuer
Harsha	Miller, Calif.	Shipley
Hays	Murphy, N.Y.	Staggers
Hébert	Nedzi	Stratton
Hull	Nichols	Taft
Johnson, Pa.	O'Konski	Thompson, N.J.
Jones, N.C.	Olsen	Tunney
Kleppe	O'Neill, Mass.	Watson
Landrum	Ottinger	Weicker
Lloyd	Pepper	Wold
Long, La.	Pickle	Yates
Lowenstein	Pirnie	Zablocki
McClory	Powell	

So the bill was passed.

The Clerk announced the following pairs:

Mr. Thompson of New Jersey with Mr. Taft.
Mr. Hébert with Mr. Gerald R. Ford.
Mr. Hays with Mr. Ayres.
Mr. Brooks with Mr. Cederberg.
Mr. Murphy of New York with Mr. Pirnie.
Mr. Celler with Mr. Fish.
Mr. Zablocki with Mr. Harsha.
Mr. Rostenkowski with Mr. Martin.
Mr. Green of Pennsylvania with Mr. Cramer.
Mr. Fulton of Tennessee with Mr. Brock.
Mr. Edwards of Louisiana with Mr. Burton of Utah.
Mr. Long of Louisiana with Mr. Bray.
Mr. Cabell with Mr. Derwinski.
Mr. Aspinall with Mr. Foreman.
Mr. Hull with Mr. Betts.
Mr. Jones of North Carolina with Mr. Wold.
Mr. Miller of California with Mr. Robison.
Mr. Nedzi with Mr. Weicker.
Mr. Nichols with Mr. Roudebush.
Mr. Olsen with Mr. Lloyd.
Mr. Pickle with Mr. Bush.
Mr. Shipley with Mr. McClory.
Mr. Staggers with Mr. Watson.
Mr. Daddario with Mr. Meskill.
Mr. Colmer with Mr. Reifel.
Mr. Scheuer with Mr. Powell.
Mr. Lowenstein with Mrs. Chisholm.
Mr. Abbitt with Mr. Kleppe.
Mr. Mann with Mr. MacGregor.
Mr. Pepper with Mr. O'Konski.
Mr. Fisher with Mr. de la Garza.
Mr. Flood with Mr. Johnson of Pennsylvania.
Mr. Gilbert with Mr. Conyers.
Mr. Satterfield with Mr. Dowdy.
Mr. Stratton with Mr. Button.
Mr. Fallon with Mr. Beall of Maryland.
Mr. Tunney with Mr. Feighan.
Mr. Yates with Mr. Farbstein.
Mr. Melcher with Mr. Ottinger.

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

Mr. HOLIFIELD. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks on H.R. 18679, the bill just passed, and include extraneous matter.

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

There was no objection.

ANNOUNCEMENT OF PROGRAM

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

Mr. MILLS. Mr. Speaker, I have been asked by the Speaker to advise the membership of the House that immediately upon the conclusion of House consideration of H.R. 19444, there will be considered a conference report on an appropriation bill.

The SPEAKER. By unanimous consent.

Mr. MILLS. By unanimous consent.

PROVIDING FOR GUARDS TO ACCOMPANY AIRCRAFT OPERATED BY U.S. AIR CARRIERS

Mr. MILLS. 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. 19444), to authorize for a temporary period the expenditure from the airport and airway trust fund of amounts for the training and salary and expenses of guards to accompany aircraft operated by U.S. air carriers, to raise revenue for such purpose, and to amend section 7275 of the Internal Revenue Code of 1954 with respect to airline tickets and advertising.

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

The motion was agreed to.

The SPEAKER. The Chair designates as Chairman of the Committee of the Whole the gentleman from Rhode Island, (Mr. ST GERMAIN), and requests that the gentleman from New York (Mr. ROONEY) temporarily assume the chair.

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. 19444, with Mr. ROONEY of New York (Chairman pro-tempore) 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 pro tempore. Under the rule, the gentleman from Arkansas (Mr. MILLS) will be recognized for 30 minutes, and the gentleman from Wisconsin (Mr. BYRNES) will be recognized for 30 minutes.

The Chair now recognizes the gentleman from Arkansas (Mr. MILLS).

Mr. MILLS. Mr. Chairman, I yield myself 5 minutes.

The CHAIRMAN. The gentleman from Arkansas is recognized.

Mr. MILLS. Mr. Chairman, H.R. 19444 is designed to authorize certain expenditures to be made from the Airport and Airway Trust Fund, and for certain revenues to be provided for that fund to compensate for the additional expenditures from that fund. The bill covers a very important subject matter, and is a matter with which I believe all of the Members of the House will be concerned.

In brief, the bill would authorize for a temporary period, actually a period beginning November 1, 1970, and extending through June 30, 1972, expenditures from the Airport and Airway Trust Fund of amounts required for the training, salaries, and expenses of guards to accompany aircraft operated by U.S. flag air carriers.

In order to finance the payments from the trust fund for this purpose, the bill provides for a temporary increase in the domestic airline ticket tax from 8 to 8.5 percent and a temporary increase in the international travel facilities tax from $3 to $5 per person departing the United States. Both of these increases would be temporary in nature covering only the period beginning November 1, 1970, and ending June 30, 1972.

This bill is in response to the increasing occurrence and the violent nature of aircraft hijacking and the mounting danger therefrom to the lives of airline passengers. In brief, the bill for a temporary period will raise the revenue and authorize expenditures from the Airport and Airway Trust Fund for the training, salaries, and the expenses of these aircraft guards.

Let me emphasize—so there will be no mistake about it—that the bill deals solely with providing revenue for payment of guards out of the trust fund. It does not by any means, nor is it intended to provide a greater authorization for the use of guards than is already provided under existing law. This is clearly set forth in the committee report. The bill deals only with the means of payment of these guards and the raising of revenue for that purpose. These are matters, of course, solely within the jurisdiction of the Committee on Ways and Means.

Mr. Chairman, this bill is a part of a seven-point program outlined by the President on September 11 to deal with the problem of air piracy. Other parts of the program include extension of the use of electronic surveillance equipment, development of other security measures, including new methods for detecting weapons and explosive devices, consultation with other governments concerning a full range of techniques to foil hijackers, promotion of a multilateral convention providing for extradition or punishment of hijackers, and the urging of a meeting of the U.N. Security Council to consider this vexing worldwide problem.

In line with the President's program, the Committee on Ways and Means believes that the Secretary of Transportation and other interested agencies should continue and accelerate their program of research on an emergency basis as to ways of protecting persons and property aboard aircraft, as well as the aircraft themselves. To implement this view, the committee has requested the Secretary of Transportation to conduct such an emergency program of research and to report back to the Congress his findings and recommendations, including ways of financing them, within 1 year of the date of enactment of this bill.

The committee also expects the Department of Transportation to see to it that as rapidly as possible detection equipment is installed and operated at all appropriate places, and that so far as possible this program is designed to meet not only the hijacking problem but other dangers to passengers and property as well. The Secretary of Transportation has indicated that positive action will be taken on these problems.

Mr. Chairman, the urgent need for an answer to the problem of air piracy was highlighted in testimony by the Secretary of Transportation in public hearings held last week in the Committee on Ways and Means. The statistics now show that during the 7 years, 1961 through 1967, there were only seven successful aircraft hijackings and five unsuccessful attempts to hijack U.S. aircraft; during 1968, there were 18 successful hijackings and four unsuccessful attempts; during 1969 there were 33 successful hijackings and seven unsuccessful attempts; and thus far this year there have been 16 successful hijackings and four unsuccessful attempts.

The recent hijackings in the Middle East leave no room in my mind for doubt that the personal safety of the passengers and crews is very much endangered today.

Mr. Chairman, while the longer run measures in the President's program are under consideration and development, this bill provides for temporary affirmative action designed to deter the despicable hijacking of airplanes and the endangering of the lives of innocent passengers. It is temporary in nature and it will provide time for the appropriate agencies to explore whether the payment for guards in this manner represents the best solution to this problem, or whether this program will continue for a longer period of time. The committee is convinced that it is essential that the bill be enacted into law at this time.

Mr. Chairman, the Secretary of Transportation indicated that the administration had submitted to the Senate Appropriations Committee a fiscal year 1971 budget amendment in the amount of $28 million to finance the guard program, with language making the funds available contingent upon the increased revenues provided in this bill. He stated that this amount would cover the costs of the guard program for the remainder of the current fiscal year, and that the $28 million would permit the hiring and training of approximately 2,500 guards—with this number to be reached as soon as possible.

It is estimated that the additional tax collections from the increased ticket taxes will be $29 million in fiscal 1971. I should point out here that the estimated additional collections is approximately the amount requested before the Senate Appropriations Committee by the administration. In fiscal 1972, collections from the increased ticket taxes are estimated to be $57.3 million. This is also near the amount of the projected cost of the guard program for the full fiscal 1972.

The committee believes that it is appropriate that the cost of the Government guards aboard the U.S.-flag air carriers should be paid for by those who use these transportation facilities. As noted in the committee report, this is comparable to situations where guards were used on transportation facilities in the past wherein the guards and the costs of the guards were customarily provided for directly by the carriers. As a result, the committee decided to finance the cost of training, salaries, and other expenses of these guards through the airport and airway trust fund, which in large part is a user-financed fund established by the Airport and Airway Revenue Act of 1970.

Mr. Chairman, the last part of this bill deals with a provision in the Airport and Airway Revenue Act of 1970. This relates to the requirement that the ticket and the advertising of fares show only the total of the basic air fare and the domestic ticket tax, and that the separate statement of the air fare and the tax on the ticket or in the advertising of fares is prohibited. Concern has been expressed that this previous legislation may have the effect of hiding the Federal ticket tax from the purchaser of the ticket.

I might note to my colleagues that the legislation did not prevent the statemen on the ticket or in advertising of fares that the total price included an 8-percent Federal excise tax, nor did the legislation prohibit any airline employee or ticket agent from directly informing the purchaser of a ticket the specific amount of the tax.

Mr. Chairman, the amendment in this bill clears up this misunderstanding; at the same time it maintains the basic intent of the initial legislation to insure a statement of the total cost to the air passenger. To achieve this, the bill continues to require the showing of the total price to be paid—including the tax—both on the ticket and in the advertising of air fares. However, the bill removes the prohibition against a separate statement of the basic fare and the ticket tax. Thus, the airlines and travel agents will be in a position to show on the airline ticket and in the advertising of fares both the amount of the fare excluding tax and the amount of the tax as long as the total of these two amounts to be paid by the purchaser is also shown.

I urge the approval of the bill.

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

Mr. MILLS. I am glad to yield to the gentleman from Missouri.

Mr. HALL. I appreciate the distinguished gentleman, the chairman of the Committee on Ways and Means, yielding.

Did I correctly understand the gentleman to say that no part of this tax will be hidden from the customer at the airlines?

Mr. MILLS. That is right. Under the provision of existing law they cannot write on the ticket anything except the total amount. We modify that provision, so that the airlines can write on the ticket, the fare plus the tax and come to a total figure.

Mr. HALL. This bill will go even further than making this new add-on tax for the trust fund available to the consumers. It will repeal that change which the other body hung onto the previous bill as a Christmas tree ornament.

Mr. MILLS. The gentleman is correct in stating that the bill removes the prohibition against stating the tax and the fare separately on the ticket and in the advertising.

Mr. HALL. Would there be anything in this bill or authorization that could be interpreted as the law, if it becomes law, as implemented by regulation, as paying the various airlines for the travel space occupied by these guards?

Mr. MILLS. No; but the Secretary of Transportation informed the committee that all of the airlines will provide space on the plane for the guards free of any charge. Of course, in addition they will be provided with their meals while on the planes free of any charge. The Air Transport Association informed the committee that they want these air guards on these planes.

Mr. HALL. I certainly should think it would be to their advantage, rather than to have their planes wantonly blown up in some desert airport.

Mr. MILLS. My friend from Missouri probably knows that the airlines do not like this idea, of course, of this cost of the guards being paid for out of the Airport and Airway Trust Fund through this additional tax. They would prefer, of course, as everybody else prefers, that everything be paid for out of the already heavily encumbered general fund. We are already providing some money available for airports and airway safety from the general fund, in addition to what is collected and deposited into this trust fund. It looks like the claims against the general fund will build up if we are not careful.

Mr. HALL. I will say to the chairman of the committee, as one of the heavy users of airlines, I am willing to pay for this, and I believe they should be.

I hope the Judiciary Committee will back up this protection and that the necessary committees—if, indeed, it is not under this committee—will see to it that there is additional backing with respect to findings and arrests they make, in addition to the protection they provide; and, finally, I hope they will not be prosecuted, as some of our soldiers and marines are being prosecuted when they execute the laws.

Mr. MILLS. I know my friend from Missouri will be interested in the point made by the Department of Transportation, either by the Secretary or by Mr. Shaffer of the FAA, when it was stated that for the average ticket—and this is just the average—the tax would be increased by only 21 cents as a result of this additional one-half of 1 percent tax.

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

Mr. MILLS. I am glad to yield to my colleague on the committee.

Mr. VANIK. I would appreciate it if our distinguished chairman would tell the Committee about the effect of the increase in the tax to 8½ percent, on the increased fare structure that was recently authorized by the CAB permitting the rounding off of fares.

Mr. MILLS. Yes.

Mr. VANIK. Will this result in an increased fare schedule?

Mr. MILLS. In many instances it will not result in an increase in the total amount paid. Whenever they rounded off to the nearest dollar in the past, they may for example have gained a fare increase of 50 cents. If the new tax results in a 25-cent increase it is my understanding that they will still round to the same next highest dollar under that new scheduling of fares. As a result there would not be any increase in that particular ticket, if the amount of the additional tax were only 25 cents, or even if it were 40 cents.

Mr. VANIK. It would be considered within the original rounding off?

Mr. MILLS. That is my understanding, although, of course, how fares are worked out is a matter for the CAB and not a matter to be dealt with in tax legislation.

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

Mr. MILLS. Mr. Chairman, I yield myself 2 additional minutes.

Mr. MACDONALD of Massachusetts. Mr. Chairman, will the gentleman yield?

Mr. MILLS. I yield to the gentleman from Massachusetts.

Mr. MACDONALD of Massachusetts. I want to compliment the gentleman for taking some action in this very dangerous field. I was wondering if the gentleman could explain whether or not the pilots association or the airlines testified on having these guards.

Mr. MILLS. The pilots did not appear before the committee, but the Air Transport Association representative did appear. He was strongly in favor of these air guards. He differed with the recommendation of the Secretary of Transportation in that he wanted the cost of it to be paid out of the general fund of the Treasury and not out of the trust fund. He did not want the ticket tax to be increased to 8½ percent. However, the association was in agreement that this was a wise step to put these guards on these planes.

Mr. MACDONALD of Massachusetts. As the gentleman knows, I am a member of the Committee on Interstate and Foreign Commerce, which has jurisdiction over aeronautics matters. I have received a good deal of mail and I am sure other members of the committee have, also, from pilots and airlines suggesting that this may be an even more dangerous practice than not having guards. They are very troubled about the fact that bullets may be flying around these pressurized aircraft. While, of course, nobody questions the gentleman's authority or the authority of his committee to raise the taxes, my question, sir, is this: Is it necessary to protect the public or, when this scheme or this plan goes into effect, can you assure the committee that this will indeed improve the safety aspects of the traveling public with respect to conditions existing during a hijacking?

Mr. MILLS. My friend from Massachusetts knows that I would always be reluctant to give any assurance that I could not back up myself. The Secretary of Transportation told our committee that the mere fact that it was known publicly that guards would be on planes—whether or not there happened to be a guard on a particular plane was immaterial—it would have a deterrent effect to anyone taking out a pistol and trying to get to the pilot to get him to take him to Cuba or somewhere else. I have been told that if nothing better could be done, this guard then would be expected to disarm this hijacker to keep him from taking the passengers to some other destination. However, I could not give the gentleman that assurance.

Let me also point out on this entire subject matter that whether there will be guards on these planes is a matter in the jurisdiction of the gentleman's committee. The Secretary of Transportation says that in existing law there is authority to use guards. Those guards are presently on these planes. The only question remaining is how shall they be paid. The Committee on Ways and Means felt that they should be paid from the trust fund and that the trust fund should not be depleted by $57 million a year, a full year's cost of operation, in view of the needs that already exist for other aspects of air safety. We should make additional money available to the trust fund, we felt, if the cost of guards was to be paid out of the trust fund. That is why we imposed this tax. The airlines, let me make it clear, wanted it to come out of the general fund, but that would have been a draw of $57 million on the general fund. You and I know that the general fund does not have a surplus to meet this additional expense.

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

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

Mr. KAZEN. Mr. Chairman, how much money is it anticipated that this act will raise?

Mr. MILLS. About $57 million on a full-year basis. Almost the identical amount is the estimate of the cost, for a full year, to train and to pay the salaries and expenses of these guards that they put on the planes. They already have the guards on the planes. They have a request before the Committee on Appropriations of the other body for $28 million to pay for the salaries and expenses of these guards for the remainder of this fiscal year.

Mr. KAZEN. That is for the remainder of this year?

Mr. MILLS. Yes.

Mr. KAZEN. Mr. Chairman, if the gentleman will yield further, this is not in conflict with this tax that you are proposing here?

Mr. MILLS. No; there is no conflict. The Committee on Appropriations must appropriate money for the guards before any amount may be paid out of the trust fund, in addition to the action taken in this bill. The additional one-half of 1 percent provided by this bill merely goes into the trust fund, as does the 8 percent.

Mr. KAZEN. What will keep them from using the other funds?

Mr. MILLS. If necessary, they could use some of the other Airport and Airway Trust Fund moneys, or they can use less than the $57 million of additional revenue developed here. If they do, during this period of time, that excess money from the one-half percent would be used for the purposes of airport construction or airway operation and safety for which we provided funds in the Airport and Airway Revenue Act of 1970.

Mr. KAZEN. Suppose the one-half of 1 percent is not enough?

Mr. MILLS. Then they can use some of the revenues derived from the basic 8 percent or the other taxes going into the fund. They are not by this bill limited to the revenues from the one-half of 1 percent. They do not have to use

this new revenue for this specific purpose. The new revenue goes into the fund, and the Committees on Appropriations have to pass upon how much revenue in the fund will be used to pay the expenses of guards.

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

Mr. MILLS. I yield to the gentleman from Indiana.

Mr. JACOBS. It seems to me that I saw something in the press about the President saying that present military personnel on active duty in Europe might be trained to assume these positions.

Mr. MILLS. Yes; upon release from active duty, I believe is what he said.

Mr. JACOBS. Mr. Chairman, if the gentleman will yield further, the matter that occurs to me is that it seems that between $12 and $14 billion a year is being spent for these security personnel in Europe and yet the first time we really have a specific security problem we have to go out and hire someone else.

Mr. MILLS. There are about 400, if I remember correctly what the Secretary said in his testimony before the committee, about 400 persons already in Government that they are drawing on right now to serve on these planes. They, perhaps, will have to make some reimbursement to the agency that actually employs them. However, I do not know about that. However, they plan to employ some 2,500 people. They will have quite a problem in selecting people with the proper temperament and providing them with the proper training because as I understand it the guarding of human life on these planes is no easy matter.

Mr. JACOBS. Mr. Chairman, if the gentleman will yield further, I think the point is well made by the Chairman. However, the only thing that occurs to me is this: Here we are spending between $70 billion and $90 billion for security in the United States when at the same time a Mig landed down in Florida a year or so ago. It would seem to me that out of the 300,000 military personnel, it is indicated that 2,000 cannot be selected who would have this type of training with which to do this particular job.

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

Mr. MILLS. I yield to the gentleman from Illinois.

Mr. PUCINSKI. In the event we work out some international treaties with reference to the hijacking of these planes and it becomes unnecessary to use these marshals, what will happen to the unused funds?

Mr. MILLS. If that happens prior to the end of June 1972, there is no reason why Congress cannot repeal this new tax. The tax would not go on beyond July 1, 1972, anyway.

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

Mr. MILLS. I yield to the gentleman.

Mr. HUTCHINSON. I am sure that the gentleman is of course aware of the fact that there has been a lot of correspondence coming into the Members' offices relative to the fact that in the present law we did not provide for a separate listing of the tax.

Mr. MILLS. We are doing that in this bill.

Mr. HUTCHINSON. I just wanted to inquire about it.

Mr. MILLS. We are doing that in this bill. We repeal that provision that we enacted earlier.

Mr. Chairman, I yield 5 minutes to the gentleman from California (Mr. Moss).

Mr. MOSS. Mr. Chairman, this is a most unusual piece of legislation. It is a precedent-setting one in every respect. It is the first time to my knowledge that this great Nation has decided to tax the users to force them to pay for protection against piracy in international commerce. We are going to do this by levying $155 million of new taxes upon the users.

Mr. MILLS. Mr. Chairman, if the gentleman will yield, it will be $57 million.

Mr. MOSS. I have the figure of $155 million from the counsel of the Commerce Committee, over a 3-year period.

Mr. MILLS. $57 million per year for the first year.

Mr. MOSS. It is $57 million a year?

Mr. MILLS. Yes.

Mr. MOSS. And it is to continue for 2 years?

Mr. MILLS. Twenty months.

Mr. MOSS. The fact is this: That you are going to go from 8 percent a ticket to 8.5 percent, and that is an increase of about 6 or 7 percent immediately following an increase from 5 percent to the 8 percent. And for international passengers we started out with no head tax, and under the Airport and Airway Act we imposed a $3 head tax, and now it is going to be increased to $5, or an increase of 66⅔ percent.

And we are going to increase the number of guards from 20 to somewhere between 2,000 or 2,500, with undefined duties, without any hearing record showing whether or not it is the concensus of the best informed in the industry whether having these armed guards aboard these large planes might not provoke a greater danger to the passengers than it would prevent.

I do not know how well they are going to be trained, but I know that firing a shell into a vital system of these very complex aircraft could bring it to the ground far more rapidly than a hijacker.

I think that my views are concurred in by some pretty good experts. This bill is opposed by the Civil Aeronautics Board; it is opposed by the Air Transport Association, and it is specifically opposed by Pan-Am and TWA, two of the largest international carriers carrying the American flag into world commerce. They are not opposing it because of a conviction it would give greater security, and they are not opposing it because they want in any way to impair the security, they oppose it on two principles. I think the important principle is the one of the precedent of taxing American users to protect them from international piracy.

This Nation has always been able to carry that burden before. If this is a legitimate charge on the airway users trust fund, then why should we not impose a charge on the highway users trust fund and put special guards on trucks, because the hijacking of trucks in this Nation is reaching alarming proportions.

The value of commodities hijacked in commerce in this Nation every day is astronomical, it is running into the hundreds of millions of dollars every year, and are we going to look to this precedent now in the future? We should also look at this Federal bureaucracy and how it has the habit of sustaining itself forever, once given the seed to start.

What are we going to do in 1972 with the 2,000 or 2,500 specially trained guards working for the Federal Aviation Administration and, I assume, having acquired some standing as employees of that agency? What are we going to do with them? Cut them off suddenly on the 30th day of June and send them home? Or are we not going to have some more pressure to continue the tax and to continue the guards, again without one day's hearings as to what we really intend.

The chairman of the Committee on Ways and Means, a very distinguished Member of this House, is technically very correct when he said that the jurisdiction is with the Committee on Interstate and Foreign Commerce and that they have not in the Committee on Ways and Means impinged upon that jurisdiction.

But the fact is that the practical effect of this legislation is to expand the authority under the airport modernization act the purposes for which revenue raised in connection with it can be expended. We never had contemplated for one moment during the hearings on the authorization of that program the possibility of assessing charges for guards on commercial aircraft. To that extent this is an expansion, and a significant expansion. The committee the other day by a unanimous vote, as I recall it, voted to voice its objections to this method of bringing into being an agency or an expansion of an agency.

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

Mr. MOSS. I am pleased to yield to the gentleman.

Mr. MILLS. I would call to the gentleman's attention the fact, and I know he knows this, that if you do not want guards on these planes then all in the world you have to do is to report legislation from your committee saying that they cannot be used. You have complete jurisdiction—and if the House goes along with it—that is the end of it.

Mr. MOSS. You can have guards on these planes under the same authority that will exist if you enact this. The only difference will be that you will not be assessing the users and you will be having the Government of the United States assuming its historical role of protecting those in commerce without leveying a charge upon the users.

It in no way impairs the authority of the Government to put guards on board. If they have the authority now, they have it whether or not the bill is passed. The difference is, who pays for it, and what principles do you put into law?

Mr. MILLS. Mr. Chairman, I yield 3 minutes to the gentleman from Texas (Mr. ECKHARDT).

Mr. ECKHARDT. Mr. Chairman, I

wish to point out here that the statement of the gentleman from Massachusetts and the gentleman from California illustrates clearly that the question here is a question of substance with respect to airplanes and with respect to the control of them.

The dangers that the gentleman from Massachusetts raised are real dangers. We heard these matters for about a week on this question alone in our committee. At that time there was no recommendation for guards.

Now I recognize that other facts have occurred and I am in no sense condemning the Committee on Ways and Means for doing something as a short-term emergency measure.

But if this is the committee's intent, they need not recommend anything further than the first paragraph of the bill, which would permit the use of the airport and airway trust funds. The fund has just been established. It can be dipped into. It is true, of course, that it has to be fed by the general fund at the present time.

But it would stand behind and insure ultimate repayment of withdrawals from the general fund to meet an immediate emergency. There was no need for the Ways and Means Committee to establish a tax for 20 months at this time.

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

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

Mr. MOSS. Is not there a very important question as to liability? Who is liable in the event of a shooting up between these guards and hijackers?

Mr. ECKHARDT. It is very difficult to answer that question without exploring it in a hearing, but serious problems can be envisioned. Suppose, for instance, the pilot who is like the captain of the ship, tells the stewardess to go back and tell the U.S. marshal to subdue the hijacker. In the firing that ensues a fuel line is pierced which later requires the ship to make a forced landing causing injury to a great number of passengers. If this scenario had occurred in a situation in which all persons involved were employees of the airline, there might be a very real question of whether or not the negligence of the employees of the airline was the cause of ditching and subsequent injury of the passengers. But in this instance, the captain may not have been negligent because he acted reasonably in directing that the hijacker be subdued. It was the method used in subduing him that resulted in crippling the ship. But the marshal may not have been negligent either, because he was not aware that the shooting under the circumstances would cripple the plane. If all persons involved were employees of the airline, the airline might be held to the standard, as the principal, of prudent conduct performed by persons reasonably knowledgeable as to the technicalities and dangers involved in firing the pistol in a way that would not cripple the aircraft.

But you see, this raises the same kind of different questions that the distinguished gentleman from Massachusetts raised: For instance, the question of whether or not the presence of an armed guard increases or decreases risks to the passengers and crew. These are the kinds of questions we considered when we explored this problem of airline hijacking in our committee for about a week. At that time it was thought that a policy of coolness and restraint was the one most likely not to endanger lives; and experience supports this conclusion, because I do not believe any hijacking involving an American carrier has resulted in a single fatality to a passenger or a crewmember to date.

I understand that these questions may need to be reopened in view of the action of the Palestinian guerrillas but there are difficult questions involved that need to be explored.

Now, in the meantime, it would be perfectly proper for the President to do what he feels necessary to protect the public against subversion and violence. But it is urged by the distinguished chairman of the Ways and Means Committee and the distinguished minority member of that committee that the committee has not authorized any activity which the President cannot now do. The Ways and Means Committee may have been justified in going to the extent of simply releasing money from the airport and airway trust fund to get a short-term program started, but it acted wrongly in establishing a tax to be in effect for 20 months which more or less sets the stage for a permanent policy respecting airline safety.

Such policy is within the jurisdiction of the Interstate and Foreign Commerce Committee. If it is established, it is up to Ways and Means to determine whether or not a tax should be enacted. I do not think that these delicate questions should be decided in the atmosphere of panic after a 1-day hearing by the Ways and Means Committee. That committee has not technically invaded the jurisdiction of the Commerce Committee, but it has gone further than it should have gone in creating a sort of fait accompli respecting a wholly administrative policy decision designed to run for a considerable period of time.

Action of this kind by the executive department and by Congress is frequently a knee-jerk response to matters prominently in the news that should not be crystallized in congressional policy without having been more fully examined by the appropriate committee after adequate hearings.

The complaint that I am making at this time is that the Ways and Means Commitee has not done the minimum that needs to be done in the emergency, but has in fact acted in a way so that a decision is made which extensively entrenches on the jurisdiction of the Committee on Interstate and Foreign Commerce.

Mr. MILLS. Mr. Chairman, I yield 2 minutes to the gentleman from Ohio (Mr. VANIK) a member of the committee.

Mr. VANIK. Mr. Chairman, I support the bill. I supported it in the committee.

I want to take this time to call to the attention of the House to a matter that affects this whole subject in a related manner. Under emergency powers in the law, without asking anybody, without any action on the part of this Congress, the Department of Transportation committed the U.S. Government to $3.1 billion of coverage on aircraft involved in intercontinental travel. The liability is not yet complete. It could go as high as $10 billion. This is a contingent liability of the Federal Government which falls upon the shoulders of every taxpayer of this country.

I think we ought to be aware of the ease with which a stroke of the pen in the Department of Transportation or in the administration can commit this country to an insurance program that was never discussed in a committee of the Congress or never discussed in the Congress itself. Something must be done about these emergency powers which are used to put the Federal Government into the insurance business.

In this instance it may be necessary and right, but if the Government is going to be an insurer of last resort, what about the man whose house in the central part of the city is uninsurable?

If we are going to be insurers of last resort, I think we ought to think about someone other than the owners of aircraft, which in considerable part are the bankers of America, who own the mortgages on the aircraft. This aircraft insurance program to a good extent constitutes Government insurance on bank loans.

If we are going into the insurance business, the Congress ought to have a discussion of the question. The committees ought to go into the matter, and I think it is high time that we remove the emergency powers under which the administration insures intercontinental aircraft and under which it attempted to provide almost a billion dollars of coverage on Penn Central bank loans.

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

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

Mr. GROSS. Where does the power originate?

Mr. VANIK. In the emergency powers of the President.

Mr. MILLS. Mr. Chairman, I yield 1 minute to the gentleman from Florida (Mr. BENNETT).

Mr. BENNETT. Mr. Chairman, this is an emergency matter. It seems to me the committee has made it clear that it is an emergency matter. I hope the Interstate and Foreign Commerce Committee will bring out a comprehensive bill in the future. I want to congratulate the committee.

Mr. Chairman, I am pleased that the Ways and Means Committee has taken such prompt action in providing ways to fund the costs of having armed guards on commercial aircraft. I support this bill and I sincerely hope that the House Interstate and Foreign Commerce Committee will hold hearings in the near future on additional ways to prevent aircraft hijackings. I support an amendment to the administration proposal which falls under the jurisdiction of the

House Interstate and Foreign Commerce Committee, which would require the Secretary of Transportation to conduct an emergency program of research and development on ways to protect aircraft and persons and property aboard, and shall within 6 months from the enactment of this measure, report to Congress his findings and recommendations. The Secretary of Transportation may, in case of his finding of specific need and emergency, grant to any airline, upon application therefrom, up to 90 percent of the cost of any structural modification of aircraft that may be needed to accomplish the protections herein sought. The thrust of my amendment was endorsed by the Ways and Means Committee in the report on the legislation we are now considering.

I feel strongly that Congress should not only be concerned with what is to be done after an aircraft hijacking takes place, but more importantly, to aid in preventing air piracy from occurring in the first place.

Mr. MILLS. Mr. Chairman, if I have any time remaining, I yield it to the gentleman from California (Mr. VAN DEERLIN).

Mr. VAN DEERLIN. Mr. Chairman, I rise in opposition. This bill, in essence, would require that airline passengers pay a special tax in order to obtain the protection of their Government.

Recent events have dramatically demonstrated the need for armed guards on our commercial airliners. I certainly do not quarrel with the basic wisdom of the plan to hire and train about 2,500 of these guards during the current fiscal year.

But, I can and do take issue with the mechanism proposed by H.R. 19444 for financing this protection: an increase in the domestic air passenger ticket tax from 8 to 8.5 percent, plus $2 boost in the international travel facilities tax.

Enactment of this plan would represent a drastic break in our national tradition of a concerned Government giving—and I emphasize the "giving"—protection to any of our citizens with a legitimate need for it.

One glowing example: For years, the U.S. Coast Guard has diligently protected lives and property at sea—but no one has ever seriously suggested that a beleagued fisherman pulled from the water should pay for this help.

The costs of such assistance has always been assumed to be covered by our regular taxes. Adding a surtax, as H.R. 19444 would do, amounts to double taxation. The costs of the guards should be assessed against general funds, as has always been the case when endangered citizens turn to their Government for protection.

Mr. BYRNES of Wisconsin. Mr. Chairman, I yield myself 5 minutes.

Mr. Chairman, the gentlemen who were questioning this bill raised three points: First, there is the question of whether the Ways and Means Committee is usurping the jurisdiction of some other committee; second, there is a question of who will pay the cost—and somebody has to pay it—of the guards being put on the planes; and third, there is the question whether we are creating a precedent in financing these guards through a user tax.

In commenting on those three questioning, I will not comment on the remarks of the gentleman from Ohio (Mr. VANIK) because the subject he raised has nothing to do with this particular legislation. I think the gentleman made that point clear, but let me emphasize it to avoid confusion, because if we acted in that area, we would certainly be usurping the jurisdiction of the Committee on Banking and Currency, which was responsible for the original act under which the Department of Transportation was authorized to set up an insurance fund of this kind.

First, Mr. Chairman, in the matter of jurisdiction, this bill does not say that there shall be guards on planes or that there shall not be guards on planes. There is nothing in this legislation which affects that issue one way or the other. We are advised that present law authorizes the placing of guards on planes, and in fact, we have guards on some planes today.

If the Committee on Interstate and Foreign Commerce, or any other committee, feels it has jurisdiction in the area and objects to having guards on planes, all it would have to do would be to report in legislation saying so.

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

Mr. BYRNES of Wisconsin. I yield to the gentleman from Texas.

Mr. ECKHARDT. Mr. Chairman, I thank the gentleman for yielding. I rise simply to be sure I understand the gentleman's statement that this bill authorizes or legalizes nothing which is not authorized or legalized today, and it does so neither directly nor indirectly. There is, for instance, a list on page 2 of the report, under "Reasons for the Bill," listing a seven-point program to deal with the problem of piracy. Then there is a specific outline of what the President intends to do, which is set forth, and there is reference to a number of specific activities.

Do I understand that if these activities are now legal, this bill only makes money available? If any of these activities or all of them are not legal, this bill does not by implication make them legal. Is that correct?

Mr. BYRNES of Wisconsin. That is my understanding, because all the gentleman need do is take up the bill itself and read what it says:

> Amounts in the Trust Fund shall also be available, as provided by appropriation Acts, to pay those obligations of the United States incurred before July 1, 1972, for the training, salaries, and other expenses of guards having the same powers as United States marshals to accompany aircraft operated by air carriers which are United States citizens.

We do not say that this authorizes the employment of guards. We say if there are to be guards under some other authority, this is the way the guards shall be paid. That is what we have done in this bill.

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

Mr. BYRNES of Wisconsin. I yield to the gentleman from Texas.

Mr. ECKHARDT. Mr. Chairman, will the gentleman yield to the chairman of the committee to respond to this question?

Mr. BYRNES of Wisconsin. I yield to the gentleman from Arkansas.

Mr. MILLS. Mr. Chairman, I join myself with the remarks of the gentleman from Wisconsin in responding.

On page 1 of the report, down toward the bottom of the page, before the last full sentence, if the gentleman will look, he will see these words, "and in no way changes the existing authority to provide these guards."

Then, over on page 3 of the report, at the bottom of the page, beginning with the last paragraph, is this language:

> This bill, however, deals only with providing revenue for payment of guards and authorization for such payments out of the Airport and Airway Trust Fund. It does not, and is not intended to, provide a greater authorization for the use of guards than is already provided under existing law. It deals only with the payment of these guards and the raising of revenue.

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

Mr. BYRNES of Wisconsin. Mr. Chairman, I yield myself 5 additional minutes.

Mr. MILLS. Thus I want to answer the gentleman's question in the affirmative; "Yes."

Mr. ECKHARDT. Mr. Chairman, will the gentlemen yield?

Mr. BYRNES of Wisconsin. I yield further to the gentleman from Texas.

Mr. ECKHARDT. I thank the gentleman. Therefore, I understand this does not by implication recognize the existence of a pirate.

Mr. BYRNES of Wisconsin. We are not taking any position on that at all, because it is not in our jurisdiction. That is in the jurisdiction of the Committee on Interstate and Foreign Commerce as it relates to airplanes, at least, and probably as to railroads.

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

Mr. BYRNES of Wisconsin. I yield further.

Mr. MILLS. The Secretary of Transportation made it quite clear in our committee that he needed no additional authority to employ guards; that he was already employing guards under existing authority given him by legislation coming from the gentleman's committee.

Mr. BYRNES of Wisconsin. That is the whole underlying presumption of the form of this legislation as it is here before us.

Now we come to the second question, concerning who is going to pay the cost of providing these guards? I believe it is the hope of every member of the Ways and Means Committee, and the hope of every Member of Congress, that a better system, a more certain system, can be developed to provide protection against hijacking and other acts which adversely affect the proper rendering of airline service today. We have specifically asked the Secretary of the Department of Transportation to focus, in a most intensive way, on this problem, with the aim of developing new techniques.

We know, however, that this cannot be accomplished in only a week or two. Spe-

cific action on the problem is required now while our efforts are proceeding in all of these areas. We make it clear in the bill that this provision to pay for the guards is not permanent. It will expire in 20 months. At that time the financing provided in this bill would expire. Concurrent with this expiration we can take a careful look at the situation.

But, who is going to pay the cost of this protection in the meantime? I am reminded of the old stage coach "shotgun rider" in the frontier days. There is no record that Uncle Sam ever paid for that shotgun rider, yet I suppose he had to be there to protect the passengers, the mail, and the freight. However, it was the stage coach company that paid for the protection.

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

Mr. BYRNES of Wisconsin. I yield to the gentleman.

Mr. MOSS. Is there any record that Uncle Sam ever ordered the collection of a special tax to pay for those guards riding on the old stage coach?

Mr. BYRNES of Wisconsin. We did not have to, because it was not a charge against Uncle Sam. The party who had to pay was the one rendering the service. Of course it was passed on to the customer. There is no question about that.

But admittedly, we do not have many precedents to guide us in this area. There are most unusual circumstances we have today. There is no question about that.

The CHAIRMAN. The time of the gentleman has expired.

Mr. BYRNES of Wisconsin. Mr. Chairman, I yield myself 5 additional minutes.

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

Mr. BYRNES of Wisconsin. Surely; I yield to the gentleman.

Mr. HALEY. I would like to tell the gentleman this: We have had these hijackings going on for approximately 3 years now, and I am very happy that some committee of the Congress has come up and tried to do something to stop this terrible situation.

Mr. BYRNES of Wisconsin. I thank the gentleman.

The question now is who pays for this protection. Why should the cost of providing this additional safety not be imposed on the user, just as many other safety measures that we provided for in the Airport and Airway Development Act of 1970. That is all that is suggested here.

While this program is in effect for the next 20 months it would require an increase of one-half of 1 percent in the domestic passenger tax, which now stands at 8 percent, and a $2 increase in the overseas tax, which is now $3.

Should we let the general fund pay for these costs? In the next fiscal year the general fund will already be tapped for nearly $500 million for airway and airport development. Are we going to put another burden on the general fund, when we know it is in no condition to stand the strain?

The general fund really should be relieved of burdens, instead of having new ones added. So, knowing this, we have provided this special tax. It is simply a question of who pays for the protection.

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

Mr. BYRNES of Wisconsin. I yield to the gentleman from Texas.

Mr. ECKHARDT. I would like to ask a clarifying question.

As I understand it, the captain is in command of the plane as a captain is in command of a ship. If the guard is an employee of the United States but the captain is in direction of the plane and the captain is his principal, if the guard acts negligently, does an action rest against the airline, or is the guard and the airline isolated from recovery because of the sovereignty of the United States?

Mr. BYRNES of Wisconsin. We do not establish any change in liability by this particular bill. We did determine that the captain of the plane will be the one who is in charge of the plane.

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

Mr. BYRNES of Wisconsin. I yield to the gentleman from Arkansas.

Mr. MILLS. This guard will have the status of a U.S. marshal. That means he is there for the purpose of maintaining law and order on this aircraft. He is in charge of the maintenance of law and order. In the instance that you talked about, under the provisions of existing law, as I understand the provisions, this person is acting as the agent not of the airlines but as the agent of the Federal Government. Any negligence on his part I would not think would subject the airlines to any prosecution, but the Federal Government might well be prosecuted.

Mr. BYRNES of Wisconsin. I think that was brought out in the hearings.

Mr. MILLS. It was.

Mr. BYRNES of Wisconsin. It is a general recognition of the fact that if the marshal were negligent, the individual would have recourse under the Federal Tort Claims Act against the Federal Government to the same extent as when damages are inflicted through the negligence of other Federal law-enforcement officers.

Now let me call your attention to the fact that we do have situations in this country where people render certain services which they feel calls for special protection. Many hotels, for example, hire house detectives. Many industrial plants feel they need special protection. We do not furnish them with special police protection. They have to hire it themselves, as do stores which have unusual problems with looting.

Generally, in a specific emergency, the local police force moves in to give people the protection they need. But there has never been, as I understand it, any precedent for the Federal Government to be responsible for providing special police protection on a continuing basis against risks that arise in the conduct of a given business. I think we have to bear this in mind with reference to the question of paying for protection against hijacking.

Surely, there is a legitimate question as to what is the best procedure to follow. But the majority of your committee—and in fact, all of the members present when the bill was reported out—believe that this was the appropriate way to do it.

So, we bring this bill to you on that basis. We do not bring it to you, however, with the idea of creating a precedent, about which some Members have expressed concern. On this point, Mr. Chairman, let me refer the Members of the Committee of the Whole House on the State of the Union to our committee report where we try to make this point amply clear by saying:

> Your committee does not believe that it is appropriate to view this temporary provision for charging for protection provided under emergency circumstances as a precedent for extending this to other areas.

Therefore, it is certainly understood by the committee, and I would hope it is understood by the membership of this House, that this is not in any way intended as the establishment of a precedent.

I trust, Mr. Chairman, that this bill will be approved by the House. I think it is a necessary action in a very serious emergency that we face.

Mr. Chairman, I yield back the balance of my time.

Mr. SCHMITZ. Mr. Chairman, while I thoroughly approve of the policy of placing armed guards in passenger airliners, proposed by President Nixon immediately after the recent concerted series of hijackings by Middle East revolutionaries and now embodied in legislation, I do not believe that we should require American passengers on American airlines to pay extra for the basic protection of life and limb which any American Government should provide for them by right. We do not ask the property owner to pay extra for police protection of his particular piece of property, nor do we ask the automobile driver to pay extra for the service of the highway patrol. Neither should we levy a tax on air travelers and an additional charge for their particular protection against violent crime. This cost, like basic law enforcement costs everywhere, should be borne equally by all taxpayers.

In keeping with my commitment to the voters who elected me, that I would never vote for an overall tax increase except in case of a war declared by Congress, I could not vote for this measure. However, I want to reiterate my conviction that armed guards on passenger airliners are urgently needed, to make it very clear to all prospective air hijackers that at long last we are taking firm action to halt their depredations.

Mr. MONAGAN. Mr. Chairman, international air piracy presents an immediate danger to the safety of domestic and international air travelers and I support H.R. 19444 to fund the training of guards to accompany aircraft operated by U.S. air carriers.

Earlier this month the world was shocked by several aircraft hijackings perpetrated by irresponsible and reckless combinations which proceeded to utilize innocent men, women, and children, as

well as the aircraft, as pawns to further their own political ends.

The four recent hijackings dramatically underscore the extreme vulnerability of air traffic to lawless individuals and groups and have created a heightened urgency for protective legislation.

Several months ago in the wake of an armed attack upon a commercial aircraft, I introduced House Congressional Resolution 534, urging the President to determine and undertake appropriate action to stop armed attacks upon aircraft in international air travel, and the Foreign Affairs Committee of which I am a member is presently holding hearings on that bill. That bill by directing the President to seek stronger international agreements governing air piracy, is a good adjunct to the bill we are considering today, and I am hopeful that the House will have an opportunity to act on the measure in this Congress.

The bill we are considering today provides funds for implementing the most urgent parts of the President's September 11 seven point proposal to deal with the problem of air piracy and I am happy to support the President's efforts to provide air travelers with this needed protection.

The bill enacts the administration's recommendation of raising revenues to finance the guard program by temporarily increasing the 8-percent excise tax on domestic air tickets to 8.5 percent and increasing from $3 to $5 the tax on international travel facilities. The question of financing the cost of the protection and detection program arose in hearings now underway in the Foreign Affairs Committee and in the course of the hearings, I pointed out that the costs for this service should be provided by international air travelers and should not come out of the general revenues of the Treasury. The new protections to be provided to international travelers and air carriers are tailored to their specific needs and I am pleased to note that the expenditures authorized by this bill will come out of the airport and airways trust fund as I suggested.

This measure is necessary and urgent, and I urge my colleagues to join me in voting for passage.

Mr. RARICK. Mr. Chairman, I certainly favor every action that can be taken to prevent hijacking of our aircraft and endangering the lives of the passengers. However, this bill, H.R. 19444 does nothing but raise taxes.

It seems to be the pattern of our time—that we allow the criminals to run rampant until the people at home demand action out of utter exasperation and then rather than utilize the existing police facilities, laws, and protection, we in Congress are called upon to solve the problem by raising taxes and adding an additional increment to the ever-increasing Federal police force.

I feel that had stringent measures been immediately applied, we would not now be calling for additional taxes.

We have ample criminal laws presently on the books which would deter kidnapping and hijacking, but we have never sufficiently enforced them but have permitted the offenders to become almost immune to punishment. We now find ourselves in such a position that out of desperation our Government is again asking the people for more money to hire a larger Federal police force.

With the exorbitant taxes my people are already paying and with the number of U.S. marshals and Justice Department employees swarming all over our southern schools to enforce racial balance, certainly those in leadership could find sufficient funds and manpower without penalizing the innocent air travelers' pocketbooks.

Although our southern classrooms quite frequently have guards the President has not suggested that the parents of schoolchildren pay the guards' salaries to protect children from violence.

A question of command is also presented by the placing of Federal guards having the same powers as U.S. marshals on commercial airliners. Who will be in command, the pilot or the U.S. marshal in cases of emergency? What will happen when their commands overlap?

Mr. Chairman, I regret that I must cast my people's vote against H.R. 19444.

Mr. RANDALL. Mr. Chairman, I oppose H.R. 19444, the armed guard tax bill, which provides for the further increase from 8 to 8½ percent in domestic airline ticket tax and the increase in the new international passenger tax from $3 to $5.

It should go without saying I am against hijacking and skyjacking as well as any other form of piracy wherever and whenever it may occur, whether in the air, on the ground, or on the seas. I have a long and consistent record for fighting crime of every kind. It is a matter of pride that I am the author of a discharge petition which some believe has prompted our judiciary committee to mark up and to report out the organized crime bill passed by the other body earlier this year, and which hopefully, will be passed by the House before we adjourn.

To conclude that any Member who opposes a bill that puts a special tax on a selected group to pay taxes for protection which should be given by their Government or by the carrier are therefore somehow in favor of hijacking, is absurd and ridiculous.

Never before in our history has there been a charge against users to provide law enforcement to protect our citizens against acts of international piracy. We have had to fight international piracy since the time of Thomas Jefferson, but there has never before been a request for a special tax to protect American citizens. In the days of President Jefferson the attacks was against our ocean shipping. Today, it is an attack against U.S. aircraft. Because of the current Mideast crisis our airplanes are an easy target. Yet it remains an indisputable fact there is no difference between paying Government personnel who defend attacks against United States flag aircraft and paying members of the FBI or any other U.S. law enforcement agents to protect and then to punish similar offenses against travel by rail, bus or ship.

What we are doing today by this special tax is very much like assessing a separate tax against a community because it happens to be the temporary scene of disorders which requires the National Guard to be called into town to restore order.

Along with everyone else, when the announcement was made, I applauded the placing of guards on U.S. air carriers. But I am against any further increase in taxes, and particularly a tax increase of this size, when the guards should be paid either by the airlines themselves or paid for out of general revenue.

To recapitulate, I am as much against hijacking as anyone in the Congress or any of our people outside of Congress. Yet, the best way to prevent skyjacking is to make a thorough and complete search of every one who gets on a plane. No one is compelled to travel by air. Air travel is not a right but a privilege. If air passengers refuse to submit to a thorough search, they can go by bus or by rail or by ship. Or not go at all. Many of the airlines have established devices that will detect metal objects hidden or concealed on a person. Personal searches are now being made of hand luggage on all flights daily and nightly right here at National Airport. This is all to the good and should be continued.

To oppose H.R. 19444 does not make one in favor of hijacking. It only means we are against a further increase in a new and special tax. Our citizens who travel by air should expect and receive security provided by the airlines. Then upon the carriers ommission or failure to do so, provision of Federal personnel should be paid for out of general revenue.

The CHAIRMAN. Under the rule, the bill is considered as having been read for amendment.

The bill is as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 208(f) (1) of the Airport and Airway Revenue Act of 1970 is amended by adding at the end thereof the following new sentence: "Amounts in the Trust Fund shall also be available, as provided by appropriation Acts, to pay those obligations of the United States incurred before July 1, 1972, for the training, salaries, and other expenses of guards having the same powers as United States marshals to accompany aircraft operated by air carriers which are United States citizens."

SEC. 2. Section 4261 of the Internal Revenue Code of 1954 (imposition of tax on transportation of persons by air) is amended by redesignating subsection (e) as subsection (f) and by inserting after subsection (d) the following new subsection:

"(e) TEMPORARY INCREASE IN RATES.—Effective with respect to transportation which begins after October 31, 1970, and before July 1, 1972—

"(1) in the case of amounts paid after October 31, 1970, and before July 1, 1972, the rate of the taxes imposed by subsections (a) and (b) shall be 8.5 percent in lieu of 8 percent, and

"(2) the rate of the tax imposed by subsection (c) shall be $5 in lieu of $3."

SEC. 3. (a) Section 7275 of the Internal Revenue Code of 1954 (relating to penalty for offenses relating to certain airline tickets and advertising) is amended to read as follows:

"SEC. 7275. PENALTY FOR OFFENSES RELATING TO CERTAIN AIRLINE TICKETS AND ADVERTISING.

"(a) GENERAL RULE.—In the case of transportation by air all of which is taxable transportation (as defined in section 4262) or would be taxable transportation if section 4262 did not include subsection (b) thereof—

"(1) the ticket for such transportation shall show the total of (A) the amount paid for such transportation, and (B) the taxes imposed by sections 4261 (a), (b), and (c), and

"(2) any advertising made by or on behalf of any person furnishing such transportation (or offering to arrange such transportation) which states the cost of such transportation shall state the total of (A) the amount to be paid for such transportation, and (B) the taxes imposed by sections 4261 (a), (b), and (c).

"(b) PENALTY.—Any person who violates any provision of subsection (a) is, for each violation, guilty of a misdemeanor, and upon conviction thereof shall be fined not more than $100."

(b) The amendment made by subsection (a) shall apply to transportation beginning after the date of the enactment of this Act.

The CHAIRMAN. No amendments are in order except amendments offered by direction of the Committee on Ways and Means.

Are there any committee amendments?

Mr. MILLS. Mr. Chairman, there are no committee amendments.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. ST GERMAIN, 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. 19444) to authorize for a temporary period the expenditure from the airport and airway trust fund of amounts for the training and salary and expenses of guards to accompany aircraft operated by U.S. air carriers, to raise revenue for such purpose, and to amend section 7275 of the Internal Revenue Code of 1954 with respect to airline tickets and advertising, pursuant to House Resolution 1231, he reported the bill back to the House.

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

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

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

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

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

Mr. 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. 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 323, nays 17, not voting 89, as follows:

[Roll No. 325]

YEAS—323

Abernethy	Anderson, Ill.	Ashbrook
Adair	Anderson, Tenn.	Ashley
Adams		Baring
Addabbo	Andrews, Ala.	Barrett
Albert	Andrews, N. Dak.	Belcher
Alexander		Bell, Calif.
Anderson, Calif.	Annunzio	Bennett
	Arends	Berry
Bevill	Gray	Passman
Biaggi	Green, Oreg.	Patman
Biester	Griffin	Patten
Bingham	Griffiths	Pelly
Blackburn	Gross	Perkins
Blanton	Grover	Pettis
Blatnik	Gubser	Philbin
Boggs	Gude	Poage
Boland	Hagan	Poff
Bolling	Haley	Preyer, N.C.
Bow	Hall	Price, Ill.
Brademas	Halpern	Price, Tex.
Brasco	Hamilton	Pryor, Ark.
Brinkley	Hammer-schmidt	Pucinski
Broomfield		Purcell
Brotzman	Hanley	Quie
Brown, Mich.	Hanna	Quillen
Brown, Ohio	Hansen, Idaho	Railsback
Broyhill, N.C.	Harrington	Rees
Broyhill, Va.	Harvey	Reid, Ill.
Buchanan	Hastings	Reid, N.Y.
Burke, Fla.	Hathaway	Reuss
Burke, Mass.	Hawkins	Rhodes
Burleson, Tex.	Heckler, Mass.	Riegle
Burlison, Mo.	Helstoski	Rivers
Burton, Calif.	Henderson	Roberts
Byrne, Pa.	Hogan	Rodino
Byrnes, Wis.	Holifield	Roe
Caffery	Horton	Rogers, Colo.
Camp	Hosmer	Rogers, Fla.
Carey	Howard	Rooney, N.Y.
Carter	Hungate	Rooney, Pa.
Casey	Hunt	Rosenthal
Chamberlain	Hutchinson	Roth
Chappell	Ichord	Rousselot
Clark	Jacobs	Ruppe
Clausen, Don H.	Jarman	Ruth
	Johnson, Calif.	Ryan
Clawson, Del	Johnson, Pa.	St Germain
Clay	Jonas	Sandman
Cleveland	Jones, Ala.	Saylor
Cohelan	Jones, Tenn.	Schadeberg
Collier	Karth	Scherle
Collins	Kastenmeier	Schneebeli
Conable	Kazen	Schwengel
Conte	Kee	Scott
Corbett	Keith	Sebelius
Corman	King	Shriver
Coughlin	Kluczynski	Sikes
Cowger	Koch	Skubitz
Crane	Kuykendall	Slack
Culver	Kyl	Smith, Calif.
Cunningham	Kyros	Smith, N.Y.
Daniel, Va.	Landgrebe	Springer
Daniels, N.J.	Langen	Stafford
Davis, Ga.	Latta	Stanton
Davis, Wis.	Lennon	Steed
Delaney	Long, Md.	Steiger, Ariz.
Dellenback	Lujan	Steiger, Wis.
Denney	Lukens	Stephens
Dennis	McCarthy	Stokes
Devine	McCloskey	Stubblefield
Dickinson	McClure	Stuckey
Diggs	McCulloch	Sullivan
Dingell	McDade	Talcott
Donohue	McDonald, Mich.	Taylor
Dorn		Teague, Calif.
Downing	McEwen	Thompson, Ga.
Dulski	McKneally	Thomson, Wis.
Duncan	Madden	Tiernan
Dwyer	Mahon	Udall
Edmondson	Mailliard	Ullman
Edwards, Ala.	Marsh	Vander Jagt
Edwards, Calif.	Mathias	Vanik
Eilberg	May	Vigorito
Erlenborn	Mayne	Waggonner
Esch	Meeds	Waldie
Eshleman	Michel	Wampler
Evans, Colo.	Mikva	Watts
Evins, Tenn.	Miller, Ohio	Whalen
Fascell	Mills	Whalley
Findley	Minish	White
Flowers	Mink	Whitehurst
Flynt	Minshall	Whitten
Foley	Mize	Widnall
Ford, William D.	Mizell	Wiggins
	Monagan	Williams
Fountain	Montgomery	Wilson, Bob
Fraser	Moorhead	Wilson, Charles H.
Frelinghuysen	Morgan	
Frey	Morse	Winn
Fulton, Pa.	Morton	Wolff
Fuqua	Mosher	Wright
Galifianakis	Murphy, Ill.	Wyatt
Gallagher	Myers	Wydler
Garmatz	Natcher	Wylie
Gaydos	Nelsen	Wyman
Gettys	Nichols	Yatron
Giaimo	Nix	Young
Gibbons	Obey	Zion
Gilbert	O'Hara	Zwach
Goldwater	O'Neal, Ga.	
Goodling	O'Neill, Mass.	

NAYS—17

Brown, Calif.	McFall	Randall
Eckhardt	Macdonald, Mass.	Rarick
Gonzalez		Roybal
Hechler, W. Va.	Matsunaga	Schmitz
Hicks	Moss	Sisk
Leggett	Pike	Van Deerlin

NOT VOTING—89

Abbitt	Fisher	Olsen
Aspinall	Flood	Ottinger
Ayres	Ford, Gerald R.	Pepper
Beall, Md.	Foreman	Pickle
Betts	Friedel	Pirnie
Bray	Fulton, Tenn.	Podell
Brock	Green, Pa.	Pollock
Brooks	Hansen, Wash.	Powell
Burton, Utah	Harsha	Reifel
Bush	Hays	Robison
Button	Hébert	Rostenkowski
Cabell	Hull	Roudebush
Cederberg	Jones, N.C.	Satterfield
Celler	Kleppe	Scheuer
Chisholm	Landrum	Shipley
Clancy	Lloyd	Smith, Iowa
Colmer	Long, La.	Snyder
Conyers	Lowenstein	Staggers
Cramer	McClory	Stratton
Daddario	McMillan	Symington
Dawson	MacGregor	Taft
de la Garza	Mann	Teague, Tex.
Dent	Martin	Thompson, N.J.
Derwinski	Melcher	Tunney
Dowdy	Meskill	Watson
Edwards, La.	Miller, Calif.	Weicker
Fallon	Mollohan	Wold
Farbstein	Murphy, N.Y.	Yates
Feighan	Nedzi	Zablocki
Fish	O'Konski	

So the bill was passed.

The Clerk announced the following pairs:

Mr. Thompson of New Jersey with Mr. Ayres.

Mr. Hébert with Mr. Gerald R. Ford.

Mr. Hays with Mr. Betts.

Mr. Brooks with Mr. Bush.

Mr. Murphy of New York with Mr. Cederberg.

Mr. Celler with Mr. Fish.

Mr. Zablocki with Mr. Harsha.

Mr. Staggers with Mr. Foreman.

Mr. Green of Pennsylvania with Mr. O'Konski.

Mr. Fulton of Tennessee with Mr. Kleppe.

Mr. Edwards of Louisiana with Mr. Cramer.

Mr. Long of Louisiana with Mr. Pollock.

Mr. Cabell with Mr. Lloyd.

Mr. Aspinall with Mr. Burton of Utah.

Mr. Podell with Mr. Reifel.

Mr. Yates with Mr. Robison.

Mr. Miller of California with Mr. McClure.

Mr. Nedzi with Mr. Clancy.

Mr. Olsen with Mr. Pirnie.

Mr. Pickle with Mr. Derwinski.

Mr. Shipley with Mr. Martin.

Mr. McMillan with Mr. MacGregor.

Mr. Daddario with Mr. Meskill.

Mr. Colmer with Mr. Roudebush.

Mr. Scheuer with Mrs. Chisholm.

Mr. Lowenstein with Mr. Conyers.

Mr. Friedel with Mr. Brock.

Mr. Mollohan with Mr. Snyder.

Mr. Fisher with Mr. Taft.

Mr. Flood with Mr. Weicker.

Mr. Stratton with Mr. Button.

Mr. Fallon with Mr. Watson.

Mr. Tunney with Mr. Powell.

Mr. Landrum with Mr. Wold.

Mr. Melcher with Mr. Beale of Maryland.

Mr. Pepper with Mr. Bray.

Mr. Symington with Mr. Abbitt.

Mr. Dent with Mr. Rostenkowski.

Mr. Teague of Texas with Mr. Feighan.

Mr. de la Garza with Mr. Ottinger.

Mr. Satterfield with Mr. Smith of Iowa.

Mrs. Hansen of Washington with Mr. Farbstein.

Mr. Hull with Mr. Jones of North Carolina.

Mr. Mann with Mr. Dowdy.

Mr. REES changed his vote from "nay" to "yea."

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. MILLS. Mr. Speaker, I ask unanimous consent that all Members who desire to do so may have 5 legislative days within which to extend their remarks on the bill just passed.

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

There was no objection.

PERMISSION FOR COMMITTEE ON EDUCATION AND LABOR TO SIT DURING THE REMAINDER OF THE DAY

Mr. PERKINS. Mr. Speaker, I ask unanimous consent that the Committee on Education and Labor may be permitted to sit during the remainder of the evening, after 4 o'clock p.m., today.

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

There was no objection.

CONFERENCE REPORT ON H.R. 17575, DEPARTMENTS OF STATE, JUSTICE, AND COMMERCE, THE JUDICIARY, AND RELATED AGENCIES APPROPRIATIONS, 1971

Mr. ROONEY of New York submitted the following conference report and statement on the bill (H.R. 17575) making appropriations for the Departments of State, Justice, and Commerce, the Judiciary, and related agencies for the fiscal year ending June 30, 1971, and for other purposes:

CONFERENCE REPORT (H. REPT. No. 91-1548)

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 17575) "making appropriations for the Departments of State, Justice, and Commerce, the Judiciary, and related agencies for the fiscal year ending June 30, 1971, and for other purposes," having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 5, 13, 14, 15, 32, and 33.

That the House recede from its disagreement to the amendments of the Senate numbered 1, 4, 6, 7, 9, 12, 21, 22, 24, 25, 26, 27, 31, and 34 and agree to the same.

Amendment numbered 8: That the House recede from its disagreement to the amendment of the Senate numbered 8, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$22,150,000"; and the Senate agree to the same.

Amendment numbered 10: That the House recede from its disagreement to the amendment of the Senate numbered 10, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$20,795,000"; and the Senate agree to the same.

Amendment numbered 11: That the House recede from its disagreement to the amendment of the Senate numbered 11, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$39,000,000"; and the Senate agree to the same.

Amendment numbered 16: That the House recede from its disagreement to the amendment of the Senate numbered 16, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$2,750,000"; and the Senate agree to the same.

Amendment numbered 18: That the House recede from its disagreement to the amendment of the Senate numbered 18, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$140,713,000"; and the Senate agree to the same.

Amendment numbered 19: That the House recede from its disagreement to the amendment of the Senate numbered 19, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$4,365,000"; and the Senate agree to the same.

Amendment numbered 20: That the House recede from its disagreement to the amendment of the Senate numbered 20, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$42,050,000"; and the Senate agree to the same.

Amendment numbered 28: That the House recede from its disagreement to the amendment of the Senate numbered 28, and agree to the same with an amendment, as follows: In lieu of the sum named by said amendment insert "$9.00"; and the Senate agree to the same.

Amendment numbered 29: That the House recede from its disagreement to the amendment of the Senate numbered 29, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$1,050,000"; and the Senate agree to the same.

Amendment numbered 30: That the House recede from its disagreement to the amendment of the Senate numbered 30, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$15,485,000"; and the Senate agree to the same.

Amendment numbered 36: That the House recede from its disagreement to the amendment of the Senate numbered 36, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$4,033,000"; and the Senate agree to the same.

The committee of conference report in disagreement amendments numbered 2, 3, 17, 23, and 35.

JOHN J. ROONEY,
(except as to amendments Nos. 29 and 30),
ROBERT L. F. SIKES,
JOHN M. SLACK,
NEAL SMITH
(except as to amendments Nos. 29 and 30),
JOHN J. FLYNT, Jr.,
GEORGE MAHON,
FRANK T. BOW,
ELFORD CEDERBERG,
MARK ANDREWS,
Managers on the Part of the House.

JOHN L. MCCLELLAN,
ALLEN J. ELLENDER,
JOHN O. PASTORE,
J. W. FULBRIGHT,
(except amendment No. 4),
MARGARET CHASE SMITH,
ROMAN L. HRUSKA,
Managers on the Part of the Senate.

STATEMENT

The managers on the part of the House at a conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 17575) making appropriations for the Departments of State, Justice, and Commerce, the Judiciary, and related agencies for the fiscal year ending June 30, 1971, and for other purposes, submit the following statement in explanation of the effect of the action agreed upon and recommended in the accompanying conference report as to each of such amendments; namely:

TITLE I—DEPARTMENT OF STATE

Administration of foreign affairs

Salaries and Expenses

Amendment No. 1: Appropriates $221,850,000 as proposed by the Senate instead of $220,100,000 as proposed by the House.

Amendment No. 2: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the language of the Senate regarding the purchase of passenger motor vehicles.

Acquisition, Operation, and Maintenance of Buildings Abroad (Special Foreign Currency Program)

Amendment No. 3: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the language of the Senate regarding payments in Ceylonese rupees.

International Organizations and Conferences

Contributions to International Organizations

Amendment No. 4: Appropriates $140,911,000 as proposed by the Senate instead of $144,611,000 as proposed by the House.

International Commissions

International Fisheries Commissions

Amendment No. 5: Appropriates $2,505,800 as proposed by the House instead of $2,605,800 as proposed by the Senate.

Educational Exchange

Mutual Educational and Cultural Exchange Activities

Amendment No. 6: Provides that not less than $5,800,000 shall be used for payments in foreign currencies which the Treasury Department determines to be excess to the normal requirements of the United States, as proposed by the Senate instead of $6,000,000 as proposed by the House.

TITLE II—DEPARTMENT OF JUSTICE

Federal Bureau of Investigation

Salaries and Expenses

Amendment No. 7: Appropriates $260,235,000 as proposed by the Senate instead of $257,485,000 as proposed by the House.

Federal Prison System

Buildings and Facilities

Amendment No. 8: Appropriates $22,150,000 instead of $21,800,000 as proposed by the House and $22,350,000 as proposed by the Senate.

TITLE III—DEPARTMENT OF COMMERCE

Bureau of the Census

Nineteenth Decennial Census

Amendment No. 9: Appropriates $39,279,000 as proposed by the Senate instead of $45,000,000 as proposed by the House.

Economic Development Administration

Planning, Technical Assistance, and Research

Amendment No. 10: Appropriates $20,795,000 instead of $20,200,000 as proposed by the House and $21,390,000 as proposed by the Senate.

Regional Action Planning Commissions

Regional Development Programs

Amendment No. 11: Appropriates $39,000,000 instead of $29,000,000 as proposed by the House and $45,000,000 as proposed by the Senate.

Business and Defense Services Administration

Salaries and Expenses

Amendment No. 12: Appropriates $7,235,000 as proposed by the Senate instead of $7,035,000 as proposed by the House.

International activities

Salaries and Expenses

Amendment No. 13: Appropriates $21,500,000 as proposed by the House instead of $22,000,000 as proposed by the Senate.

Office of Field Services

Salaries and Expenses

Amendments Nos. 14 and 15: Appropriate $5,851,000 as proposed by the House instead of $5,951,000 as proposed by the Senate and delete language proposed by the Senate.

Foreign direct investment regulation

Salaries and Expenses

Amendment No. 16: Appropriates $2,750,000 instead of $2,500,000 as proposed by the House and $3,000,000 as proposed by the Senate.

National Industrial Pollution Control Council

Salaries and Expenses

Amendment No. 17: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate to appropriate $300,000.

Environmental Science Services Administration

Salaries and Expenses

Amendment No. 18: Appropriates $140,713,000 instead of $140,000,000 as proposed by the House and $141,426,000 as proposed by the Senate.

Facilities, Equipment, and Construction

Amendment No. 19: Appropriates $4,365,000 instead of $4,250,000 as proposed by the House and $4,565,000 as proposed by the Senate.

National Bureau of Standards

Research and Technical Services

Amendment No. 20: Appropriates $42,050,000 instead of $41,750,000 as proposed by the House and $42,350,000 as proposed by the Senate.

Amendment No. 21: Provides that not to exceed $800,000 shall be available for transfer to the "Working capital fund" as proposed by the Senate instead of $500,000 as proposed by the House.

Maritime Administration

Ship Construction

Amendment No. 22: Appropriates $187,500,000 as proposed by the Senate instead of $199,500,000 as proposed by the House.

Research and Development

Amendment No. 23: Reported in technical disagreement. The managers on the part of the House will offer a motion to delete the language of both the House and the Senate regarding the N. S. Savannah.

TITLE IV—THE JUDICIARY

Courts of appeals, district courts, and other judicial services

Salaries of Supporting Personnel

Amendment No. 24: Appropriates $53,862,000 as proposed by the Senate instead of $54,078,000 as proposed by the House.

Fees of Jurors

Amendment No. 25: Appropriates $14,930,000 as proposed by the Senate instead of $15,800,000 as proposed by the House.

Salaries and Expenses of United States Magistrates

Amendment No. 26: Appropriates $4,560,000 as proposed by the Senate instead of $560,000 as proposed by the House.

Amendment No. 27: Inserts language regarding United States Commissioners as proposed by the Senate.

General Provisions—The Judiciary

Amendment No. 28: Provides that reports of the United States Court of Appeals for the District of Columbia shall not be sold for more than $9.00 per volume instead of $6.50 as proposed by the House and $12.00 as proposed by the Senate.

TITLE V—RELATED AGENCIES

Equal Employment Opportunity Commission

Salaries and Expenses

Amendment No. 29: Provides not to exceed $1,050,000 for payments to State and local agencies instead of $900,000 as proposed by the House and $1,200,000 as proposed by the Senate.

Amendment No. 30: Appropriates $15,485,000 instead of $14,313,000 as proposed by the House and $19,000,000 as proposed by the Senate.

Federal Maritime Commission

Salaries and Expenses

Amendment No. 31: Appropriates $4,479,000 as proposed by the Senate instead of $3,929,000 as proposed by the House.

Small Business Administration

Salaries and Expenses

Amendment No. 32: Provides not to exceed $5,000,000 for expenses necessary to carry out the provisions of section 406 of the Economic Opportunity Act of 1964, as amended, as proposed by the House instead of $6,000,000 as proposed by the Senate.

Amendment No. 33: Appropriates $18,950,000 as proposed by the House instead of $19,950,000 as proposed by the Senate.

Special representative for trade negotiations

Salaries and Expenses

Amendment No. 34: Appropriates $597,000 as proposed by the Senate instead of $550,000 as proposed by the House.

U.S. Information Agency

Salaries and Expenses (Special Foreign Currency Program)

Amendment No. 35: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the language of the Senate regarding payments in Ceylonese rupees.

Special International Exhibitions

Amendment No. 36: Appropriates $4,033,000 instead of $3,500,000 as proposed by the House and $4,566,000 as proposed by the Senate.

CONFERENCE TOTAL—WITH COMPARISONS

The total new budget (obligational) authority for the fiscal year 1971 recommended by the Committee of Conference, with comparisons to the fiscal year 1970 total, the 1971 budget estimate total, and the House and Senate bills follows:

	Amounts
New budget (obligational) authority, fiscal year 1970	$2,653,376,900
Budget estimates of new (obligational) authority, fiscal year 1971 (including $7,295,000 not considered by House)	3,251,200,000
House bill, fiscal year 1971	3,106,956,500
Senate bill, fiscal year 1971	3,122,080,500
Conference agreement [1]	3,108,074,500
Conference agreement compared with:	
New budget (obligational) authority, fiscal year 1970	+454,697,600
Budget estimates of new (obligational) authority, (as amended), fiscal year 1971	−143,125,500
House bill, fiscal year 1971	+1,118,000
Senate bill, fiscal year 1971	−14,006,000

[1] Includes $300,000 in amendment No. 17 reported in technical disagreement.

JOHN J. ROONEY
(except as to amendments Nos. 29 and 30),
ROBERT L. F. SIKES,
JOHN M. SLACK,
NEAL SMITH
(except as to amendments Nos. 29 and 30),
JOHN J. FLYNT, JR.,
GEORGE MAHON,
FRANK T. BOW,
ELFORD CEDERBERG,
MARK ANDREWS,
Managers on the Part of the House.

Mr. ROONEY of New York. Mr. Speaker, I ask unanimous consent for the immediate consideration of the conference report on the bill (H.R. 17575) making appropriations for the Departments of State, Justice, and Commerce, the Judiciary, and related agencies for the fiscal year ending June 30, 1971, and for other purposes.

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

Mr. BINGHAM. Mr. Speaker, reserving the right to object, might I inquire of the distinguished gentleman from New York what the reason is for having this conference report considered before the printed report is available to the membership?

As I understand, there is a matter of considerable controversy, at least, to me, that is included in the conference report, and I for one would like to have an opportunity to study the report and to communicate with other Members about it.

I wonder what the reason for this unanimous-consent request is?

Mr. ROONEY of New York. Mr. Speaker, if the gentleman will yield, there is only one reason, and that is to expedite the business of the House. This bill passed this House on last May 14, and we were unable to get together with the other body, to have the bill perfected, and sit down as conferees until yesterday, and we thought it would be well to get this business behind us.

Mr. BINGHAM. Mr. Speaker, under the circumstances I must regretfully object.

The SPEAKER. Objection is heard.

A CLEAN ENVIRONMENT IS EVERYBODY'S BUSINESS

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

Mr. SPRINGER. Mr. Speaker, everyone is interested in a clean environment. We all hope for clear air, clean water, and beautiful green lands.

Today, committees are being formed all over the country to make a better environment for our future. The Federal Government and States are passing laws trying to bring this about. Some of these are restricting obvious sources of pollution to the air, the water, and the land.

There is, possibly, one questionable observation. Many people want other people's rights and freedoms restricted but few restraints on themselves.

On last Sunday, I walked through the Smithsonian Institution's National Zoological Park here in Washington. For those who have never visited this zoo, it has a wonderful setting above Rock Creek Park. Thousands of Washingtonians and vistors from all over the country go there each year. When I visited the park late in the day, there was almost a carpet of candy and ice cream wrappers, water cups, newspapers, and other forms of pollution throughout the park. All of this in spite of the fact that waste containers had been placed almost everywhere.

Some 2 months ago, I visited one of the beautiful parks in my own State. The Sangamon River flows peacefully through it. This is the same Sangamon River upon which Abraham Lincoln built his first raft and floated down to New Orleans. I was simply amazed at the number of soft drink containers and beer and Coke cans lying besides many of the beautiful trails through the park. On that day, hundreds were enjoying the park, but there was a strange indifference to the pollution all about.

Last September, I visited one of the picturesque redwood parks of California. I could hardly believe the human made pollution existing among these beautiful sequoias which reached up 200 feet to the sky.

We can by law reach the great polluters of the air, the water, and the land. Much of this law is going on the books every day either here in the Congress or in State legislatures. Many of us are concerned as to whether or not in the homes and the hearts of people generally there is a desire to do their part in helping to keep a livable environment. Much of this can only be done by teaching in the home and in the schools. In short, a clean environment is everybody's business.

Looking back upon the first 70 years of the 20th century, some historians may call this the dawn of the nuclear age. Others may make our visit to the moon and to the stars the great historical event of our time. There are those with respected opinions, including many of the Subcommittee on Health and Welfare of which I am a member, that the great medical discoveries of this time in history will perhaps be the landmark of our day.

These are all tremendous breakthroughs in the history of science. Certainly, few events could be more important to the future of mankind.

I happen to believe that a fourth—and one which equals these three—is that this generation may be remembered as the one which was wise enough to leave the earth, its waters, and its atmosphere in a better condition than we found it. All of us have regarded the natural environment as a great bank upon which we could draw for our physical needs all the way from food to the great refinements of housing, transportation, and well-being. There were some of us in the Congress as long as 15 years ago who were documenting the diverse catastrophies which have since occurred in our environment. Those were bleak days when we were talking to empty Chambers—there was no audience listening. There was really no interest compounded into energy to get things done. Only recently has there truly awakened an interest in creating a livable environment.

In an attack on a problem as serious as cleaning up our environment, I am talking not in terms of a few years or even a decade of environmental therapy. It may well take much beyond that time in research and applied science to restore clean air with a proper balance of carbon dioxide and oxygen. Or to rescue bodies of water such as Lake Erie, San Francisco Bay, and the Potomac River from their current status as open sewers. Or to learn how to dispose of our solid wastes and our chemical and radiological poisons without having them turn up to bedevil our children and grandchildren like biblical plagues. Or to learn how to control insect and plant pests without killing our wildlife and upsetting our ecological balances.

Today, I am introducing a resolution which would establish a Standing Committee on the Environment.

Initially, I would recommend that the Committee on the Environment be vested with such areas of concern as water quality, air quality, weather modification, waste disposal of all kinds, and acoustic problems.

I do not want to take away from any Member of this body or to minimize the excellent work which has been done by a number of our present committees in these areas. The real difficulty is that some of these problems are under the scrutiny, irregularly, of two, three, and even four different committees. A situation which is neither efficient nor conducive to the coordinated leadership which we so much need for the environment quality effort that will have to be made in these next few years. It is my belief that a standing committee of the House matched, I would hope, by an equivalent standing committee in the other body of the Congress, is needed to forge some of the landmark legislation which will have to be enacted in the next few years.

I would envision that this committee would enable Members to apply themselves squarely and only to environmental problems with the assistance of a professional staff which could include ecologists, physiologists, biologists, agronomists, meteorologists, and other environmental specialists. This committee would command the respect and the prestige which is so necessary to accomplish anything under the kind of parliamentary system which we have in this Congress. By the enactment of this legislation, we could achieve a high quality of life not only just for those of us now living on this earth but also for the generations yet to come.

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

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

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

Mr. SAYLOR. Mr. Speaker, the gentleman from Illinois (Mr. SPRINGER), has been one of those who has blazed trails in this Congress for a better environment. His authorship of the Clean Air Act of 1967 and its renewal again this year and his sponsorship of the Solid Waste Disposal Act of 1970 are evidences of his dedication and interest. He is the ranking minority member of the committee handling this legislation. He has spoken forcefully on the floor of the House in behalf of that legislation. He has influenced the course of history in this country for a better and cleaner environment for today and for our children who will follow.

Mr. SPRINGER. Mr. Speaker, I thank the distinguished gentleman from Pennsylvania (Mr. SAYLOR), for his kind words.

Only a few weeks ago he was awarded the Izaak Walton League of America Founder's Award. If there is a single leader in the U.S. House of Representatives in the whole field of environment, it is the gentleman from Pennsylvania and I am happy to pay him this tribute.

Mr. Speaker, I yield now to the gentleman from Colorado (Mr. BROTZMAN).

Mr. BROTZMAN. Mr. Speaker, I am familiar with the work which has been done by the gentleman from Illinois (Mr. SPRINGER), on air quality. He has also supported such important legislation as the Point Reyes National Seashore Act, the Scenic Rivers Act, and the defeat of the timber management bill.

All of these are matters of concern if we are to have the kind of environment we visualize we will hand on to those who will follow.

I congratulate him on the introduction of his resolution. It is truly landmark legislation in the field of environment. Such a committee as he has suggested could accomplish more than anything we presently have in the Congress.

ABATEMENT ATROPHY AT NAPCA

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

Mr. RYAN. Mr. Speaker, at a time when public awareness and concern about the environment makes it possible for administrators and legislative bodies to take bold and effective action to combat the menace of air pollution, it is ironic that the Federal Government is not using the full extent of its powers. The National Air Pollution Control Administration has permitted the interstate air pollution abatement conference procedure to atrophy—a fact confirmed by an article in the Washington Daily News of September 16.

Interstate pollution abatement conferences have proven to be very effective weapons in the fight against air pollution. In the New York metropolitan region the Federal abatement procedure has been quite effective.

During the Thanksgiving Day inversion of 1966 in New York City, I called upon the Secretary of Health, Education, and Welfare to use the procedure. He immediately called an air pollution abate-

ment conference which convened on January 3, 1967. The first session of the conference in January 1967, considered sulphur dioxide pollution. The second session in January and February of 1968 considered particulates and carbon monoxide. The recommendations for abatement which resulted from these sessions were salutory and resulted in a significant reduction of pollutants.

Following the 1967 conference New Jersey made a very strong effort and developed an air pollution control program which has produced major improvements.

In New York City Consolidated Edison took the conference recommendations quite seriously and moved rapidly to modify some of its installations and start setting up a supply of low sulfur fuels. This new fuel was actually being used before the deadline of the recommendations.

New York State air pollution codes were broadened in accordance with recommendations of the conference.

In fact, the heads of air pollution control administrations from New York, New Jersey, and Missouri agreed at the annual meeting of the APCA in June 1970 that the interstate abatement procedure had been the most significant factor in advancing control in their areas.

Unfortunately, this effective abatement program began to slow down in 1968 and apparently died a slow unheralded death during 1969. Where conferences had been held, such as the second phase of the New York-New Jersey Air Pollution Abatement Conference, recommendations were slow to come back through channels. Finally, it seemed that the program was being abandoned—despite public reassurances to the contrary.

Now an article in the Washington Daily News of September 16 headed "Aide Hits Clean Air Chief," has revealed that Assistant Commissioner William H. Megonnell wrote an internal departmental memorandum indicating that Commissioner John T. Middleton had "engaged in a 'deliberate, long-range, carefully calculated plan to eliminate any effort' " to implement an effective air pollution abatement program.

As a result of the memorandum, a panel was set up within the Department of Health, Education, and Welfare to look into the matter. The panel found that the abatement procedure had been "overdeemphasized" and recommended a management reorganization of the National Air Pollution Control Administration.

During the past 2 years there has been a shockingly high turnover in personnel which suggests two problems to me: First, that no agency can operate effectively if it is constantly losing personnel, and, second, that morale must be very low.

It is urgent that Secretary of Health, Education, and Welfare Richardson implement the recommendations of the panel for a management review and reorganization of NAPCA. He should determine how much previous experience in air pollution control the principal administrators have had, why morale is low and personnel turnover high, and why the abatement program has been deemphasized—to say nothing of "overdeemphasis." These steps should not be delayed pending the creation of the new Environmental Protection Agency outlined in the President's Reorganization Plan No. 3 of 1970.

I have called upon the Secretary of Health, Education, and Welfare to reemphasize the abatement conference procedure in the New York-New Jersey metropolitan region by convening as soon as possible the third session of the New York-New Jersey Air Pollution Abatement Congress which had been promised to consider, and make recommendations, concerning oxidants and hydrocarbons. Automobile pollution is growing ever more serious in New York City and very little is being done to abate or control it. The abatement conference procedure is the most effective means available to do so.

TEACHER LIST BID DROPPED

(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, I am extremely disturbed at a situation which has developed in the education system in the District of Columbia which has a bearing on the congressional district which I represent.

It seems that some of my colleagues who serve on the House District Committee had requested the Board of Education of the District of Columbia to make available to them the names of teachers in the public school system of the District of Columbia who have been graduated from or have attended Antioch College in my congressional district. Disclosure of the names has been blocked by a 10-day restraining order issued by Judge Oliver Gasch as a result of a suit by the Washington Teachers Union. The members of the select subcommittee of the House District Committee have since withdrawn their request of the school board, presumably because they have obtained the information in other ways.

But I am sorry, Mr. Speaker, this matter was not adjudicated. I should be shocked if any court would make a decision to the effect that the qualification and training of a teacher in any public school system is not the public's business. Since the U.S. Congress puts up a good deal of the American taxpayer's money to finance the operation of the District of Columbia and its school system, it would seem to me perfectly clear that the Congress has the right to be informed about the training, qualification, and performance of the teachers in that system.

Antioch College was at one time one of the great liberal educational institutions in the United States. I am sure those who operate it today, those who have been educated there in the past and those who send their children there today or who finance the institution's operations could have no serious objection to an assessment of the impact on the public schools of the District of Columbia—or any other community or institution—of those who have been trained at Antioch. Why, then, should the Washington Teachers Union be concerned?

Is there not a right of the public to know what is involved in this issue?

While I am unfamiliar with the objectives of the study by the House District Committee, it occurs to me that this effort to deny information to the Congress bears some attention from my colleagues. To that end I insert, following my remarks, the story of the matter from this morning's Washington Post:

TEACHER LIST BID DROPPED—HILL WILL NOT ASK DISCLOSURE OF ANTIOCH NAMES

(By David R. Boldt and Peter Osnos)

The House District Select Subcommittee is withdrawing a request that the D.C. school board give it the names of Antioch College graduates teaching here.

Sources said yesterday that a letter from House District Committee Chairman John L. McMillan (D-S.C.) withdrawing the request will be formally disclosed in U.S. District Court today.

It is understood that the letter will say the Subcommittee no longer needs a list from the school board, possibly because it has gained the information it wanted elsewhere.

The court hearing is on a suit brought by the Washington Teachers Union, which calls the request "as close to a witch hunt as the D.C. schools could possibly have had."

The disclosure of the names had been blocked by a 10-day restraining order issued by Judge Oliver Gasch at the union's request.

The subcommittee staff and its acting chairman, Rep. Don Fuqua (D-Fla.), have declined to say why they are interested in the names of the alumni of the Yellow Springs, Ohio, school, which is widely known for the liberal bent of its faculty and 2,000-member coed student body.

The attitude of the Committee had been that the "witch hunt" charge was an overreaction to what was just one of many requests the Subcommittee had made concerning school personnel.

The Subcommittee, which was led by Rep. John Dowdy (D-Tex.) until Dowdy was recently hospitalized with a back ailment, has been looking into the D.C. schools since last spring. Often, its questioning has turned on whether witnesses felt teachers were being permitted to teach radicalism and Marxism in the schools.

Antioch has been associated with several controversies in D.C. schools. It was, for instance, initially involved in the direction of the Morgan Community School, an experimental project in increased community participation in schools. That involvement ended more than a year ago, partly as a result of friction between the Antioch personnel and local administrators.

Antioch students, alternating semesters of study with semesters of work experience, have been intern teachers in the D.C. schools. Many alumni of Antioch have taught, or still teach here.

In addition, there is an Antioch-Putney graduate program for teachers, under which about 45 teachers work in the D.C. schools. Antioch College is a partner in that venture, which also has centers elsewhere.

A spokesman at the college said the name Antioch "has become a shorthand way of referring to student radicals in general."

It was also learned that a teacher at one local high school had made a specific complaint to a congressman on the District Committee about the activities of two Antioch-related teachers at his school. Both teachers reportedly have left the school system.

Complaints about the two teachers included what was described as "ultraliberal" philosophy, conducting the class without

using a textbook, being unable to maintain order and being insubordinate to school officials.

One of the two teachers, reached by phone in Colorado, said he had troubles with both administrators and students, many of whom he said were unresponsive, even hostile, to the kind of teaching he was attempting. He said he was finally relieved of his teaching post.

CRACKING DOWN ON POLLUTERS

The SPEAKER. Under a previous order of the House, the gentleman from California (Mr. VAN DEERLIN) is recognized for 10 minutes.

Mr. VAN DEERLIN. Mr. Speaker, Congress has finally come to a crossroads in the war on pollution. Either we mean what we say, or we do not. The course we take in shaping the final version of H.R. 17255, the Clean Air Act of 1970, will set the tone of this effort for years to come.

In a real sense, the problem has been simplified for us because we have such a clear choice. The Senate bill is strong and the House bill is weak. The Senate bill would get at the root of the air pollution problem, by requiring auto manufacturers to produce virtually pollution-free engines by the beginning of 1975. Our House bill, on the other hand, was pretty much business as usual. There were some improvements in existing programs, of course, but nothing was done that would really inconvenience the major polluters.

One source of frustration for those who would like cleaner air has been the failure of many automobile emission control devices to function properly. Up to now, the Federal Government has been authorized only to test prototypes of these systems furnished by the manufacturers. As approved by the House, H.R. 17255 does provide for the inspection of vehicles as they come off the assembly line, a distinct improvement but still not enough. The Senate measure would make the manufacturers fully accountable for their product by insisting that they guarantee the performance of pollution-control systems for up to 50,000 miles of actual operation, as called for by regulations already in the books.

Back on June 10, when the House bill was debated and approved, strengthening amendments were summarily rejected. One such amendment contemplated the gradual phasing out of the inherently "dirty" internal combustion engine, beginning with 1975-model cars. Another would have provided for the voluntary inspection of antipollution devices after 4,000 miles, with corrective action by the industry required only if these inspections uncovered a "pattern" of defects.

These amendments were actually mild in comparison with what the other body has voted unanimously to do. Although the Senate bill does not specifically direct the phasing out of the internal combustion engine, it does require that by 1975 the industry produce, for all cars, a virtually smogless engine. Most authorities seem to agree that this laudable goal cannot be accomplished with the traditional internal combustion system. Thus in effect, the Senate has ordered the auto industry to accomplish by 1975 what the rejected House amendment would have given the industry until 1978 to do: Fit every new vehicle with a viable clean, and new, propulsion system. Predictably, the big auto manufacturers are maintaining they would be unduly burdened by this requirement. But the facts are that this great industry has consistently demonstrated it possesses the know-how and versatility to accomplish the "impossible," and that such alternative propulsion systems as steam and gas turbine are cleaner, by far, than the internal combustion engine.

And the Senate would make the manufacturers responsible for the performance of every emission control device, regardless of whether a pattern of defects existed.

Conferees have been appointed, and will begin meeting shortly to attempt to reconcile the clashing philosophies embodied in the two bills.

While normally I am inclined to support the House version in conflicts of this sort, the stakes are so high in this case that I am imploring my colleagues who will represent the House at the conference to accept the Senate legislation.

For if the final conference bill approximates the weaker House legislation, Congress will have clearly signaled that it would rather talk about the environmental crisis than take necessarily decisive action. The California Senate, recognizing that the automobile accounts for at least two-thirds of all pollutants in the air, demonstrated its concern last year, by voting to ban the internal combustion engine from California, starting with 1975-model cars. That move failed by a single committee vote on the assembly side.

Congress now has the opportunity to assume leadership by enacting a bill that will put some punch in the national effort to overcome smog.

At this point, I include an article from the September 23 Washington Post describing the Senate version of the Clean Air Act:

TOUGH AIR POLLUTION BILL PASSED BY SENATE, 73 TO 0

(By Spencer Rich)

The Senate yesterday passed the toughest air pollution cleanup bill ever to reach the floor, with a requirement that the auto industry begin installing a nearly pollution-free engine in all new cars within five years. The vote was 73 to 0.

The bill, which must go to conference with a less-stringent House-passed measure also includes wide-ranging general provisions to set national air quality standards, force new factories and mills to build in antipollution devices, prohibit altogether the emission of any substances extremely dangerous to health, greatly speed up implementation and enforcement of clean-air requirements all over the country, and provide $1.2 billion over three years for research, implementation and enforcement.

Thomas C. Mann, president of the Automobile Manufacturers Association, said the legislative deadline is unacceptable even though the Senate Public Works Committee included a partial escape hatch giving the Secretary of Health, Education, and Welfare power to suspend the deadline for one year only—to Jan. 1, 1976—if the industry demonstrates it cannot meet the initial date after a good-faith effort.

But Sen. Edmund S. Muskie (D-Maine), chairman of the Air and Water Pollution subcommittee and chief sponsor of the bill, said Congress' first duty was to set objectives for protecting the public health from the menace of auto pollution.

The auto deadline requires the new cars produced after Jan. 1, 1975, emit 90 per cent fewer pollutants than permitted for 1970 models.

The 1970 levels already represent substantial reductions in some pollutants as compared with earlier uncontrolled vehicles.

The 1975 requirements would push hydrocarbons down to 1½ per cent of the amount of emissions from uncontrolled vehicles, carbon monoxide to about 3 per cent, and nitrogen oxides to about 11 per cent or lower. The Nixon administration had proposed reaching these goals by 1980—five years later.

Republican co-sponsors of the bill, like J. Caleb Boggs (Del.) said many of the other provisions coincide with Nixon administration requests.

Nearly all the floor amendments and debate on the bill involved the auto engine deadline.

The Public Works Committee had provided for federal court review of any decision by the Secretary on whether to allow the one-year suspension of the 1975 deadline.

Sen. Bob Dole (R-Kan.), with Muskie's support, offered a floor amendment wiping out the court review and permitting the one-year suspension to go into effect automatically unless disapproved within 60 days by either chamber of Congress. Dole said since Congress was setting the deadline, Congress should also control the suspension, but John Sherman Cooper (R-Ky.) said judicial review, with adversary proceedings, would afford the industry more of its right to due process.

The Dole amendment was rejected, 43 to 31. Also rejected, 57 to 22, was an amendment by Edward J. Gurney (R-Fla.) allowing the auto industry to make its application for the one-year suspension at any time, without having to wait until the start of 1973 to file the application. Sponsors of the bill said this would allow the industry to seek immediate remission and weaken its efforts to meet the five-year deadline.

Adopted by voice vote, with Muskie's assent, was an amendment by Howard Baker (R-Tenn.), a strong supporter of the bill and a member of the Air and Water Pollution subcommittee, requiring auto manufacturers, rather than dealers, to bear the costs of mandatory 50,000-mile performance warranties on auto pollution-control systems.

Mann and other auto industry spokesmen said that the performance warranty was too comprehensive—that the industry would be willing to guarantee pollution systems against defects, but not against general bad performance.

The auto provisions also authorize the government to make new antipollution devices developed by one manufacturer available to others in order to meet pollution standards. Without this provision, the auto industry might be barred from sharing devices because of a consent decree it signed after the government accused it of conspiring to delay use of pollution devices on cars.

Also in the bill are provisions to bar use of fuels harmful to health or damaging to pollution control devices.

Although the 1975 deadline for auto engines is the most controversial and widely publicized provision of the bill, it is only one cog in a mechanism designed to bring most major air pollution problems under a substantial degree of control in five years.

Other key provisions of the bill:

Require the Secretary to designate air quality control regions all over the country within 90 days.

Authorize national air quality standards and goals to be set, stringent enough to "insure protection of the health of persons," and give the states up to three years after that to submit and implement plans to meet the

standards. Such plans could include bans on downtown traffic to reduce concentration of auto pollutants. The whole scheme—from the setting of national standards on—is designed to require the plans to be working in the states within approximately four to five and a half years from enactment of the bill.

Require all major new stationary sources of pollution—iron and steel plants, mills, oil refineries, electric power plants, municipal incinerators and the like—to install the best pollution control equipment available. Plants not certified as meeting standards could not operate.

Permit the Secretary to set national emission limitations for selected pollutants—such as arsenic, copper, chlorine gas—not covered by other provisions but affecting health and welfare, and require him to prohibit emissions of pollutants considered extremely hazardous to health, such as asbestos, cadmium, mercury and beryllium.

Permit citizen suits to enforce compliance with standards.

Provide $465 million for research and $25 million for enforcement and implementation over the next three years.

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

Mr. VAN DEERLIN. I yield to my colleague from California.

Mr. REES. I would like to congratulate my colleague, who is a member of the Commerce Committee, and who has been doing a great deal of work in this field. I am one of those who believe that we have to have tough new pollution standards right now, because I think if we continue to live in these areas of concentrated pollution, the health of the American people is going to be seriously jeopardized. We found this out in Los Angeles, where my own district is. The incidence of emphysema, which is a lung disease, has gone up dramatically since we have been having more and more pollutants spewed out into the atmosphere.

We in Los Angeles are so familiar with this problem because of the unique inversion layer we have in our atmospheric conditions. We are trying to tell those on the national level, "If you do not want Los Angeles smog throughout the country, we must act now." I think it is terribly important that the House of Representatives support the Senate version, and that is almost a complete elimination of pollutants from automobiles by 1975.

Detroit states that they do not have the technology. But do you know something? I have read three or four reports of groups outside of Detroit that do have the technology. We found in Los Angeles, when we set up the Motor Vehicle Pollution Control Board, that the devices which were first developed and approved by the Board were developed by outside industries, outside technology. But Detroit did not want to admit that someone else knew more about this problem, and therefore they have been dragging their feet. They have been dragging their feet from the very beginning.

Ten years ago they claimed that no pollution came from the automobile.

Another item in the Senate bill that I think is terribly important——

Mr. VAN DEERLIN. If the gentleman will permit me to interrupt, the best evidence now is that in urban areas about two-thirds of our pollution comes from auto emissions. Is that not correct?

Mr. REES. I would say that is essentially true in an area such as Los Angeles, where we have very strong laws and ordinances dealing with stationary polluting sources, such as industrial furnaces and the backyard incinerator. We have not had outside backyard incinerating in California for about 15 years. And really about the only—well, the only uncontrolled source remaining is the automobile.

Another thing that is terribly important with this bill is that it talks about regional air pollution districts. It talks about regional areas. I think this is awfully important because air pollution just flows, and unless you develop a practical region to surround the air pollution area, you are not going to be able to deal with the problem.

For example, the Los Angeles Basin includes six different counties. We have stringent controls in Los Angeles County, but the air pollutants still flow back and forth across county lines and city lines. So we have to take this on a "basin" concept because this is where the pollutants are, in a basin.

I think if we do not start doing something about this, we will find that many of the indexes that we use in the field of public health are going to reveal more and more increases of lung cancer, emphysema, and cardiac arrest diseases. They are going to occur. I congratulate the gentleman for taking this special order on the House floor. I hope all Members of the House will try to impress upon our own conferees in the conference committee the importance of adopting these major Senate provisions.

Mr. VAN DEERLIN. The gentleman himself, in his earlier years of public life, built quite a record in Sacramento on this issue. I wonder if he would comment on the action of the California Senate, the upper body in the State legislature, last year in having passed a bill very similar to the current U.S. Senate version, the deadline for the auto industry?

Mr. REES. Well, the California Senate did approve legislation which would, for all practical purposes, outlaw the internal combustion engine by 1975, and it was not something that was just put in for the benefit of the press. It was put in with a great deal of thought and a great deal of conferring with industrialists who were dealing in other sources.

Mr. VAN DEERLIN. Would the gentleman brand the California Senate a radical body?

Mr. REES. No, I certainly would not. It is a very conservative, but a very concerned body.

Mr. VAN DEERLIN. I thank the gentleman for his contribution.

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

Mr. VAN DEERLIN. I yield to the gentleman from California.

Mr. CORMAN. I thank my colleague for yielding. I am pleased to join in his remarks. It is critical that the conferees adopt the Senate version of this bill.

I did want to comment on an ancillary problem, and that is the fuel that is going to go into the new automobile. The Ways and Means Committee has before it a proposal by the administration to put a special tax on lead additives. I anticipate I will probably support it, because there is substantial evidence that lead in gasoline, although it makes gasoline cheaper to produce with higher octane, also adds a very poisonous substance to the pollutant.

The administration witnesses said they would like to accomplish by exercise of the police power the removal of high octane heavily leaded gasoline, but they did not know whether they could do that or not, so they were going to try to encourage the petroleum industry to alter its methods of refining gasoline by this tax disincentive. I cannot pass up supporting that tax disincentive, but I think it is clear that unless the Federal Government exercises very vigorous police powers in this entire area, we just will not be able to solve the problem.

There is no question in my mind but that the automobile industry and the petroleum industry together can build and fuel an automobile that does not pollute the air. But the evidence is clear that there is no incentive for them to do it, they are not going to do it unless they are required to do it by exercise of the Federal police power. I think we have to look at both those industries.

If anyone thinks the solution is going to flow from the conscience of the automobile makers, I would remind them what it took to get seat belts in cars after we had overwhelming evidence that seat belts saved lives. The belts were not put in until the Federal Government required them.

Mr. Speaker, I commend my colleague, the gentleman from California, for his supporting a really tough clean air bill.

Mr. VAN DEERLIN. Mr. Speaker, I thank the gentleman.

While I normally stick with the House version of controversial legislation, I would like to impress upon our clean air conferees the urgency of giving fullest consideration to the tough, meaningful Senate bill. An ever-greater part of this Nation is afflicted with unclean air—and, through the haze, will be watching what we do.

H.R. 19518, TO EXPAND THE WILD AND SCENIC RIVERS ACT OF 1968

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California (Mr. HOSMER) is recognized for 10 minutes.

Mr. HOSMER. Mr. Speaker, today I am introducing H.R. 19518 to amend the Wild and Scenic Rivers Act of 1968 by adding six rivers in California as potential components of the system.

As one of the original House sponsors of the 1968 act, I believe we have an excellent opportunity to expand on that historic legislation. The act was passed to protect natural, free-flowing, and unpolluted rivers from further encroachment by man or machine.

The original act designated six rivers in the United States as "instant" components of the wild and scenic rivers sys-

tem. These were the Clearwater in Idaho, Rio Grande in New Mexico, Rogue in Oregon, St. Croix in Minnesota and Wisconsin, Salmon in Idaho, and the Wolf River in Wisconsin.

In addition, Congress listed 27 other rivers which it felt should be studied for possible inclusion in the system at a later date. This designation as a potential component affords these other rivers substantially the same protection as those immediately included in the act.

Today, H.R. 19518 proposes the addition of rivers number 28 through 33 to that list. They are:

28. The Kern River from its source to Kernville at Lake Isabella.
29. The Klamath River from Iron Gate Dam to the mouth.
30. The Russian River from Ukiah to the mouth.
31. The Sacramento River from the source to Shasta Lake and from Keswick Reservoir to Sacramento.
32. The Smith River, including the entire main stem, the North Fork as far as Diamond Creek, the Middle Fork to Griffen Creek, and the entire South Fork.
33. The Tuolomne River from Hetch-Hetchy Dam to the New Don Pedro Reservoir.

When Congress passed the 1968 act, it wisely included a section specifically providing for the future consideration of beneficial public projects in the wild and scenic river areas, provided that the proposed projects were not inimical to the main purposes of the act.

Section 7(a) of the bill reads, in part:

Nothing * * * shall preclude licensing of, or assistance to, developments below or above a wild, scenic or recreational river area * * * which will not invade the area or unreasonably diminish the scenic, recreational and fish and wildlife values present in the area * * *.

Section 2 of the bill I am introducing today provides that studies of the six named rivers also consider their potential as water supply sources for the proposed California Undersea Aqueduct.

One of the most attractive features of the California Undersea Aqueduct proposal is that it would permit the simultaneous achievement of two high-priority needs of California. First, it would enable us to divert water from the mouth of a river to the water-short areas of the State, including areas in northern and central California as well as the southern parts of the State. And, second, since the project would utilize the fresh water only as it wastes into the sea, it would not require blocking of these beautiful rivers.

My bill would permit construction of those limited, onshore facilities which would be necessary to properly operate such an aqueduct.

I have long sought a realistic balance between meeting the needs of California's people for fresh water supplies, and preserving some of the exciting, natural rivers in our State. I believe we must meet both of these needs, and only by relying on our most creative minds and undertaking the most thoughtful analysis of development and preservation of our resources can California remain the State that has excited the imagination of more people than any other area in the country.

THE NATIONAL GUARD AND CIVIL DISORDERS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Illinois (Mr. FINDLEY) is recognized for 15 minutes.

Mr. FINDLEY. Mr. Speaker, the report of the President's Commission on Campus Unrest deserves a better fate than the report of the 1968 National Advisory Commission on Civil Disorders. Many of the recommendations made 2 years ago are now repeated. If we ignore them again, 2 years hence, we may have another national tragedy, another commission to investigate it, another report to consider, and another opportunity for action—or inaction.

Inaction is what occurred after the Commission report in 1968. President Johnson virtually ignored it. Instead of sorting out for action its many worthy recommendations, proposing changes in administrative procedures and laws where needed, the Johnson administration simply put the report on the shelf to gather dust. Our Nation can ill afford to be plagued again with inaction.

President Nixon has promised better treatment for the report he ordered. He personally received it amidst much publicity and ordered it sent to all department and agency heads who might benefit from its findings. In addition, he has promised to review it himself as soon as he returns from his European trip.

Hopefully, President Nixon will act substantially on many of the recommendations ignored in 1968. For example, the 1968 report recommended "increased riot control training" for the National Guard. The result: An absurd pittance, 8 hours of initial training were added, with 16 hours of "refresher training" each year.

Is this enough in 1970? The President's Commission on Campus Unrest thinks not. It states:

Guardsmen must receive far more adequate and extensive disorder control training, in recognition of the fact that the National Guard today has a second mission which it performs far more often than wartime duty.

The 1968 report found:

Experiences of this last summer (1967) reveal that much of (the Guard's) equipment is inappropriate for dealing with civil disorders in American cities. The Guard and other military units lack an adequate "middle ground" between a display of force and the use of lethal or indiscriminate force. The Commission has recommended federally sponsored and financed research for developing nonlethal weapons.

What progress has been made in the last 2 years? According to the President's Commission on Campus Unrest:

Nothing much has come of this research. The need for something more is greater than ever before. We recommend that the federal government actively continue its research to develop nonlethal control devices for use in civil and campus disorders.

The fact is that the National Guard, trained and equipped primarily for military combat, rarely goes to war. Instead it is used mostly for quelling civil disorder, a complex military problem for which it has little specialized training and equipment.

Potentially a priceless backup reserve for local police, it now functions at only a fraction of this potential. This is because most of the $1.2 billion taxpayers invest in the Guard each year goes for equipment and training for military combat, items and skills that are unlikely ever to be used, rather than for civil disorder control.

In this era when local police need large-scale professional support often and on short notice, the Congress should reorder the responsibility, training, and equipment of the Guard to fill this need.

To continue the present anachronistic arrangement makes about as much sense as sending firemen to put out a blazing fire with buckets of gasoline.

It is unfair to the Guardsmen who frequently expose themselves to mob danger. It is also unfair to the general public, whose vital needs are inadequately served and whose tax investment is substantially wasted.

Decades of experience would be some guide as to what the major mission of the National Guard will be in the coming years.

Last spring, during the crises on our Nation's campuses which followed the entry of U.S. troops into Cambodia, a crisis which saw four students killed at Kent State University, 35,000 Army and Air National Guardsmen were called to active duty in 20 States to help contain and control the violent disorders which rocked many colleges and universities.

During the riots of 1968 which followed the assassination of Dr. Martin Luther King, over 50,000 National Guardsmen were ordered to the streets to help restore order to our Nation's cities.

The long, hot, riot-torn summer of 1967 brought similar broad use of the National Guard to help deal with those Americans who had gone berserk and yielded to mob passions.

By contrast, of 3,038 Army National Guard units in the entire Nation, only 34—about 1 percent—were called to active duty as a result of the Tet offensives in Vietnam.

If our experience over the past quarter century is any guide, the primary purpose and use of the National Guard will continue to be for the control of civil disturbances and for the maintenance of law and order at home. Even with the advent of a national emergency, the National Guard is unlikely to see as much duty on foreign soil as it will on America's tree-shaded campuses and asphalt-paved streets. Only in the most extreme circumstances would a Governor permit this vital backup to leave his State unprotected from mobs of citizens who might resort to violence to show their disagreement with national policy.

Nor is Secretary of Defense Laird's directive of August 21 likely to change the outlook. In his memorandum, Secretary Laird stated that he is "concerned with the readiness of Guard and Reserve units to respond to contingency requirements, and with the lack of resources that have been made available to Guard and Reserve commanders to improve Guard and Reserve readiness."

All of us can share the Secretary's concern. While it has rendered great service under very trying circumstances, the National Guard is not presently combat ready. It is neither trained adequately nor equipped adequately to face an enemy on the battlefield of war. Nor is it trained and equipped adequately to control an unruly mob in our Nation's cities.

In fact, what is seldom recognized is that these are two very different tasks requiring different equipment, training, and weapons.

The combat rifle, so effective in warfare, has proven largely ineffective as an instrument for crowd control. Nor is it suitable for self-protection by Guardsmen. Tanks and jet fighter planes have no place at all in a civil disturbance.

Charged with the most difficult task, that of controlling a rioting mob of their fellow citizens, National Guardsmen have found themselves against impossible odds.

With Guardsmen inadequately trained and equipped to do the job they were given, it was inevitable that some citizens, including Guardsmen, would be needlessly injured and some innocent bystanders killed. Never in its 334-year history has the National Guard been so widely criticized. A militia which was created primarily to protect and maintain order within each State, the National Guard has never been given the tools to fulfill its fundamental task.

Although Guardsmen are seldom called up for civil duty and sent into action until violence is imminent or already has broken out, and although the Guard is almost certain periodically to be confronted with an irrational and angered mob of local citizens, each new enlisted Guardsman receives, as stated before only 8 hours of specialized training in how to deal with civil disorders—the only military situation he is likely to encounter while a member of the Guard. Refresher training totaling 16 hours is given annually to all Guardsmen, but since requirements state that it must be given during the months of January through May, the Guard's traditional 2-week summer encampment training period includes no civil disturbance work. Instead, that period focuses exclusively on regular combat training, driving tanks, flying jet fighters, and firing lethal weapons unsuitable for civil disorder control.

The cost of the tools available to a Guardsman in his efforts to quell a civil disturbance—the tanks, machineguns, jet fighters, combat rifles, and 16 hours of "refresher training"—is substantial. Last year the budget for the Army and Air National Guard exceeded $1.2 billion. That amount of money, invested wisely in equipment and training for controlling crowds and quelling civil disturbances within the United States, would yield an efficient police backup reserve work.

The primary responsibility for inadequacies in the National Guard must be assumed by Congress. Congress has mandated that "the discipline, including training, of the Army National Guard shall conform to that of the Army" and has ordered that "the same types of uniforms, arms, and equipment as are issued to the Army shall be issued to the Army National Guard." Similar restrictions have been laid down for the Air National Guard.

In addition, this stepchild of the regular Army has received hand-me-down equipment, one fact which caused the Secretary of Defense to voice his "concern" over the "readiness of the Guard—to respond to contingency requirements." The weapons carried by the Ohio Guard at Kent State were M–1 and M–14 rifles, similar to those used during World War II. Whatever their effectiveness as combat weapons, they were entirely inappropriate for maintaining order on the university campus.

Protective equipment worn by the Guard is also inadequate. Designed for combat action overseas, it is largely ineffective against bricks, bottles, and rocks thrown by demonstrators. Face masks and protective chest gear provide greater safety to local law enforcement officers than gear now worn by the Guard.

As a result, the Guardsmen are put in a difficult position when provoked by a crowd of rioting local citizens. Their primary training has been in the use of deadly force at the end of a combat rifle—their only hand firearms—yet, most Guardsmen agree that bullets from a combat rifle are totally inappropriate as a response to rock throwing. Each Guardsman is required to pledge:

> I will not load or fire my weapon except when authorized by an officer in person, when authorized in advance by an officer under certain specific conditions, or when required to save my life.

The Army Field Manual goes on to state:

> The use of deadly force (i.e. live ammunition or any other type of physical force likely to cause death or serious bodily harm) in effect invokes the power of summary execution and can therefore be justified only by extreme necessity. Accordingly, its use is not authorized for the purpose of preventing activities which do not pose a significant risk of death or serious bodily harm.

Rocks and bottles are not officially regarded as presenting that kind of risk to justify deadly force. The individual Guardsman who has lost teeth or an eye as the result of such missiles is entitled to ask why he is not provided with the protective equipment he needs which will also make it less likely that he will feel compelled to fire his weapon into a crowd.

Even sniper fire during a riot presents a situation totally different from that experienced during military combat. As the field manual says:

> The normal reflex action of the well-trained combat soldier to sniper fire is to respond with overwhelming mass of firepower. In a civil disturbance situation this tactic endangers innocent people more than snipers.

The manual provides as an alternative that—

> Fire by selected marksmen may be necessary under certain situations. Marksmen should be preselected and designated in each squad.

It is no wonder that Secretary Laird has expressed his concern over the readiness of the Guard for military combat. It is time that every American express his concern over the readiness of the Guard for civil duty here at home.

What must be concluded from these facts is that the requirements for fighting a war are quite different from quelling a civil disturbance or a riot. The purpose of the National Guard when used to control disorders is to contain and control rioters, not to kill them. Automatic combat rifles which fire 850 deadly rounds per minute are about as inappropriate on a college campus or in the streets of American cities as tactical nuclear weapons. They offer little protection to the beleaguered Guardsman because most rioters rightly assume such weapons will not be used.

When nervous Guardsmen do resort to gunfire, as at Kent State, the tragedy which follows is incalculable. Lives are lost and ruined, and a nation is torn apart by bitterness which erupts into more violence.

When I first made public my suggestion to Secretary Laird, a young National Guardsman from Houston, Tex., wrote me the following:

> I wholeheartedly agree with your proposal to have trained countersniper teams and to equip Guardsmen with nonlethal weapons. I also believe we should have less jungle training and more riot training (I have seen none yet.) I don't believe anyone wants to see another Kent State incident. One would think that there would have been some changes in National Guard policy after that episode. Instead the changes seem to be moving in the opposite direction.

Congress should provide the Guard with the training and equipment required for riot duty.

The Defense Department should undertake a continuing program to develop weapons specifically designed for bringing riots under control. As the commanding general of the California National Guard recently told a House subcommittee:

> We need some kind of a low velocity weapon, such as a shotgun or low velocity ammunition for our rifles. I hate to see a man shooting a sniper upon the roof with the knowledge that the bullet may land three blocks away and injure or kill some innocent person.

Some of these things can be accomplished by directive of the Secretary of Defense. Others, for example, the basic policy to be pursued, require changes in existing laws. It will be necessary to reallocate funds.

Today, I am introducing two amendments to title 32 of the United States Code to make clear the priority need to train and equip the National Guard to deal effectively with civil disturbances. The first amendment requires that in addition to standard combat training each National Guard recruit presently receives "equal emphasis shall be given to training—for the control of civil disturbances within the United States."

The second amendment orders the Secretary of Defense to "equip units of the Army National Guard and the Air

National Guard as required with specialized equipment and weapons suitable for us to control civil disturbances within the United States."

After the Kent State killings, President Nixon was shown pictures of the four young people who then lay lifeless. He said:

I vowed then that we were going to find methods that would be more effective to deal with these problems of violence, methods that would deal with those who use force and violence and endanger others, but at the same time, would not take the lives of innocent people.

This bill implements one of the most vital recommendations of the 1968 Report of the National Advisory Commission on Civil Disorders and the just released Report of the President's Commission on Campus Unrest. Both urged that the National Guard be provided with the capability to cope with civil disorders.

Recent history suggests that in the coming years the National Guard will be used increasingly for civil disturbance work. If Congress and the executive branch of Government work together properly to equip and train the Guard to deal with riots and crowd control, Guardsmen will be able to serve as a vital backup reserve, standing shoulder to shoulder with the men of the regular police force when they are needed. If we fail in this task, the tragedies of last spring and the deaths which rocked the conscience of the Nation inevitably will be repeated. Text of the bill follows:

H.R. ——

A bill to require that the training of the National Guard for civil disorders be emphasized equally with that for combat warfare, and to require that the National Guard be provided with specialized weapons and protective equipment suitable for use to control civil disorders

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 501(a) of title 32 of the United States Code (relating to the training of the National Guard) is amended to read as follows:

"SEC. 501. TRAINING GENERALLY

"(a) The discipline, including training of the Army National Guard, shall conform to that of the Army providing that equal emphasis shall be given to training under this chapter for the control of civil disturbances within the United States. The discipline, including training of the Air National Guard, shall conform to that of the Air Force, provided that equal emphasis shall be given to training under this chapter for the control of civil disturbances within the United States."

SEC. 2. Section 701 of title 32 of the United States Code (relating to the uniforms, arms and equipment of the National Guard) is amended to read as follows:

"SEC. 701. UNIFORMS, ARMS, AND EQUIPMENT TO BE SAME AS ARMY OR AIR FORCE

"So far as practicable, the same types of uniforms, arms, and equipment as are issued to the Army shall be issued to the Army National Guard, and the same types of uniforms, arms, and equipment as are issued to the Air Force shall be issued to the Air National Guard: provided that the Secretary of Defense shall equip such units of the Army National Guard and the Air National Guard as required with specialized equipment and weapons suitable for use to control civil disturbances within the United States as specified in chapter 5."

JOB MART—A SUCCESS THAT IS JUST BEGINNING

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from Massachusetts (Mrs. HECKLER) is recognized for 5 minutes.

Mrs. HECKLER of Massachusetts. Mr. Speaker, it is clear that an important factor in reducing the rate of unemployment is providing a means to match job seekers with job openings. In many cases jobs are available but potential, qualified applicants are unaware of the opening.

The Veterans' Administration and the Boston Globe recently undertook to match jobs with applicants. The result was the highly successful New England Vietnam Veterans Job Mart which was recently held in the Paddock Club of the Suffolk Downs Race Track in East Boston.

I was delighted to have the opportunity to visit the Job Mart and I was greatly impressed with the high quality of the veterans and nonveterans who attended to learn of job opportunities.

Each of the applicants had the opportunity to meet with representatives of any of the more than 200 business firms that came to the Job Mart with jobs to fill. Approximately 7,000 veterans and nonveterans now have jobs or followup opportunities for jobs. In addition, many others have an improved understanding of employment requirements and opportunities.

There are four gentlemen whom I would especially like to single out for their obvious concern for our veterans and their families and for the need to continue our efforts toward economic growth. They are John I. Taylor, president of the Boston Globe Newspaper Publishing Co., who approved his newspaper's full support for the joint effort with the Veterans' Administration.

In addition, the Job Mart could not have achieved the tremendous success it did without the efforts of three very capable Globe staffers—Nat Kline, Frank Mahoney, and Lawrence Healy who worked long hours to insure that the Job Mart provided the outstanding service it did.

In addition, Francis A. Hunt, the Veterans' Administration's Information Service Representative for New England, served as project director of the Job Mart and can claim credit for a great deal of its success.

The Honorable Donald E. Johnson, Administrator of Veterans' Affairs, also attended the Job Mart and expressed to me his immense satisfaction and enthusiasm for the Job Mart concept. The Boston Job Mart will be a model for the VA to follow throughout the Nation.

The welfare of our returning veterans is a concern for all Americans. To translate this concern into action is the job of the Veterans' Administration and interested citizens such as the staff of the Boston Globe. It is with great pleasure that I call to the attention of the House the fine success of the Job Mart and the outstanding efforts of those associated with it.

Mr. Speaker, I am including at this point in the RECORD three articles from the Boston Globe describing the Job Mart:

JOB MART—A SUCCESS THAT'S JUST BEGINNING

(By Frank Mahoney and Nat Kline)

The big two-day Vietnam Veterans Job Mart sponsored by the Veterans Administration and Boston Globe is over, but the real effect is just beginning.

Major employers of all types, ranging from large industrial firms to government or municipal agencies, have scheduled follow-up interviews for alert young men—and those a bit older—found to be excellent prospects for long careers with them.

The general opinion of those who manned booths all or part of the 11-plus hours each day at Suffolk Downs, from before 9 in the morning until past 8 at night, was that Job Mart accomplished at least five important things:

1. In a two-day period, utilizing four acres of space as a common meeting ground, well over 200 employers' representatives with firm job offers were able to meet young men who had the talent or skill they needed—men who wanted to work. Many personnel men said they accomplished more in two days at Job Mart than in months.

2. Returning young servicemen, needing to understand this civilian world, found people, important people, were actually interested in their welfare, interested in putting them to work so they could make a sound contribution and gain a foothold on a secure future.

3. Businessmen, talking to the many Veterans Administration, Massachusetts Division of Employment Security, US Civil Service Commission and US Department of Labor representatives at the Mart, found that the government did more than collect their taxes, and that government men were keenly aware of the employment picture.

4. New devices were introduced to speed-up the "two-way street" of matching applicant and position: Fourteen electronic job bank viewers in one building were used for the first time, so that all jobs being offered throughout the time period were on view at all times and the applicant could watch and pick the company to which he felt most suited. New-type IBM copiers went into service so that duplicates of applicant's preregistration forms, listing his qualifications, could be reproduced at unbelievable speed.

5. The "meeting of the minds" on the whole area job picture, from Federal official to businessman to the young fellow off the street, regardless of his status, color, or creed. All parties interviewed stressed the fairness of the operation and the friendliness of those trying to extend or receive job help. This might well be the most important factor of all.

Nearly 11,000 people passed through the entrance of the Suffolk Downs Clubhouse in those 22 hours of Job Mart. More than 7000 either have a job, a promise of one or word that they are to return to take physical tests, aptitude exams or a follow-up interview.

President Nixon sent a telegram expressing appreciation of the Globe's part in Job Mart. Sen. Kennedy's and nearly all other Bay State congressmen made specific favorable comments in writing on the project.

Donald Johnson, Veterans Administrator, extended his scheduled 8-hour observation study and critique of Job Mart to the full 22 hours and two days of its running.

He was glad he stayed, and called it "the greatest of its kind in the nation."

Congresswoman Margaret Heckler of the House Veterans' Affairs Committee, on hand for the opening ceremony, felt "this is a wonderful aid to the men who have served their country."

EMPLOYERS DELIGHTED AT RESULTS

To really understand how participants on both sides of the employer-employee exchange felt about Job Mart, definite com-

ment was solicited. Here's how some of the employers' representatives felt:

"When people climbed up the stairs to our third floor booth we knew they really wanted to talk to us," said John T. Charron, district manager of Metropolitan Life Insurance Co.'s ordinary sales office.

"We had eight men to a shift, 16 a day, manning our booth. We listed 70 further interviews up to 2 o'clock on opening day.

"I selected two young men who I know are hard-to-find people with real drive. I don't know where I could possibly have met them if it were not for a project like Job Mart.

"I certainly hope this is done again."

Deputy Superintendent Jeremiah Sullivan, Boston Police Department Community Relations Bureau: "We were delighted to participate. A total of 450 veterans were interviewed at our booth. Entrance requirements were explained and Civil Service rules pointed out. Quite a few men went right over to the Civil Service booth, made out their forms on the spot, then came back to us."

"Frankly, we looked at this with a jaundiced eye at first," said Derek Hepworth, agency secretary for John Hancock Life Insurance Co., "but we went in because it was good public relations.

"We have been delighted and amazed at the outcome.

"In the past, our personnel people frequently spent more than an hour with one man and then found the company and he weren't mutually suited. Here we've sent 30 men to see independent agency representatives the first day, and they are excellent prospects."

On opening day alone, George Spector, regional supervisor for northern New England for John Hancock, sent 50 persons to districts in areas ranging from Concord, N.H., to Providence, R.I.

A prime illustration of the Job Mart's worth to an employer was cited by Albert Barber, director of employment for L. C. Balfour of Attleboro, manufacturing jewelers.

"We had been looking for a good traveling illustrator for more than a year, a young fellow who could communicate with students and young executive types. We couldn't seem to find him.

"At Job Mart this young man who had been driving a taxi 11 hours a day stopped to talk to me.

"I found he was a graduate of the Massachusetts College of Art, had real personality, liked to talk to people. After I told him we sold the Boston Bruins their Stanley Cup championship rings and his job would have glamour, not become humdrum, he was genuinely interested. I'll be seeing him again tomorrow."

Robert Gatti of Westinghouse's Sturtevant Division, industrial relations assistant, said his firm was "very happy with Job Mart.

"We were looking for welders, erectors, machinists—particularly for people who could read blueprints. I found 30 in a little over a day. More than 10 will be hired. Most of the people who came to our booth were 20–28 years old. There were not only veterans, but quite a few non-veterans. We did not discriminate."

Bob Greene, Sears, Roebuck personnel manager at its Burlington Mall store, was one of that firm's representatives at their booth in Job Mart.

"Married men with low-paying jobs, like one part-time machinist I talked to, were shown how they could do much better with the possibility of a lifetime, rewarding career," he stressed.

Gifford W. Colburn, director of the personnel division of the Post Office's regional office here, said "William Bolger, our regional director, found Job Mart most worthwhile," and went on to say 728 contacts were made, 621 veterans issued applications, and 329 filled them out before they left.

Praise came from Internal Revenue Service Center, Andover, Personnel Chief William F. Borbour, who gave a point about being patient with a process that isn't completed overnight. He said, "We are now processing scores of applications from Job Mart in our drive to recruit employees."

United Parcel Service representatives Chuck Cahoon, Frank Cullen and Joe Ferro, said everyone from those with master's degrees to grammer school diplomas were heard, military experience such as supervising an Army motor pool or driving big military trucks was taken into consideration, and mechanics, and other skilled people sent to the proper offices of this big outfit, which covers 39 out of 50 states.

Hertz Rent-A-Car Personnel Manager H. B. Mikonis voiced similar sentiments.

VETERANS HAPPY AT RECEPTION

Every veteran who took part in the Job Mart thought the whole concept was "great"—even those who did not find a job.

It had its drawbacks for many and they gave their honest opinions as to what they thought was wrong. Both the VA and Globe sought out these people because constructive criticism can make for better future job marts.

For the thousands who went away with a job or a prospect of one, it was one of their finest days since they separated from Uncle Sam.

As for others, here's what some of the men had to say as they left Suffolk Downs Thursday night:

Dennis Richard, 22, of Lynn, a Marine Corps vet, said, "I thought the whole thing was pretty good. I want to be a civil engineer but I need further training. I found that out here. The VA counselors were more help than anything to me."

Dennis was not the only one who had high praise for the counseling service. Many veterans were unaware that such a service was available.

Hundreds of others, who had no idea of what kind of a job they wanted or what they were suited for, had their first experience with the totally revamped vocational counseling service of the Massachusetts Division of Employment Security. Counseling director Thomas Conway said, "Our job was to show these kids they were, in most cases, setting their sights too low when it came to their potential."

Charles Corricelli, 25, of Everett, an Air Force veteran, commented, "I thought it was great. Personally it has not been so good for me, but I talked to a lot of guys who made out fine. It should run for a week—it's too much for one or two days. I want to be a computer-programmer, but I've had too much previous training for most of the companies here. They want to train their own people.

"But I've got three or four interviews lined up for next week and that's more than I had when I came here."

Many employers said, after the first day, they had no idea that the average Vietnam veteran would have the training and qualifications they had. "Many of these kids are almost over-educated," one experienced personnel manager commented.

Another said, "Every fourth kid had a college degree. It amazed me. But we were looking for men who could work with both their heads and their hands—we don't have any openings for history majors, right now."

John O'Donnell, 26, of Norwood, an Army vet, said, "This was an excellent idea. Really tremendous. I talked to a number of companies and I've got a lot of leads and some interview appointments. I wanted a training position in government. I came here both days, but you really need more time than that to get to see all the companies you wanted."

Melvin Diggs, 25, of Roxbury, another ex-soldier, wanted a training job. "This was a good thing. There's a lot of opportunities here and I got some leads on jobs. I sure found out that it's difficult to get a job today without a good technical education."

The question of a technical education versus a liberal arts education came up constantly during Job Mart.

There is no question that employers are seeking young men with a good, advanced, technical education such as schools like Wentworth Technical Institute offer.

But that's today. A Federal official pointed out that by 1972, in just the Veterans Administration itself, more than three-fourths of the top management men will be retiring, having reached age 55 with 25 years on the job. Then the demand will switch back to the liberal arts—business—professional degree man.

George Howe, 26, of Waltham, another Army man, has been setting aside one day a week for job hunting. "This was very impressive. In one day I covered more companies that I could in six weeks. At Job Mart I went only a few steps to get from one company to another and I was able to talk face to face with the guy that could hire me. I have two or three things fairly definite and a dozen hopefuls. I came both days and even then I didn't get to see everyone I wanted. Two days is really not enough time."

Robert Morrissette, 23, is an Air Force veteran who is continuing his schooling at Bridgewater State Teachers College. "I wanted a part-time job. At first I was pretty depressed, then I hit the oil company booths and now I have a choice of jobs starting at $2.75 an hour. Now, instead of no job, I've got to decide which ones I want. This was a good thing for you guys to do."

Bruce Haglquist, 22, of Charlestown, an Army veteran, thought the whole thing could have been better. "It's too big for itself. I didn't make out at all. It was not diverse enough in what it had to offer. The idea was great.

Mike Arsenault, 22, of Chelsea, an ex-Marine and his pal, Charles Zerola, 21, also of Chelsea, an Army man, both thought Job Mart did not offer anything for a young veteran who only had a high school education—but both were delighted with Job Mart and hoped another one would be held.

Charlie left saying he thought he would take up his dad's offer to tend bar in his cafe.

Mike said, "They set their qualifications too high for me. They want degrees. I went into the service out of high school and now I think I'm too old to go after a degree.

"The idea was great. It was good to find out that someone big is trying to help guys when they come back. People forget, I guess, that after a while in Vietnam you come back with your mind a blank. You don't know what you want to do. I talked to lots of guys here and a lot of them made out just great—but not me. I don't know what I want to do.

Mike was a lucky one because at that point Tom Conway from MDES happened to walk up and hear him. He quickly squired Mike over to a beautiful young lady who holds a master's degree in vocation. He now is going to undergo extensive vocational therapy and he doesn't know it yet, but Job Mart will pay off for him, too.

Throughout the whole thing, and as tired as both the veterans and the employers and the sponsors got, a sense of humor prevailed.

One wiry little guy spent some time talking with the FBI recruiters. Finally, he was told he was too short and underweight to be an agent.

He quipped "I'll buy elevator shoes—no one but my mother will ever know."

"You're still underweight," said the agent with a grin.

"I wish to heck you were sitting on my draft board when they called me up," the little guy said, "I could have used a friend like you then."

Needless to say that broke up the usually taciturn FBI men.

DEFENSE AND THE ECONOMY

(Mr. SIKES asked and was given permission to extend his remarks at this point in the RECORD, and to include extraneous matter.)

Mr. SIKES. Mr. Speaker, one of the most realistic appraisals of defense spending in recent months is contained in an address by the Honorable G. Warren Nutter, Assistant Secretary of Defense for International Security Affairs. It is entitled "Defense and the Economy" and it spells out the true measure of cuts in defense spending, and it contrasts our own defense status with that of Communist forces in a most effective way.

The address follows:

DEFENSE AND THE ECONOMY

(By Hon. G. Warren Nutter)

I have been asked to speak on defense and the economy. I welcome the opportunity to do so before this audience of fellow economists.

Naturally, I speak in my capacity as an official of the Defense Department, but that is not all bad. I recall a former colleague of mine at the University of Virginia, a historian, who used to say that we have plenty of unbiased histories of the Civil War. What we lack, he would add, is an unbiased history written from the Southern point of view.

I am pleased to give an unbiased account of defense and the economy as seen from the Defense point of view.

Let us first take a look at trends in public spending as projected from fiscal 1964, the last year before the military buildup in Southeast Asia, through fiscal 1971. In current prices, spending by government at all levels—federal, state and local—is expected to increase over this period by $143 billion, or by 82 percent. Spending by the Department of Defense, on the other hand, is expected according to the present budget to increase by only $21 billion, or by 41 percent, while non-defense spending increases by the remaining $122 billion, or by 98 percent.

The contrasting trends are even more striking when measured in constant dollars. In prices of fiscal 1971, spending will have risen by $88 billion for government as a whole, comprising $82 billion for nondefense programs and less than $6 billion for defense. The corresponding percentage increases in real spending are 38.5 percent for government as a whole, 50 percent for nondefense purposes and only 9 percent for defense.

As a consequence of these trends, nondefense spending will show a rise from 20 percent of GNP to some 24 percent, while defense spending shows a decline from 8.3 percent to 7.0 percent, the lowest percentage since 1951. Similarly, in fiscal 1971 defense will account for less than 35 percent of federal spending, the lowest fraction since 1950. In fiscal 1964, it accounted for 41.8 percent.

The civilian and military manpower employed by the Department of Defense and defense contractors amounted to about 5.8 million persons at mid-1964. The figure will be higher by less than 700 thousand, or 11 percent, at mid-1971. Over the same period, the labor force will rise by some 14 percent.

Of course, this relative shift in resources away from defense to other uses has not taken place steadily since fiscal 1964. Quite the contrary. Through fiscal 1968, the relative shift was in the other direction. At the peak of the buildup in Southeast Asia, just before the present Administration came into office, defense spending had risen to 9.5 percent of GNP and 42.5 percent of total federal spending. The trend has been reversed by the sharp military cuts of the last year and a half.

At first sight, these cuts may not appear to be as large as they have been. In fiscal 1968, defense spending was $78.0 billion. The present budget calls for $71.8 billion in fiscal 1971, a decline by $6.2 billion or 8 percent. But prices and wages paid by the Defense Department have risen by some 15 percent and have therefore eaten up a far larger sum. In fiscal 1971 prices, it would have cost $89.4 billion to finance the defense program actually undertaken in fiscal 1968, or $11.4 billion more than the cost in then current prices. That is to say, real defense spending measured in fiscal 1971 prices has been cut by $17.6 billion over this period. This is the figure to focus on: a reduction by one-fifth in real defense outlays accomplished so far under the Nixon Administration. This is the magnitude of the shift in resources that is taking place.

Despite this hefty cut in defense spending, there are some who say that we have not cut enough, that the "peace dividend" runs many billions of dollars more than the cuts already made. These claims are wrong for two basic reasons.

First, what we can save by withdrawing troops from Vietnam is considerably less than the full cost of the war. Measured in fiscal 1971 prices, the full cost of our forces came to $30 billion in fiscal 1968. Of that amount, however, some $7 billion represented the cost that would have been incurred for baseline forces if they had been engaged in peacetime activities elsewhere. Hence the incremental cost attributable to Vietnam was $23 billion.

Second, we have since reduced defense spending in the same real terms by almost $18 billion, leaving only $5 billion to $6 billion of the so-called "peace dividend" still to be realized. This sum is only about half of the incremental cost of the Vietnam war that will still face us in May 1971, after the withdrawals of 265,500 troops announced so far have been accomplished. That is to say, we will actually have overdrawn the "peace dividend" by some $5 billion before the end of fiscal 1971, but we can do so only by deferring or reducing other essential programs.

The cutbacks may stand out more sharply when put in terms of people and things. Our military forces numbered 3.5 million in mid-1968 and will number 2.9 million in mid-1971, a decline of 639 thousand. Those nineteen through twenty-two years old, or about half the total, accounted for 24.7 percent of their age group in 1968 as compared with only 14.5 percent in 1971.

Civilian employment will show a drop of 142 thousand in the case of the Defense Department and 1.4 million in the case of defense contractors. Total direct employment in defense activities, civilian and military, will therefore decline by some 2.1 million between midyears of 1968 and 1971, creating a substantial problem of transitional unemployment.

Real purchases of goods and services will fall by 30 percent. Our active fleet will be reduced by more than 200 ships. The average age of ships in the active fleet is now more than 16 years. About half of our Air Force planes are over nine years old. Yet the Air Force has scheduled purchase of only 390 aircraft in fiscal 1971, the smallest number since 1935.

The problem facing our nation today is to meet a mounting external threat while reducing the resources devoted to defense and expanding those devoted to internal programs. Whatever we do, we must not commit the fatal error of closing our eyes to the threat shown by actions as well as words.

The gravity of strategic nuclear developments in both Communist China and the Soviet Union is revealed by a few salient facts and figures:

Our estimate of the monster Soviet SS–9 Intercontinental Ballistic Missiles deployed or under construction has increased from 230 a year ago to over 300 today.

The number of SS–11 ICBM's has also increased substantially.

The Soviets continue testing SS–9 multiple re-entry vehicles and an improved SS–11 missile.

The Soviets now have some 50 ballistic-missile submarines, including 25 that are nuclear powered. At present construction rates, the Soviet fleet of Y-Class submarines could numerically match or exceed our fleet of Polaris and Poseidon submarines by 1974 or 1975.

Communist China has continued to test nuclear weapons in the megaton range and is expected to test its first ICBM within the next year. An operational capability may be achieved by the mid-1970's, and a force of 10 to 25 ICBM's might be operational two or three years later. The launching of a satellite this spring reinforces these judgments.

In light of these developments, it is important to remember that we have not increased our force level of strategic offensive missile launchers as established around 1965. We have actually decreased the megatonnage in our total strategic offensive force by more than 40 percent since then. In the same period, the Soviet Union has quintupled its number of strategic offensive missile launchers, increasing them from 300 to 1,500, and quadrupled the megatonnage of its strategic offensive force.

We are confronted with a strong conventional threat as well. The most critical theater is that facing the NATO Central Region, where the Warsaw Pact could, in a relatively short time, assemble a force of about 1.3 million men and associated combat equipment. In Asia, we are all well aware, Communist China and North Korea maintain armed forces that represent a very real threat to neighbors who are among our staunchest allies.

Our defense planning and budgeting must also give serious consideration to submarines in the Soviet general purpose forces. The Soviets have about 300 attack and cruise-missile submarines, including about 55 with nuclear power, that could endanger both our own naval forces and the merchant shipping essential to support our European and Asian allies.

The Soviets are rapidly building up other elements of their naval fleet and expanding its presence throughout the seas of the world. The number of steaming days for Soviet naval units in the Mediterranean has risen from some 750 in 1963 to around 16,000 last year. A recent worldwide naval exercise involved about 200 ships whose operations were closely coordinated. Soviet naval units have cruised in the Caribbean each of the last two years. This year, three ships and a nuclear-powered submarine armed with cruise missiles visted a Cuban port.

In brief, the Soviet Union is embarked on an ambitious program to achieve a global naval capability.

We estimate that Soviet expenditures on research and development for military and related purposes have been increasing at an annual rate of about 12 to 13 percent during the last few years, while our effort has actually declined when inflation is taken into account. Our greater past expenditures have given us a technological lead over the Soviet Union, but recent trends threaten to destroy that lead. Accordingly, the only course we can prudently follow is to advance our own knowledge at a reasonable pace in every area we consider important to our future military strength.

To ensure our future safety and to avoid the risk of serious technological surprise, we must invest each year a reasonable volume of resources for improving and expanding our technological base. While we cut back on force levels and procurement of weapons in response to budgetary restrictions, we must

protect against future threats to national security that would result from inadequate support of basic research efforts.

Put more broadly, increases in some defense programs are the best way to cut defense spending as a whole. Military assistance and sales are a case in point. These twin instruments assume new importance as we implement the Nixon Doctrine. They are the means for transferring to allied and friendly nations the military equipment and training they need to provide for their own and the common defense. In some areas where American forces are now stationed, we can increasingly realize substantial savings by exchanging military assistance for manpower. In others, we can help allies and friends achieve a self-reliance that will make use of American manpower unnecessary in future crises.

The great danger is that we may be tempted to cut the defense program recklessly simply because it is more easily controlled, year by year, than the rest of the budget. About half of federal spending, or roughly $100 billion in fiscal 1971, is subject to annual control through the appropriation process. Sixty-five percent of the annual controllable sum rests within the defense budget.

Uncontrollable spending is determined by basic legislation not subject to annual review. In many areas, payments depend on some formula set by law, and funds are automatically disbursed unless Congress revises the basic legislation.

When spending must be cut quickly, controllable items bear the brunt. Defense therefore becomes a prime target, whether or not reductions make sense as far as national security is concerned. The moral would seem to be that more of the federal budget needs to be brought under annual control so that aggregate spending can be reduced in an orderly fashion when the economic situation calls for such an aggregate reduction.

Peace is the prime objective of this Administration. President Nixon has demonstrated his full commitment to that objective through Vietnamization, negotiation, and realignment of national priorities.

But peace and security require strength. By the end of this fiscal year, the defense effort will have been cut by 20 percent and manpower by 25 percent. We can reduce our defense community only so far without jeopardizing the nation's safety. Secretary Laird has made this clear in saying:

"My great concern at the present time is the maintenance of the nation's military strength at the level required in today's world. The pressures for deeper immediate cuts are strong. Convinced that deeper cuts would expose the American people to risks which I cannot in conscience recommend that they assume, I shall do my best to persuade the Congress and the people to reject them."

In brief, we have cut defense enough for the present. It is time to look elsewhere for relief from the heavy burden of taxes and for resources better employed in meeting pressing domestic needs. Those whom you have entrusted with responsibility for the nation's security speak with one voice in sending this message to you.

FEDERAL PROGRAM ON ALCOHOL USE URGED

(Mr. BROWN of California asked and was given permission to extend his remarks at this point in the RECORD, and to include extraneous matter.)

Mr. BROWN of California. Mr. Speaker, a few days ago Mr. William N. Plymat, Iowa insurance executive, appeared before the House Committee on Interstate and Foreign Commerce to testify on behalf of the proposed Comprehensive Alcohol Abuse and Alcoholism Prevention, Treatment, and Rehabilitation Act of 1970.

Mr. Plymat's testimony was extremely enlightening, and being familiar with his knowledge and sincerity in this regard I feel compelled to bring his statement to the attention of my colleagues.

The testimony follows:

STATEMENT OF WILLIAM N. PLYMAT, CHAIRMAN OF THE BOARD OF DIRECTORS OF THE PREFERRED RISK MUTUAL INSURANCE CO., WEST DES MOINES, IOWA

Mr. Chairman and Members of the Committee: My name is William N. Plymat. I was a founder of and now am Chairman of the Board of Directors of the Preferred Risk Mutual Insurance Company of West Des Moines, Iowa. I served for 11 years as President of this automobile insurance company, which insures only non-users of alcohol. I am an attorney and am General Counsel of the American Council on Alcohol Problems of Washington, D.C. This organization represents statewide organizations in a large majority of the states concerned about alcoholism and all alcohol problems. These organizations and the American Council on Alcohol Problems represent the concerns of multitudes of church groups across the country. I am also President of the Iowa Council on Alcohol Problems, which carries on an extensive alcohol educational program in the schools of the State of Iowa, and this organization is a state affiliate of the American Council on Alcohol Problems.

In appearing here I wish not only to urge the passage of this Bill but to urge you to give consideration to some things that bear on the whole alcohol problem which I fear may be overlooked. And the suggestions which I make may point up a need for several amendments to the Bill to insure that the noble purpose of the Bill may be achieved.

It is rightly said that alcoholism is a *progressive* disease. There are still many things that are not known about it. There is a difficulty even in defining it. There is a minority that feel that it is essentially a *physiological* disease—some in this minority claim it is due to the hormone situation that exists in some individuals. They claim that there are few baldheaded alcoholics—that most alcoholics have heavy heads of hair. You can check this by going to an Alcoholics Anonymous meeting and looking around—but I will say that there are baldheaded alcoholics. There are some in this minority who claim that it is due to a liver deficiency in some individuals who thereby become addicted. There is at least one expert who claims it is due to a damage to a section of the brain—the hypothalamus, which controls the autonomic nervous system of the body, and that the damage by alcohol to this section of the brain causes the compusive addiction to alcohol.

But I am sure that *the majority* properly view alcoholism as essentially a *psychological* problem. I think it is fair to say that the most successful therapy in America has been that of Alcoholics Anonymous. Their record of effecting recovery is outstanding. It is noteworthy that their therapy is based upon the willingness of the individual to become completely honest with regard to the affliction, his or her actions in seeking recovery, and a total response to all the problems and challenges of life. I know of no successfully recovered alcoholic who is not an honest person. It is also clear that spiritual change is involved in recovery. This sometimes bothers some who are resistent to entertaining the notion that their lives could be improved and that religious and spiritual principles have meaning and value and should be responded to.

Undoubtedly much research needs yet to be done on alcoholism which this Bill will provide for. But much more action than research is needed. This Bill can lead to recoveries from alcoholism for hundreds of thousands at a minimum who will otherwise die. The need is urgent and getting more urgent with every passing day. So the Bill must pass.

REHABILITATION AND WARNINGS ARE NOT ENOUGH

But more is needed than just a massive program of rehabilitation and a warning of individuals about the dangers of abusive use of alcohol and alcoholism. We need to consider the matter of social and legal controls. We need research in many areas far afield from the problem of "alcohol abuse"—in the form of intoxication and alcoholism.

We need to study "alcohol use" as well as "alcohol abuse." It is my firm conviction that if we mount all the rehabilitation efforts that can be achieved as a result of this Bill, if passed, and all the prevention warnings that can be mounted on "alcohol abuse" we will still be falling behind in coping with this problem. Sooner or later we must face up to the hard truth—and that is that if we are going to make real progress in the whole area of alcohol problems, alcohol abuse, and alcoholism, we must take actions that will reduce the consumption of alcoholic beverages in this country instead of standing by and watching per capita consumption continue to mount and the widespread use of alcohol continue to expand. I am not only willing but eager to have competent research done to verify hypotheses which many sincere citizens, including myself, have arrived at after our own research. Our research leaves much to be desired, but as private citizens we do not have the staff or funds to do better.

THE STORY OF A STATE

Let me cite you the example of my own state. Until July of 1963 Iowa sold liquor legally only by the bottle. We had a somewhat unknown amount of "illegal liquor by the drink" in so-called key clubs mostly in our metropolitan areas. This situation was distressing to many citizens and legislators and so we legalized liquor by the drink and immediately faced the dilemma of deciding whether it was to be "limited" as to number of licenses or "unlimited." If the number were limited, there would be the great danger of graft and corruption in the scramble for the valuable licenses. And so we abandoned any limit. We wound up in 1964 with one license for every 1,219 people in Iowa. By 1969 there was one license for every 917 people. We were told that liquor by the drink would promote moderation and that if a man could get a drink or two in a bar he would be satisfied and would drink less than if he bought a whole bottle. But it did not turn out that way. In the first year of liquor by the drink, Iowans bought $37,182,672.67 in liquor by the drink including the 10% tax. The next year it was $43,767,911.01. The next year it was $51,120,718.77. In 1967 it was up to $56,581,227.45. Then we lost our hard figures for the retail tax was taken off, but reasonable estimates indicate continued increase.

In the six years after liquor by the drink, the per capita consumption of liquor in Iowa rose over 32% against the average of the four years before. At the same time, our mileage death rate according to National Safety Council figures rose 33.6% from a rate of 4.73 per 100,000,000 miles traveled for the years of 1960 to 1962 inclusive to 6.32 for the years 1963 to 1968 inclusive. Drunk and drinking driving fatal traffic accidents increased markedly. Over the country "run off the road" fatal accidents involve drinking to the tune of around 75%. Iowa's toll in this category increased markedly. Midnight to 4 a.m. fatal accidents involve much drinking, and this category increased greatly. When our death rates rose, we added 100 men

to our Highway Patrol at a cost of around $1,000,000 annually, but that did not result in a decrease. Alcohol abuse and alcoholism are highly related to poverty problems, and these problems have risen dramatically.

IOWA'S OUTSTANDING REHABILITATION EFFORT

We wisely mounted a great campaign to attack alcoholism in Iowa under the able leadership of our then Governor Harold E. Hughes. And now Des Moines has a detoxification hospital that costs taxpayers $450,000 a year. This hospital, the Harrison Treatment and Rehabilitation Center, was named for our now famous Municipal Judge Ray Harrison, who has been a great leader in rehabilitation work for more than 30 years. It is doing a great job, and many alcoholics have found sobriety there. In addition, we have 16 information centers over the state, ten halfway houses, and a 50-bed hospital at the University of Iowa. Our state Alcoholism Commission is doing effective educational and other work. I think in proportion to its population and wealth Iowa is doing as much if not more than any state in the Union. With a population of 2,789,893, Iowa is now spending annually around $2,500,000.

There have been great increases in the number of alcoholic patients in our four state mental health institutes. There is no positive evidence that the liberalization of our liquor laws caused this increase, but the moderation we were promised by liberalization surely did not appear; and if alcoholism is a *progressive disease,* as it is, it may well be that the greater accessibility of liquor through around 3,000 new bars in our state sped many a man and woman down the road to alcoholism. And much loss in life and personal injury and loss of income and family injury can be avoided the sooner an alcoholic can be arrested on his or her way down to the dreadful "bottom." We come then to the question whether all this wonderful work is really "solving" or substantially meeting our problem of alcohol abuse and alcoholism. And my conviction is that it is not.

REHABILITATION ALONE DOES NOT SOLVE THE PROBLEM

I know of one recovered alcoholic who was reported to have been arrested over 300 times for intoxication before he found sobriety. This is to say that when an alcoholic finds sobriety the drunk arrests in his city over a period of time often are lessened by from one to a hundred or more. Arrests for drunkenness often do not tell the true story because arrests sometimes are more an indication of enforcement diligence, which varies from time to time, than actual conditions. Yet I know of no intensified effort in Des Moines to arrest more for intoxification in the last few years than before. I anticipated that when we mounted this vast rehabilitation effort in Iowa there would be a reduction in arrests for drunkenness in Des Moines and this would indicate we were making real progress in the total problem. But this has not occurred. I wish to provide a tabulation of this record at this point.

ARRESTS FOR DRUNKENNESS IN DES MOINES, IOWA

Year	Total	Under age 21	21 and over
1959	3,657		
1960	4,035		
1961	4,024		
1962	3,801	80	3,721
1963	4,454	98	4,356
1964	4,400	296	4,104
1965	4,311	198	4,113
1966	4,612	264	4,348
1967	4,696	336	4,360
1968	4,944	367	4,577
1969	5,257	401	4,856

I should like to add that when Judge Harrison established in Des Moines a special court class for those arrested for drunkenness some years before liquor by the drink, drunk arrests dropped markedly. Yet after liquor by the drink, the trend was reversed. These facts convince me that although we are doing an outstanding and commendable job and it should be continued, expanded and intensified, we will never really make gains until we do something more. I will call your attention also to the trend of arrests of those under 21 years of age. Millions of youth are probably starting down the road to alcohol abuse and alcoholism.

SOME GENERAL RECOMMENDATIONS

If we are to completely respond to the challenge of our problem, we should do research of many kinds. One researcher, Dr. Melvin H. Knisely, the subject of an article in the *Reader's Digest* in June, 1970, contends that even moderate use of alcohol may result in brain and heart damage. This contention deserves extensive research. It has been assumed until recently that only heavy drinking over a long period of time results in brain damage. If there is brain damage with moderate social drinking, this needs to be brought home to all our citizens for alcohol abuse and alcoholism may result from conduct that today is considered socially acceptable and non-injurious.

It is my belief that no physical or mental test can be given to a youth that can foretell if he or she will become an alcoholic if he starts the use of alcohol and that on the average one out of 15 who begin use will sooner or later wind up as an alcoholic. Research should be undertaken to determine if this belief is correct. If it is, the nature of our preventive education may need to include strong efforts to suggest to our youth that total non-use of alcoholic beverages is the only sure way to avoid the disease of alcoholism. And recognizing that alcoholism is a fatal disease unless arrested, the danger of it, although being only one in 15, is so great as to warrant strong efforts to avoid it.

Research needs to be done to determine the degree of successful recovery that can be obtained through a massive total effort at rehabilitation. If, for example, the chance of recovery is only 50%, as may be the case, this needs to be brought home to all of our citizens.

We need to determine whether legal restrictions are helpful in reducing the problem of alcohol abuse. I am of the conviction that the line should be held against the Sunday sale of liquor in all the places where under state and local law such is now prohibited. Drinking is largely related to leisure-time activities. The liquor industry pushes hard for Sunday sales because it means great increases in sales. One of its industry officials reported that in New York, where Sunday sales are allowed, approximately 60% of the sales of the week are done on Sunday. A few years ago I compared the records of fatal traffic accidents in Washington and Iowa which had no Sunday sale of liquor with California and Oregon that did and found a marked difference. My home state of Iowa has no legal sale of either beer or hard liquor on Sunday, and although traffic flows are known to be about the same for both Saturday and Sunday, our fatal traffic toll is much less on Sundays.

We need to know whether under a liberalized system of widespread liquor by the drink there develops more alcoholism than under more restricted conditions. We need to know whether increased per capita consumption of liquor under liquor by the drink results in great increases of what may be called "alcohol abuse."

We need to carefully research the effects of advertising of alcoholic beverages especially on radio and television. It seems fundamental that advertising increases use and consumption, and it is to be recognized that the advertising of alcoholic beverages on radio and TV appeals to teenage youth to buy a product that for them most places is illegal.

We need an intensive investigation of the drinking driving problem. Right now it is being claimed that most of the blame for the problem of drinking driving fatal and injury accidents belongs to alcoholics. I am of the conviction that those who think that see only the top of the "iceberg." Admittedly there are many alcoholics and so-called "alcohol abusers" in this category, but there are tremendous numbers of alcohol-caused accidents involving drivers under 25 years of age and most of these are not alcoholics or problem drinkers . . . nor so-called "alcohol abusers." They are young people who do not regularly get drunk but who on one occasion got too much alcohol for safe driving.

According to Raymond K. Berg, chief judge of the Chicago traffic court, a recent study there showed that only 20 percent of those convicted of drunken driving were alcoholics. The rest, according to him, were just ordinary social drinkers most of whom did not believe they were impaired drivers until a blood sample or a breath-tester showed otherwise.

In my opinion, it is most unfortunate that the National Safety Council leaders have been persuaded that they should abandon their historic pleas to motorists to avoid *all* drinking and driving. Their action, which was prompted by evident theories of one or more psychologists, was designed to get after the drunk driver, but its result will be, I fear, to increase drinking and driving by many who will be led to believe they can safely drink and drive if they will hold their drinks to some reasonable number.

Do we need to study the wisdom of returning to strong encouragement of total non-use of alcohol? I believe so. A person who never drinks never becomes an alcoholic. We recognize that alcoholism requires not only use of alcohol but also some as yet greatly unknown "X" factor that combines with alcohol to create alcoholism. So long as we do not know what the "X" factor is, are we not wisest to mount a campaign to discourage drinking in our society . . . and to encourage non-use?

I cannot help at this point but point out our marked difference in our approach to alcohol and tobacco these days. Most people claim that unless one smokes heavily for a long time he does not get lung cancer nor emphysema nor severe heart damage. This is the common, largely unchallenged, belief. Yet today we are engaged in a massive campaign trying to persuade everyone to quit smoking. Yet alcohol is a much more powerful drug causing many severe social, economic, and physical problems. No man smokes a cigarette and goes home and beats up his wife—but drinkers do. At worst smoking injures only the smoker, but drinking can injure multitudes of others.

Yet we seem to view alcohol in a much more tolerant way. We seem to be saying that unless one gets drunk and then injures someone or becomes an alcoholic, all is well. We fail to recognize all the damages that occur to individuals and society from alcohol use that falls short of this. We are told that around 75% of those in our penitentiaries got there through crimes committed under the influence of alcohol. We should recognize that a small amount of alcohol can destroy an inhibition that holds back one who has a desire to commit a serious crime. We seem content to wait until one's use of alcohol reaches a stage of severe addiction before we think we should take any steps to discourage its use.

I am convinced that as a society we must soon reach a sort of new social maturity in which we try to discourage the institution of the "cocktail party," avoid putting alcohol to the fore in social relationships, be willing to give some of our "liberty" in avoiding drinking driving, and try by personal example and influence to discourage the use of this highly dangerous drug and especially on the part of our youth.

THE FEARS OF CONCERNED CITIZENS ABOUT THIS BILL

Many dedicated citizens who are concerned not only about alcohol abuse and alcoholism but all alcohol problems and the dangers to our youth from alcohol use are expressing a concern about what will happen when this bill is passed. They fear that all the funds will go into a program of rehabilitation of alcoholics and coping with only the severe alcohol users and that the focus of efforts will be in the direction of research just on the end results of severe alcohol use. They fear that the leadership that will come into power to operate the entire program under the law will rule out every inquiry that does not relate itself just to alcoholic rehabilitation and intoxication as being irrelevant and not proper for investigation and study under the law.

If we are to really cope successfully in the long run with this problem, we must have a *wide-open focus* on not only alcoholism and "alcohol abuse" but alcohol use and all the things that may lead to all alcohol problems and which usually wind up producing alcoholism.

I have not had a chance to discuss the points I have raised here with the sponsors of this Bill. Yet I know of their sincere desires to attack the problem in every effective way. I feel sure they are willing that no stone be left unturned in a total response to all alcohol problems and that in the pursuit of this mission there be thorough investigation and research in all areas that may relate to this massive problem. I feel sure that they want participation from persons of many varying backgrounds. I am sure they see the wisdom of participation not only by those who have been primarily, if not solely, concerned about alcoholic rehabilitation but those who feel that legal controls should be considered and studied and that prevention encompass not only warnings against alcoholism and intoxication but that the full story of the dangers of alcohol be brought home to our citizens and especially our youth and that a total citizen response be generated even to the point of urging avoidance of all drinking and driving and the wisdom of non-use of alcohol.

DOES THE BILL NEED AMENDMENT?

If there be agreement to what I have said here, then does the Bill need amendment? It may be that the sponsors of this Bill may contend that in its present form the Bill contemplates all that I have recommended and that we may be assured that comprehensive work of the nature I have outlined will be done and that persons of all points of view will be involved in activities so that the fears of many may be unwarranted and concern unjustified. If this is true, I believe it needs to be made clear in some positive way. One way may be by amendments. I regret I have not had time to study this Bill in both its original and amended form to the extent and in the detail I should wish and to investigate the reasons for many of the changes that were made, but I can suggest some changes that might be made which might meet the fears of multitudes of concerned laymen and clergy and insure that a total response be made to the challenges of this mammoth problem with participation of persons with widely diverse backgrounds.

SUGGESTED AMENDMENTS—A CHANGE IN DEFINITION OF "ALCOHOL ABUSE"

I believe Section 201(a) should be amended to read:

"(a) 'Alcohol Abuse' means any use of alcoholic beverages that results in damage to persons, property or society."

As it stands now, the definition limits this to such use as results in "intoxication" and this term is one lacking in precise definition. Dictionary definitions usually seem to equate "intoxication" with being "drunk." Evidently the injury that may be considered under this Bill is only that which flows out of actual intoxication or drunkenness, and much injury can result from use that falls short of such an amount. To insure that a comprehensive inquiry shall not be ruled out, the definition of "alcohol abuse" should be broadened.

AN ADDITION TO "FINDINGS AND DECLARATION OF PURPOSES"

I believe that Title I—Findings and Declaration of Purposes should be amended in Section 101 by adding thereto the following:

"(h) There has been inadequate research and investigation of many factors that may increase alcohol abuse and alcoholism and methods of prevention. Every method of prevention should be explored in detail including the possible efficacy of retaining and creating new legal restrictions on the sale of alcohol, legal drinking age levels, limitations on advertising and promotion of sale and consumption of alcohol, and the possible value of wide publicity of effects of moderate use of alcohol if research establishes physical damage, and the possible value of educational activities that discourage the use of alcohol and encourage non-use."

MEMBERSHIP OF THE NATIONAL ADVISORY COUNCIL

Section 701 of the original Bill as printed in the *Congressional Record* on May 14, 1970 reads as follows:

Sec. 701. (a) The Secretary shall appoint an Advisory Committee on Alcohol Abuse and Alcoholism to consist of *eighteen* qualified persons, including (1) leaders from the general public representing such areas as *business and industry, professional and public training and education, medical and paramedical training, law, religion, State and local government, public health, labor, urban affairs;* and (2) representative leaders from those with major concern for alcohol abuse and alcoholism, *including voluntary associations, governmental groups, and the universities.* Some members of the Advisory Committee must be recovered alcoholics. The Advisory Committee shall advise and consult with the Secretary and the Institute and assist them in carrying out the provisions of this Act." (Italic is the author's)

In the Amendment of August 3, 1970 this section was omitted and instead Title VI provided for "The National Advisory Council Alcohol Abuse and Alcoholism." This section purports to amend "Section 217" of the Public Health Service Act. There is evidently an editorial error here. The Section intended to be amended appears to be Section 218. This section in effect places the proposed Council among other councils which are related to "health," "cancer," "mental health," "heart" and "dental" problems. This Council would have only *twelve* members rather than the *eighteen* specified by the original Bill. In addition, it appears to me that the scope of persons eligible for appointment is greatly, and I believe unfortunately, narrowed. This Section as proposed to be amended would read in part as follows:

"The twelve appointed members of each such council shall be leaders in the fields of fundamental sciences, medical sciences, or public affairs, and six of such twelve shall be selected from among leading medical or scientific authorities who . . . are outstanding in the study, diagnosis, or treatment of . . . alcohol abuse and alcoholism. . . ."

I believe there should be some amendment of this Section to broaden the membership of the Council so that it be clear that the classes of persons listed in the original Bill be members of such Council. While it may be reasonable in the case of the other diseases listed in this Section to be limited greatly to medical and scientific experts, in the case of alcoholism the classes of persons should be as wide at least as provided in the original Bill, and I believe much wider. The disease of alcoholism is peculiarly different from the other diseases and deserves attention of a wider group of concerned and qualified persons. My own belief is that it is important that such a Council have members whose background and experience is outside the groups whose primary, if not sole, interest is in the field of alcoholic rehabilitation and that ministers, educators and others who have devoted themselves to youth education and who have stressed the values of non-use of alcohol should be included, as well as those who may be knowledgeable in the field of law and legal and social controls.

POSSIBLE NEED FOR AMENDMENT ON PART C—PROJECT GRANTS

Part C. Sec. 520, 521, 522 and 523 relate to wide range of "project grants." Section 521 (a) (2) for example provides grants for conduct of "research" and ". . . more effective methods of prevention. . . ." Section 521 has certain limitations on these grants. Then Section 522 seems to make necessary approval or evaluation by a state agency before the grants may be made to any group located within a state. I would assume such state agencies would be those related primarily, if not exclusively, to rehabilitation work. The question I raise is whether if some organization seeks grants for educational and research work which is outside the normal field of rehabilitation, it should be required that such a proposed project be approved or evaluated by an agency that has no substantial interest in such research or educational efforts. An example of this could be the Iowa Council on Alcohol Problems or any of nearly forty such similar groups in the several states.

There also seems to be a question of what approval or evaluation may be required, if any, in the case of a national organization that wishes to undertake some research and educational work on a national scale. I would assume that such requests would not require any special evaluation or approval of any agency in a state before its consideration by the National Advisory Council. An example of this might be the American Council on Alcohol Problems and The American Business Men's Research Foundation of Elmhurst, Illinois.

Those who are far more familiar with the intentions of the sponsors than I should determine the need and propriety of any special consideration of this matter and possible amendment to clarify the situation if it is needed.

WISDOM OF DELAY IN A SECRETARY'S REPORT

Section 309 which relates to the Reporting Functions of the Secretary contain the following:

"(b) submit to Congress on or before June 30, 1971, a report (1) containing current information on *the health consequences of using alcohol,* and (2) containing such recommendations for legislation and administrative action as he may deem appropriate;" (Italic by this author)

I am naturally very pleased to see that this report requires consideration of "the health consequences of *using* alcohol" which makes it clear that the consideration is not specifically of "alcohol abuse" and "alcoholism" but rather to the general *use* of alcohol.

But it seems to me that the time for this report is too soon to enable an adequate study and research to be made by the Secretary and evaluation of the research and information available from many groups of concerned citizens. I believe such a report should be delayed at least a year and perhaps more if necessary in the opinion of the Secretary.

In conclusion I should like to emphasize that I have a deep concern about the problem of alcohol abuse and alcoholism and that I recognize it to be among the major problems of our society and that the problem is becoming more severe with each pass-

ing year. It is noteworthy that the consumption of alcohol is rising in this country and that the industries that produce alcoholic beverages do everythnig in their power to increase sales and consumption. I believe there is justification for the general belief that as consumption increases so do the multitude of all alcohol problems. The danger of drugs to our youth is receiving special attention these days, and most adults are deeply concerned about this damage to our society and to the future of our country.

I have noted with great interest the statement of Senator Harold E. Hughes on August 10 when this Bill was before the Senate. He said:

"In the hearings of our Subcommittee on Alcoholism and Narcotics, held in such cities as Los Angeles, New York, Denver, and Des Moines, we heard the testimony of many former narcotic addicts. I was struck with the fact that in most instances, the addicts, many of them young people, had begun their careers of drug abuse with alcohol. This seems to be the starter drug of the drug cycle, if such can be named."

It seems likely that these drug addicts were not addicts, yet alcohol was involved in their problems. It is for this reason and the others that I feel that as we dedicate ourselves to the problem of alcohol abuse and alcoholism we must relate to all the alcohol problems and to a consideration of all alcohol use if we are to make real progress toward lessening the damage to our country from all these problems. Thus I commend the sponsors of the Bill and strongly urge its passage, and at the same time urge that it be made as comprehensive as possible so that there will be a total attack on the problems and we make real progress.

TAX DEDUCTIONS FOR BLOOD DONATIONS

(Mr. KOCH asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. KOCH. Mr. Speaker, I am introducing legislation that would help meet today's chronic shortage of transfusable blood and at the same time improve the quality of blood in our hospital blood banks. My bill would give a tax incentive to a person to give blood by allowing them a $25 tax deduction for each pint of blood donated to a nonprofit organization. A maximum of $125 would be placed on the amount each taxpayer could deduct in a year since health requirements limit a person to giving one pint of blood once every 8 weeks and 5 times a year.

The need for blood is increasing at a rate of 14 percent a year. The problem is that the number of donors are not increasing in a rate equal to the demand. The population is growing and more and more uses of blood are being found through medical research. In addition to the transfusion of whole blood, a single pint of blood, through blood fractionation, can be broken down so as to provide red cells for anemia or post surgery, white cells for leukemia victims, platelats for purpora suffers, factor VII for hemophiliacs and plasma for burns and accident victims.

Unfortunately, the shortage of donated blood has resulted in a proliferation of commercial blood banks. The commercial blood banks are less stringent in the health standards they require, and consequently they attract persons with poor medical histories for whom the on-the-spot cash offered is attractive, such as derelicts and drug addicts. Statistics show that the dangers of contracting hepatitis from a transfusion of commercial blood is 10 times that of donated blood.

Mr. Speaker, 65 percent of the nonprofit blood is donated by middle-income individuals: persons who earn between $5,000 and $13,000 annually. Furthermore, only 3 percent of the population now donates blood—and if we could raise this percentage by only one point to 4 percent, the blood shortage problem could be solved, and the demand for commercial blood would be greatly reduced if not totally eliminated.

I believe that the bill I am introducing would provide the necessary incentive to increase the number of donors—and do so at relatively little cost to the Treasury. The American Red Cross has opposed this proposal to date because they are concerned that citizens would be tempted to lie about their medical histories in order to obtain this tax deduction. And yet, the American Red Cross does accept blood donated by prisoners in New Hampshire, South Carolina, and Mississippi where inmates are given a 5-day discount from their sentences for each pint of blood they donate.

I would point out that those who are most dangerous to blood banks—namely, derelicts and drug addicts—would not be attracted by this program because it would not offer them an on-the-spot cash payment. The incentive is for the blue- and white-collar men and women who can look forward to a small, but helpful, tax break at the end of the year. The provisions of the bill are such that all taxpayers would receive the deduction, including those who use the standard deduction.

Mr. Speaker, the blood shortage bears a particular hardship for those who have rare blood types. Blood is a form of medicine, and as incredible as it may seem, persons do die today because of a simple want of a blood transfusion. Last year, I had a call from a mother of a young rabbinical student who was dying of a rare disease. His case was further complicated because of his rare blood type, and his critically needed operation was being postponed because compatible blood could not be found. Fortunately, my office was able to secure the blood needed and the young man's operation was a success—but not all of these cases have such a good ending.

Mr. Speaker, I commend this legislation to my colleagues, and I hope the Department of Health, Education, and Welfare and Treasury will give this favorable consideration. The incentive in this bill is clearly directed to the healthy middle-income blood donor—and thereby will do much to eliminate the "skid row" blood from our blood banks.

H.R. ——

A bill to amend the Internal Revenue Code of 1954 to provide that blood donations shall be considered as charitable contributions deductible from gross income

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 170 of the Internal Revenue Code of 1954 (relating to deduction for charitable, etc., contributions and gifts) is amended by redesignating subsections (i) and (j) as subsections (j) and (k), respectively, and by inserting after subsection (h) the following new subsection:

"(i) BLOOD DONATIONS.—

"(1) IN GENERAL.—For purposes of this section, a donation by an individual of his own blood to an organization described in subsection (c) shall be considered to be a 'charitable contribution' of such individual in an amount equal to $25 for each pint donated.

"(2) LIMITATION.—The aggregate amount of individual's charitable contributions described in paragraph (1) which may be taken into account in determining the deduction allowed a taxpayer under this section for any taxable year shall not exceed $125."

SEC. 2. Section 62 of the Internal Revenue Code of 1954 (relating to the definition of adjusted gross income in the case of an individual) is amended by adding after paragraph (9) the following new paragraph:

"(10) the deduction allowed by section 170, to the extent attributable to charitable contributions of the type described in subsection (i) thereof."

SEC. 3. The amendments made by this Act shall apply only with respect to blood donated on or after the date of the enactment of this Act.

U.S. ARMS SHIPMENTS TO GREEK JUNTA ARE WRONG

(Mr. KOCH asked and was given permission to extend his remarks at this point in the RECORD.)

Mr. KOCH. Mr. Speaker, the administration has announced that it intends to resume full-scale arms shipments to Greece. I strongly urge that this course of action be reconsidered. With this decision, the United States is once again lining up with a totalitarian regime for illusory reasons for military expediency. The unfortunate result is to reinforce a dictatorial government whose practices of torture and repression are repugnant to everything the Western democracies stand for.

Since the Greek colonels seized power in 1967 the government has detained thousands of political prisoners, many of whom remain in jail. The regime permits no elections. It has suppressed political parties. It has restricted and harassed the local press and, most distressing of all, it has unmercifully tortured those conceived to be its enemies. These charges are not the figment of hostile imaginations. The European Commission on Human Rights has formally reported the use of torture, and Greece has been forced out of the Council of Europe for these and other repressive practices. Against this background, the U.S. policy of resuming arms shipments represents a shabby surrender to the status quo. It is a blow to the efforts of our European allies whose policies have been geared to cause a liberalization in Greece. It also removes another lever which we could have used to serve the same cause.

The military justification for the change in our policy is weak indeed. It is said that these arms are important to the strength of NATO. I do not accept this argument because I believe that, even if NATO should be strengthened in this area, there are alternative ways to do it. It is also said that we must insure our ability to use airfields in Greece in

the event of an emergency in the Middle East. The Greek position on this point is not clear, but it would seem incredible that Greece would be able to deny our use of those fields if we felt that the Middle East situation was so desperate as to necessitate actual use of our planes or troops. However, the Nixon administration, which prides itself on being a tough bargainer with other nations, does not seem to be so exacting in this case. The inescapable conclusion is that the administration has succumbed to arguments which, in light of the present status of NATO and a political situation in Western and Southeastern Europe, should have been resisted.

It is my view that the United States should formulate its military aid policy toward Greece with clear and publicly stated objectives. First, we should be entitled to use Greek support facilities in the event of a major crisis in the Middle East and surely Greece would consent to that by treaty since it is in their interest to do so. Second, there should be substantial liberalization of the Greek regime's domestic policies leading clearly to a restoration of parliamentary democracy. These are not unreasonable requirements for the benefits, in addition to our NATO commitment, which Greece will derive from major assistance to its defense.

It is time for a reassessment of the U.S. policies of underwriting totalitarian regimes such as Greece, Spain, and Portugal. We should consider very carefully the price we pay in terms of our diplomatic and political objectives when we follow the course of least resistance and send more arms. Our position in the Mediterranean is of the highest importance, but there are alternative means to maintain that position. It is not necessary at this time to please the Greek colonels to secure our interests.

ON RETIREMENT LEGISLATION

(Mr. SCHWENGEL asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. SCHWENGEL. Mr. Speaker, on February 26, 1969, I introduced 8 bills which constitute a legislative program for our retired Federal employees. These bills call for an increase in the annuities of Retired Federal Employees, and the elimination of a number of inequities in the Civil Service Retirement Law. Through the years some inequities have arisen, mostly because the amendments to the retirement law did not apply to those Federal employees already on the retirement laws when the amendments became effective.

There must be some measure of correlation between the benefits awarded prospectively during the past 15 years and the benefits now paid to those who retired prior to the effective dates of such prospective legislation. Otherwise, how can present Federal employees have any assurance that they too, will not be forgotten as soon as they leave the active working force. How long can the morale of the present active working force be sustained under such conditions? How much longer are we going to require these long-time retirees to wait so they can receive the same benefits?

While there has been an increase in the standard of living and a rise in the general economy during the past few years, the standard of living for retired employees has stood almost still, and in many cases it has been lowered due to the tremendous effect the inflationary trend has had.

Liberalization of the Railroad Retirement Act was necessary and liberalization of the Social Security System must be forthcoming, but let us not forget the retired Federal employee.

According to the report of the U.S. Civil Service Commission, Bureau of Retirement and Insurance of an approximate 997,000 retired Federal employees and survivors, some 276,000 receive a monthly annuity of less than $100, and over 515,000 receive less than $200.

My bill, H.R. 7770, would give an increase to all Federal retirees and survivors, with the largest increase going to those presently receiving the smallest annuities. These increases would be on the following schedule. $26 per month if now less than $200 per month; 13 percent if now at least $200 but less than $300 per month; 9 percent if now at least $300 but less than $400 per month; 7 percent if now at least $400 but less than $500 per month; or 5 percent if now at least $500 per month. I am urging the Chairman of the Post Office and Civil Service Committee, Honorable THADDEUS J. DULSKI, to hold hearings in the immediate future on this Federal retiree increase legislation so as to correct this injustice by granting these Civil Service annuitants and survivors an overall annuity increase.

One of my other bills, H.R. 7772, would correct a very glaring inequity in the Civil Service Retirement Law, which is presenting a special hardship for quite a large number of Federal retirees. The present retirement law provides that a retiree at the time of retirement may elect to take a reduced annuity to provide a survivor annuity for his spouse. Some annuitants who retired many years ago were forced, under law, to take as much as a 25-percent reduction in their annuities to provide for a survivor's annuity, because when the law was liberalized reducing the cost of providing a survivor annuity, the amendments reducing the cost applied only to those employees retiring after the effective date of the liberalized amendment as the amendments were not retroactive. Employees retiring today take a reduction of 2½ percent on the first $3,600 of annuity and 10 percent on the remainder. If my bill, H.R. 7772 is approved, the cost for providing a survivor annuity will be the same for all retirees, past, present and future, thus eliminating this glaring inequity.

I was very pleased when hearings were held on August 4, 1970, in the House on bills that would permit a retiree to name a new spouse, and restore the full annuity to the retiree when the named spouse predeceases the retiree. One of my bills, H.R. 7773, provides for the naming of a new spouse, and restoring the full annuity to the retiree when the named spouse predeceases the retiree, and I want to commend Chairman DOMINICK V. DANIELS, of the Subcommittee on Retirement, Insurance, and Health Benefits, for holding these hearings. I was also pleased to note that several of the recommendations for amendments made by President Thomas G. Walters of the National Association of Retired Civil employees were concurred in by the Civil Service Commission. This legislation is being reported out by the committee, and when it comes up for consideration on the floor, I urge my colleagues to support its enactment. Incidentally, I was greatly encouraged by the favorable action recently taken by the Senate on similar legislation. The Senate version of this bill, S. 437, was passed on a voice vote.

One of my bills which has special significance to our retired Federal employees is H.R. 7775. This bill provides an exemption from Federal income tax for the first $5,000 of civil service retirement annuity. This legislation would give a big boost to the already strained budgets of our retired Federal employees.

Other bills which I have introduced will eliminate other inequities in the Civil Service Retirement Law and aid Federal retirees and survivors.

I am quite sure that a goodly number of my colleagues are not fully aware of these inequities in the law, and I urge you to give serious consideration to legislation increasing the annuities of our Federal retirees, and eliminating these and other inequities in the Civil Service Retirement Law.

NATIONAL AIR QUALITY STANDARDS ACT OF 1970

(Mr. ROTH asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. ROTH. Mr. Speaker, the national effort to clean our polluted air is an enormous, complicated, and costly task. The peril of air pollution is becoming more menacing every day, yet we are barely beginning to realize how costly it is to us in terms of health, material losses, and inconvenience, not to speak of higher taxes, higher prices, and sacrifices in comfort and well-being that face us as we try to control and abate it.

Last week, the Senate took a decisive step forward in the national fight against air pollution. It passed the National Air Quality Standards Act of 1970, a comprehensive measure which pinpoints the hitherto ineffective areas of air pollution control and attempts to rectify their shortcomings in the light of new evidence of rapidly increasing health hazards, and damage to property, crops, and livestock.

I applaud the stand taken by the Senate that a massive, stepped-up attack on air pollution must be authorized. I am particularly gratified to note that the key provision of the bill calls for greatly accelerated automotive pollution control efforts. The report accompanying the bill states:

If the Nation is to continue to depend on individual use of motor vehicles, such vehicles must meet high standards. The bill recognizes that a generation—or ten years' pro-

duction—of motor vehicles will be required to meet the proposed standards. During that time, as much as seventy-five percent of the traffic may have to be restricted in certain large metropolitan areas if health standards are to be achieved within the time required by this bill.

Accordingly, the bill calls for the automobile industry to telescope its automobile pollution control effort to achieve 1980 clean car targets by 1975. This would mean a 90-percent reduction in pollutants from the 1970 models, the goals for 1980 set by the Department of Health, Education, and Welfare being: 0.3 grams hydrocarbons per mils, 4.7 carbon monoxide, 0.4 nitrogen oxide, and 0.03 particulates.

These provisions could mean pollution controls for used cars, also, since States are given the power to control pollution from all sources that do not meet proposed new Federal standards.

I am aware that the automobile manufacturers have emphatically insisted that it is impossible to meet this advanced deadline because of a lack of satisfactory technology to control the pollutants involved. I am also aware that the House version of the amendments to the Clean Air Act does not contain any legislative deadlines for tighter controls of automobile emissions, and that several amendments that would have provided more stringent control were defeated. But I am convinced that drastic steps are necessary to eliminate the No. 1 polluter—the automobile—before it causes truly irreparable damage to our urban areas and before we reach the stage where public health in our cities is so threatened that automobile traffic would have to be eliminated entirely. In the absence of adequate mass transportation systems in most metropolitan areas, the results of such a step could be catastrophic.

To provide some leeway in the implementation of the new emission controls, the auto industry is provided a modification that would allow a delay in making the 90-percent reduction of up to 1 year if the industry could persuade HEW that the 1975 deadline could not be met as specified.

I also endorse other provisions of the bill such as those dealing with stationary source pollution problems. The bill authorizes regulations requiring that new major industrial plants such as steel mills, powerplants, and others achieve a degree of emission control that takes advantage of the latest available technology, processes, and operating methods. Federal authorities would be empowered to ban all industrial emissions especially hazardous to health, such as asbestos, beryllium, cadmium, and mercury.

As the Senate report states, the Committee of Public Works determined that, first, the health of the people is more important than the question of whether the early achievement of ambient air quality standards protective of health is technically feasible; and second, the growth of pollution load in many areas, even with application of available technology, would still be deleterious to public health.

Accordingly, the bill proposes the establishment of national air quality standards for pollutants on which criteria are available within 30 days after enactment of the law. Ninety days would be permitted for comments, another 90 days for review. States would be required to hold public hearings and be allowed 9 months to develop implementation plans. After Federal approval, States would then be allowed 3 years to attain national standards.

This is an accelerated procedure which is very welcome. We have found in the past that without statutory deadlines very little is accomplished. Equally welcome is the emphasis on States responsibility to implement Federal standards by formulating such action in ways best suited to their particular circumstances. State implementation plans must spell out detailed steps to be taken which would include the whole spectrum of air pollution control: traffic control, emission controls, mass transit plans, land use plans, monitoring and enforcement procedures, and other actions necessary to meet the required deadlines.

I hope that my colleagues will carefully examine these and other provisions in the Senate bill and consider them favorably. In fact, I hope the House conferees will withdraw the House version, and accept the Senate bill as it now stands.

I trust that we can enact a law which will establish that the air is a public resource, and that those who would use that resource must protect it from abuse, to assure the protection of the health of every American.

TAKE PRIDE IN AMERICA

(Mr. MILLER of Ohio asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. MILLER of Ohio. Mr. Speaker, today we should take note of America's great accomplishments and in so doing renew our faith and confidence in ourselves as individuals and as a nation. Personal savings in the United States has increased from $3.8 billion in 1940 to over $40 billion in 1969.

ENVIRONMENTAL PROBLEMS

(Mr. ANDERSON of Illinois asked and was given permission to extend his remarks at this point in the RECORD.)

Mr. ANDERSON of Illinois. Mr. Speaker, last week the radical-liberal members of Democratic Policy Council's committee on the Human Environment staged a day-long session for public consumption and held the Nixon administration—which has been in office less than 2 years—accountable for every possible problem with our environment.

The way the radical-liberals tell it, President Nixon is creating power shortages, polluting the air and water, and, for good measure, somehow causing a degradation in the quality of goods and services which American industry provides to consumers.

There are very few people who are going to be fooled by this nonsense. But there are quite a few people who will remember the lack of action during the years when so many of the environmental problems we now face were created and cultivated.

In case my colleagues have forgotten, I will remind them that Democrats have controlled the Congress for 36 of the last 40 years; and have occupied the White House for 28 of the last 38 years.

Mr. Speaker, I cannot help wondering if we would be facing an environmental crisis today if the party which now claims to be so terribly concerned about fighting pollution, had been as concerned during the years between 1932 and 1969.

INCREASE IN OIL IMPORT QUOTA ANNOUNCED

(Mr. VANIK asked and was given permission to extend his remarks at this point in the RECORD.)

Mr. VANIK Mr. Speaker, in order to meet a potential shortage of fuel supplies this winter, the administration announced an expansion of up to an additional 80,000 barrels a day in the east coast heating oil import quota for the first quarter of 1971. This action comes in response to critical shortages which are developing throughout America, most particularly in the northeastern sector. The shortages are accompanied by excessive price increases in both oil and coal which affect every consumer in the United States.

The cruel fact is that the oil-quota system which limits the entry of foreign oil into the United States constitutes the principal maker of both high prices and shortage.

Furthermore, every extra barrel coming into the United States under the quota system constitutes a handy gift to the recipient of the quota of a bonanza of between $1 and $1.50 per barrel between the import price and the domestic price.

The oil-quota system is an instrument of price and privilege which should be stricken from American law.

LIFE ON SYRACUSE'S TIPPERARY HILL

(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, much of the strength and flexibility of American society is drawn from the sense of identity and community fostered by neighborhoods that developed in our cities in the latter part of the 19th century. Some that come to mind are Beacon Hill in Boston, Grant Avenue in San Francisco, and New York's Mulberry Street. Formed mainly for ethnic reasons, there was a richness and culture in these neighborhoods which deeply influenced the cities around them.

Such a neighborhood was Tipperary Hill in Syracuse, settled largely by Irish immigrants associated with the Erie Canal and salt industry nearby. Its spiritual focal point was St. Patrick's, the parish church founded in 1870. It is to honor the 100th anniversary of St. Patrick's of Syracuse's Tipperary Hill that I call your attention today.

Until mid-1870 the Catholics of Tip-

perary Hill, in order to attend Sunday Mass, had to journey practically across the city of Syracuse to St. John the Evangelist on North State Street.

On July 31, 1870 the first mass of St. Patrick's parish was said in Cool's Hall at 101 Hamilton Street "on the banks of the Erie Canal."

When St. Patrick's parish was founded, this part of the world, specifically southwest of the "Big West Bend" of the canal, was known as Tipperary Hill, but it was not a part of Syracuse nor of the Diocese of Syracuse. Geddes, with its 1,000 residents, of whom 400 were Catholic, did not become a part of the city of Syracuse until 1887, 17 years after the parish was founded.

The first pastor of St. Patrick's, Geddes, was Rev. Hugh Shields of the Albany Diocese. The Syracuse Diocese was not formed until November 20, 1886, by which time St. Patrick's had had its fourth pastor, Msgr. James P. Magee; the second pastor having been Father James Lynch; the third, Father Patrick Smith.

The 70 in attendance at that first mass in Cool's Hall included these men and their families: John Cody, Bernard Sisson, Patrick Parkinson, William Hogan, Jeremiah Dwyer, James Keeler, Malachy Gooley, James M. Farrell, Cornelius Enright, Richard Tobin, Timothy Enright, Philip McGraw, John Holihan, John English, James Lanigan, Patrick Hannon, John Murray, Timothy Sheehan, John Barager, Michael O'Brien, Thomas Meagher, John Fitzpatrick, John Brown, Patrick Fogarty, Joseph Donegan, Michael Brown, John Moriarity, John Matthews, and Mr. O'Connell.

The first baptism at St. Patrick's was that of James Lawrence, infant son of Mr. and Mrs. James White, on Sunday, August 7, 1870; the sponsors being John Cummings and Ellen Collins.

The first marriage was solemnized on Wednesday, November 2, 1870, when Brigid Murphy married Thomas Savage. The witnesses were Catherine Murphy and John Lacey.

All Sunday and weekday masses were held in a temporary chapel in Porter School until St. Patrick's was dedicated by Rt. Rev. Francis McNeirney, D.D., Bishop of Albany, on Sunday, September 15, 1872, on the same day on which he confirmed a class of about 300.

Father Patrick Smith was the pastor of the new edifice. Until this time the pastors had lived at St. John Evangelist's Rectory or in a rented room. Matthew Ryan, who had built a new home on the corner of Ulster Street and Milton Avenue, gave Father Smith the use of his home until a rectory was built on Schuyler Street, next to the church. Matthew Ryan, a foreman in the rolling mill, lived in a cabin attached to the back of his new house.

His mother, Esther Ryan, "Aunt Heddy," made all the candles for the church altar. Matt's brother, Michael built the communion rail, confessionals, and church doors. Michael was helped by Malachy Dwyer, who lived to be 105 and was buried on St. Patrick's Day. This Ryan family was called the Ryan-Aysthers—Esther's.

The fourth pastor, Rt. Rev. James P. Magee, lived in the Schuyler Street rectory for 54 years, from October 7, 1875 to February 4, 1929. He was a Canadian who was ordained at the Seminary in Troy, which later became the Provincial House for the Sisters of St. Joseph where many of the girls of St. Patrick spent their noviatiate.

Monsignor Magee died at the age of 87 on February 4, 1929.

Father Henry Curtin came as fifth pastor to St. Patrick's in June 1929. In this time of depression, he was so extremely charitable that at the time of his death of a heart attack his savings account had shrunk from $4,200 to slightly more than $1. During his pastorate the construction of the high school was begun.

Father Daniel Hennessey succeeded Father Curtin in January 1932. On June 22, 1935, the first high school class was graduated. Father Hennessey died of cancer in February 1938.

Since the 1920's St. Patrick's has contributed more than its share to the political leadership of Syracuse. Today three Justices, a U.S. Congressman and the recently retired Mayor of Syracuse are St. Patrick's parishioners.

The Rt. Rev. Monsignor Thomas J. Driscoll, pastor of St. Patrick's from 1938 to 1968 was proud to recall that nearly 30 priests have come from his parish.

Now, 100 years after the first mass, this vibrant, intensely engaging center of Catholic life on Tipperary Hill is headed by Father Frank L. Sammons. No better choice could have been made to carry the fine tradition of St. Patrick's into its second 100 years.

UNSOLICITED CREDIT CARDS—ARTICLE BY CONGRESSMAN WILLIAM D. FORD

(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, the Georgetown Law Weekly, published by the Georgetown University Law Center, has printed an excellent article by my good friend and colleague, Congressman WILLIAM D. FORD of Michigan, on the recently approved bill to curb the mailing of unsolicited credit cards.

Congressman FORD outlines the need for such legislation and explains how the legislation will help to accomplish this need.

I would like to commend Congressman FORD for a fine article, and include it in the RECORD at this point:

UNSOLICITED CREDIT CARDS

(NOTE.—The following article was written specifically for the Georgetown Law Weekly by Michigan Democratic Congressman William D. Ford. As a lawyer, Mr. Ford points out several legal problems in the new world of "plastic credit."

(Congressman William D. Ford was born in 1927 in Detroit. He earned a Bachelor's Degree in 1949 and a Law Degree in 1951. He then began the practice of law in Detroit and in 1955, was elected a Township Justice of the Peace on the Democratic ticket.

(He was elected as a Democratic Delegate to the Michigan Constitutional Convention in 1961 and was elected on the Democratic ticket to the Michigan State Senate in 1963. In 1964, he became a Representative to Congress and was re-elected in 1966 and 1968.

(In Washington, Mr. Ford is a Member of the Education and Labor Committee, and of the General Subcommittee on Education, Select Subcommittee on Labor, and Special Subcommittee on Labor. He also serves on the Post Office and Civil Service Committee.)

I was pleased this week when the House of Representatives unanimously approved a bill, which I had co-sponsored, to curb the credit cards.

Many of us, including some companies which make extensive use of credit cards, have been aware for some time of the potential danger in this blanket mailing of unordered credit cards.

This method of extending credit puts the intended recipient of an unsolicited credit card in a precarious legal position if the card is stolen or otherwise finds its way into the hands of the wrong person.

The person whoes name is on the card may well find himself billed for merchandise and services which he has never ordered or authorized. He is subject to considerable inconvenience and possible embarrassment and harassment. He also faces the very real possibility of having his credit rating jeopardized through no fault of his own. Millions of Americans can testify as to the virtual impossibility of arguing with a computerized billing system.

The extent of the problem is seen in the fact that some 200,000 credit cards are stolen and millions are lost in the United States each year, and more than $2,000,000 is stolen through credit card fraud. Recent years have seen the creation of a new insurance phenomenon—policies to protect credit card holders from loss through theft or loss of their cards. This insurance is based, however, on the action of the card holder in notifying the insurer of the loss or theft.

In the case of an unordered card, however, this is obviously not possible. The person whose name is on the card does not even know it exists, let alone that it has been lost or stolen. His first indication comes when he receives bills for goods he never ordered.

ILLEGALITY OF ACT

There is good legal ground for contending that sending an unordered credit card to an individual constitutes an invasion of privacy by thrusting upon him an unwanted semi-contractual responsibility.

Credit cards most certainly have their place in today's fast-moving economy, when so many transactions are made without an actual cash transfer. No one would suggest that any effort be made to curtail the use of credit cards by those who wish to use them.

In 1958, the nation had 91,669 bankruptcy cases, of which 87.6 percent were non-business. By 1968, the national figure had grown to 197,811, of which 91.6 percent were non-business. We can only conjecture the role of credit cards, solicited or otherwise, in this dramatic increase, but I am sure it is substantial.

For sheer human tragedy, it would be hard to equal a story which was related before our Postal Operations Subcommittee by Mr. Paul Rand Dixon, Chairman of the Federal Trade Commission. He told of a letter received from a woman in California:

"The writer informs that her father had been sent an unsolicited credit card by one of the bank credit card programs. The father, a man in his seventies, has been a known alcoholic for thirty years, and has had a sub-zero credit rating which even the most casual credit check would have uncovered. The alcoholic father, upon receipt of the credit card promptly took it to the local liquor store where it was kept in the cash register for him. He ran up in a short pe-

riod of time a five-hundred dollar liquor bill, and in the short period of time has drunk himself into insanity. "The first indication of the tragedy came to light when the old man's son, of the same name, but different part of the country, received a phone call from the credit card establishment implying that he must have had some good parties—witness the $500 liquor bill. The author of the letter states that the son is still receiving billing letters which, among other things, ask 'Do you want your credit rating ruined?' "

I think the House of Representatives has taken a big step toward eliminating one of the conditions which made such a tragedy possible. Further study and possibly additional legislation may be necessary to make certain that the credit card remains an asset, rather than becoming a liability, to our nation's economy.

LEGISLATIVE SOLUTION

The legislation which I co-sponsored, and which the House has now adopted, simply puts the burden on the sender to make certain that an unordered credit card reaches the hands of the intended recipient. The bill requires that unsolicited credit cards be sent by registered mail, restricted delivery and with a return receipt.

The recipient then has the option of accepting the card, and signing a receipt to prove his acceptance, or of sending it back to the mailer.

Unsolicited credit cards sent in violation of the bill would make the mailer liable for criminal penalties including up to a $1,000 fine.

I think this bill would not only serve as a protection for the consumer, but it will also help curb a nation-wide problem in credit card fraud.

Credit card mail thefts have risen 700 percent in the past four years, and one big factor has been the criminals' knowledge that many of the intended recipients do not know that a card has been issued in their names.

One group of card thieves in New York City recenty ran up bills totaling $175,000 with 20 credit cards stolen from within the Postal Service. There is a credit card "black market" operating throughout the country, with a going price of $100 per card.

Testimony before the House Postal Operations Subcommittee, on which I serve, has revealed isolated cases of merchants cooperating with card thieves to provide merchandise and services until the card appears on the "hot card list" and then turning in the card and splitting the reward with the improper holder.

NO COVERAGE IN UNIFORM COMMERCIAL CODE

This growing criminal activity is abetted, in effect, by the lack of uniform commercial code for credit card tranactions, since there is no established body of contractual law covering the phenomena of "plastic credit."

Very few states have enacted legislation to protect the consumer from unauthorized use of credit cards.

Complicating the entire issue is a growing amount of evidence that many persons who declare personal bankruptcy each year use credit cards to charge substantial bills which they are unable to pay.

Senator William Proxmire's Subcommittee on Financial Institutions held hearings last year which established a direct correlation between personal bankruptcies and unsolicited credit cards. Bankruptcy referees testified from personal experience on the frequent incidence of the use of unsolicited credit cards.

THE COAL-BLACK SHAME OF THE UMW

(Mr. HECHLER of West Virginia asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. HECHLER of West Virginia. Mr. Speaker, the current—October—issue of Reader's Digest includes an excellent article by Trevor Armbrister on the United Mine Workers of America. This is the best summary I have read of the present leadership of this union which in many respects has failed to represent the true interests of the rank-and-file coal miners. I commend this article to the attention of my colleagues:

THE COAL-BLACK SHAME OF THE UMW

(By Trevor Armbrister)

Shortly after 1 a.m. last December 31, three men approached a solid fieldstone house in the coal-mining hamlet of Clarksville, Pa. Working quietly and confidently—they had already cased the residence for days—they cut the telephone lines and entered through a side door. They took off their shoes and crept upstairs to the second floor.

Asleep in the master bedroom lay Joseph A. "Jock" Yablonski, a 59-year-old union official, and his wife, Margaret. In an adjacent bedroom slept their daughter Charlotte. One man aimed a .38 caliber revolver at Charlotte's head and fired twice. Margaret Yablonski screamed. Her husband groped for the box of shotgun shells he kept under the bed. A second gunman cut them down in a hail of bullets.

Throughout his unsuccessful campaign for president of the United Mine Workers of America, the short, raspy-voiced Yablonski had charged UMW leaders with employing terror tactics, called them corrupt and begged the Labor and Justice departments to investigate. Few listened. And then it was too late.

The grisly murders shocked the nation. Attorney General John Mitchell ordered the FBI into the case, and on January 21 authorities in Cleveland arrested three suspects. A Federal grand jury indicated them, one of their wives and a local union official on charges of interfering with the rights of a union member, obstruction of justice and conspiracy to kill Yablonski. (No evidence has appeared to link UMW leaders to the crime.) The Labor Department filed suit to invalidate the election results. The Justice Department and the Internal Revenue Service examined the union's books for "possible criminal prosecution."

Yablonski's supporters found irony in all this. "Alive, Jock couldn't convince anyone to act," one of them said bitterly. "But his ghost has got everyone hopping."

Cruel Parody. The UMW embraces 193,000 active and retired miners in some 1300 locals spread across 27 states and four Canadian provinces. For more than 40 years, under John L. Lewis, it was the pride of American labor. The charismatic, shaggy-browed Lewis won high wages for his men, pioneered in establishing the UMW's Welfare and Retirement Fund which was among the first to give workers pensions and free medical care. Later, he encouraged mechanization of the mines, to revive an industry threatened by atomic energy and cheaper oil fuels. Then, in 1960, Lewis appointed as his vice president (and eventual successor) a short, baldish ex-coal miner from Montana named W. A. "Tony" Boyle. It was, he told intimates before his death last year, "the worst mistake I ever made."

An arrogant, hot-tempered man who once threatened to shove a bologna down a Congressman's throat, the 65-year-old Boyle insists he has followed in Lewis's footsteps. Hardly. He lacks his predecessor's vision and links to the rank and file. Since he took office, the union has deteriorated into a cruel parody of its former self. Interviews with UMW spokesmen, miners and government officials and careful scrutiny of union documents sworn affidavits and Congressional testimony show how its leaders have flouted both Congress and its own constitution:

They have spurned democratic procedures. "This union is a private government—like the Mafia," says Washington attorney Joseph L. Rauh, Jr., who served as Yablonski's campaign adviser. "It operates above the law." The Landrum-Griffin Act of 1959 stipulates that rank-and-file union members must have the right to choose their own representative. But the UMW has simply winked at this law. Today, in 20 of the UMW's 25 districts, Boyle appoints the officers. The 50,000-plus miners of West Virginia, for instance (who account for nearly one third of the UMW's total dues income), have no voice in the election of their district officials.

The UMW's own constitution says that union locals must consist of "ten or more workers working in or around coal mines." But many locals—estimates range as high as 600—are composed entirely of pensioners in areas where the mines have been abandoned. Legally, these "bogus" locals should be disbanded, their members transferred to nearby active locals. But "because we haven't got the heart to revoke their charters," UMW leaders keep them on the rolls. Their rationale is less charitable than it sounds. These bogus locals can always be counted upon to supply large blocs of pro-Boyle votes.

They have squandered millions from their own treasury. Boyle has vast sums of money at his disposal. The union itself has assets of $88 million. It owns 75 percent of the stock of the National Bank of Washington (Boyle has earned more than $30,000 in bank director's fees since 1964), and exerts strong influence over the $179 million Welfare and Retirement Fund (Boyle is a trustee of the Fund and its chief executive officer).

In 1969, the union disbursed more than $1 million to its officers and employees for "expenses" without requiring adequate documentation, a violation of the Landrum-Griffin Act. One official was paid for "mileage and expenses" while he lay in a hospital bed. "Some officials have claimed expenses for hotel and travel for practically every day of the year," a Labor Department report noted. Boyle's daughter Antoinette, a union attorney in Billings, Mont., received $43,809 in salary and expenses for duties that remain unclear (she declines to comment on them).

In 1960 the union's top officers quietly transferred $850,000 from the treasury into a special "agency fund" (with current assets of $1,500,000) to finance their retirement at full salary. The average miner, however—if he is lucky—retires on an annual pension of $1800. Any welfare and retirement fund with assets as large as the UMW's should make a sizable profit on its investments. This hasn't been the case, primarily because of the Fund's links with the union-owned National Bank of Washington. Until recently the Fund kept $67 million in a *checking* account at the bank. The money earned no interest for the miners. The bank, however, benefited enormously from its "free" use of the resource and poured fat dividends (since 1964 nearly $8 million) into the union's coffers.

In theory, the Fund is independent of the UMW. In practice, miners apply for their pensions through their local unions and, in order to receive them, must pay monthly dues of $1.25 (25 cents of which goes to the locals and $1 to UMW headquarters). As a result, the UMW gleans an annual extra million dollars. "This is extortion, pure and simple," says Mike Trbovich, chairman of a reform group called Miners for Democracy.

They have fostered cozy ties with the employers. "This union is in bed with the coal operators," says Lou Antal, a stocky district chairman of Miners for Democracy. "It's been going on for years." Despite union denials, "sweetheart contracts" do exist which per-

mit some companies to pay workers less than union scale. Boyle has not won conspicuous concessions for his men at the bargaining table, either. Not until 1968, for example, did the rank and file win Christmas as a paid holiday. The present contract contains no provision for "sick pay," standard in most union contracts—and this in an industry which ranks as the nation's most hazardous. To finance the Welfare and Retirement Fund, coal companies pay a royalty of 40 cents per ton—a figure which hasn't changed since 1952.

They have lagged behind in the push for coal-mine health and safety legislation. Since the early 1930s, 1,500,000 men have been injured in the nation's mines. In 1969 alone, 203 men died in mine accidents. Another 10,000 were seriously injured, and thousands of others impaired, by pneumoconiosis, the dreaded "black lung" disease. Arnold Miller, a local union official from Ohley, W. Va., says, "If we promoted safety, really pushed it, we could cut that death rate in half."

During the winter of 1968–1969, three West Virginia doctors—Isadore Buff, Hawey Wells and Donald Rasmussen—appealed to the UMW for help in pushing health and safety legislation through the state legislature. UMW officials spurned their plea. (Boyle explained later in a speech, "We're not going to destroy the coal industry to satisfy the frantic ranting of self-appointed and ill-informed saviors of coal miners.") That January the doctors joined with a group of dissident miners to form the Black Lung Association. UMW officials warned the miners to disassociate themselves from it or face possible expulsion from the union. Infuriated by their threat, nearly all of West Virginia's 42,000 active miners staged a wildcat strike. Boyle ordered them back to work. The miners defied him. Finally the legislature passed a bill to compensate victims of black lung. Whereupon the UMW *journal* ran an article crediting passage of the new law to Boyle's leadership.

The Challenge. By spring 1969, the union's long decline and undemocratic procedures had attracted the attention of powerful critics. Rep. Ken Hechler of West Virginia and Ralph Nader spoke out against Boyle. So did Jock Yablonski.

For nearly 36 years, Yablonski had served the UMW—first as a local union president in Pennsylvania, finally as acting director of the UMW's lobbying arm. No one had been a more effective public defender of the leadership. Privately, however, Yablonski chafed under Boyle's regime. On May 29, 1969, he announced his candidacy for the union's top job.

"I participated in and tolerated the deteriorating performance of this leadership," he said, "but with increasingly troubled conscience. I will no longer be beholden to the past." He posed the first real threat to UMW officials since 1926 and, at that first press conference, he said he might be killed as a result. His supporters thought he was being "melodramatic."

To gain a place on the ballot, Yablonski had to win the nominations of at least 50 locals. Boyle seemed determined to stop him. He increased his loans to UMW districts; his supporters offered miners cash to block Yablonski's nomination. Despite a warning from the Fund's comptroller that a pension hike would jeopardize the Fund's solvency, he rammed through a 33-percent increase in the monthly payments.

On July 18, attorney Rauh wrote the then Labor Secretary George P. Shultz requesting an investigation. He charged that UMW officials, in massive violation of federal law, were trying to revoke the charters of pro-Yablonski locals or, failing in that, to merge them into pro-Boyle units. Locals which had already nominated Yablonski were told that a recount showed they had really favored Boyle. Local union presidents in Illinois were, Rauh alleged, "offered $150 to $200 each to coerce their locals into nominating Boyle."

Although the Landrum-Griffin Act clearly states that the Secretary of Labor had the right to investigate, Shultz decided that the Department "should not investigate and publicize the activities of one faction in an election in order to assist the campaign of the other." He would observe "long-standing policy" and wait until the balloting was over.

Despite the obstacles in his path, Yablonski won the nominations of 96 locals—nearly twice as many as he needed. His campaign zeal surprised even his own supporters. ("A lot of us were pretty skeptical at first," miner Harry Patrick remembers. "He'd been part and parcel of that gang since the year 1.") As Yablonski hammered away at Boyle and the UMW leadership, violence grew apace. On June 28, after he spoke at a meeting in Springfield, Ill., he was knocked unconscious. Hawey Wells discovered leaves and pine cones in the gas tank of the plane he used to fly to Yablonski rallies. In Moundsville, W. Va., five men attacked Tom Pysell, a vocal Yablonski backer, and left him with three broken ribs.

Cry Foul! On December 1, eight days before the election, Rauh made one last plea for government intervention. "The failure of the Department of Labor to take strong measures to insure a fair election," he wrote, "may well bring in its train ugly violence." Shultz repeated his stand. There would be no investigation "at this time." In the December 9 election, Boyle won by 35,000 votes. He had succeeded in his strategy of wooing the 70,000 bituminous-mining pensioners—by suggesting that a Yablonski victory might rob them of their benefits and implying that it would be "healthy" for them to back the incumbents. Boyle received 93 percent of their ballots. Yablonski did well among the working miners. Where he had stationed observers (his supporters had been forced to pose as newsmen just to find out the location of many polling places), he usually won or broke even. In districts where he didn't, Boyle's ratio soared as high as 88 to 1.

Yablonski cried "foul" and refused to concede. He asked the Labor Department to impound the ballots. Yablonski's son Chip submitted an affidavit alleging nearly 100 election-law violations. One local official was seen casting ballots for 30 men. Another local received only 95 ballots. Yet Boyle won by 145 to 5.

The Labor Department refused Yablonski's request. He didn't give up. "We're gonna fight this thing all the way," he rasped. On December 18 he wrote to union headquarters: "Tellers, stand up before it's too late. I too once submitted to the discipline of Tony Boyle. But I shall die an honest man because I finally rejected that discipline." Two weeks later he *was* dead.

A Stilled Voice Speaks. On January 8, Labor Secretary Shultz finally called for "a full-scale investigation." Early in March the Department filed suit to overturn the election results. Meanwhile, the union is under fire on other fronts. The Labor Department has filed suit to compel it to keep adequate financial records. The Justice Department is preparing suit to insist that the union allow members to elect their own district officers. The Senate Labor Subcommittee is probing into the election and the relationship between the union, the Welfare and Retirement Fund and the bank. Hundreds of miners have filed a suit alleging that Boyle, his vice president and secretary-treasurer have misappropriated $18 million from the union's treasury.

Dismissing such challenges as "politically motivated," union officials seem intent on business as usual. Not long ago, miners in western Pennsylvania walked off their jobs to protest the government's failure to enforce new health and safety legislation. UMW leaders told them to go back to work and, when they refused, joined forces with coal companies in an effort to compel them to return.

The shots fired in Clarksville last December 31 have stilled a voice but not a movement. Threats and bribes no longer smother dissent. "I can look my children in the eye," says West Virginia miner Tom Pysell, whose outspokenness led to a beating last fall. "That means more to me than money."

Throughout the coal fields today, from the slag heaps of Pennsylvania to the hollows of Kentucky, other miners are echoing Pysell's sentiments. One afternoon last February, hundreds of them converged upon Washington to picket the Justice Department. It was the sort of protest that would have been unthinkable in John L. Lewis's time and, as if in realization of this, some of the men had tears in their eyes. "The UMW is a shame," they shouted. The buttons on their heavy jackets were more explicit: "Stop murder," they said.

RAVENSWOOD NEWS—ACHIEVEMENT IN EXCELLENCE

(Mr. HECHLER of West Virginia asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. HECHLER of West Virginia. Mr. Speaker, I would like to salute the Ravenswood, W. Va., News and its staff, including Phil Fourney, editor-publisher, and Joseph W. Short, former editor-publisher and now News photographer, for their achievements.

The News was honored by the West Virginia Press Association for excellence and Joe Short was honored by being inducted into the association's 50-Year Club. I would like to insert into the RECORD the following articles from the September 24 Ravenswood News on the awards and on Joe Short's honor, as well as an editorial on the weekly newspaper's determination not to sit on its laurels.

NEWS TAKES TOP HONORS AT STATE PRESS CONVENTION

The Ravenswood News captured six awards—two of them first place—at the West Virginia Press Association Convention held last weekend at Pipestem Resort in Summers County.

The two first place citations were presented for special achievements in the categories of General Excellence and Excellence in Makeup and Typography.

In addition to the two first place awards the NEWS won second place for best editorial page, second place for best local display advertisement, second place in photography, and third place for its classified page.

Leading the winning newspaper group in total awards were the Terra Alta, Preston County News, which scored in eight of the 12 categories, together with the Ravenswood NEWS with its six awards, and the Berkeley Springs, Morgan Messenger with a total of five awards.

The excellence in photgraphy award received by this newspaper was based on a picture of the dynamiting of Lock 22. The facilities, south of here, were destroyed after the Ohio River pool stage was raised when the Racine Dam was in use.

The contest judges had this to say about the photograph:

"Well-timed action shot which tells the story as no word-account could. Good reproduction in the newspaper, despite the fact that the photo was taken in the rain."

Entries in the contest were judged by

professional journalists and journalism educators from 12 major University Journalism Schools across the country.

The winners in the annual Better Newspaper Contest were presented the awards Friday at the Awards Luncheon of the WVPA Convention.

Dr. Daniel B. Taylor, State Superintendent of Schools in West Virginia, was the guest speaker at the luncheon, and the award presentations were made by George A. Smith Jr., president-elect of the West Virginia Press Association, and publisher of the Terra Alta Preston County News.

Attending the convention from the NEWS was Phil Fourney, editor-publisher of the paper and Mrs. Fourney, and Joseph Short, NEWS photographer, and Mrs. Short.

STATE PRESS GROUP HONORS 50-YEAR MEN

Four West Virginia newspaper men, including a Ravenswood man, were inducted into the Fifty-Year Club of the State Press Association Saturday night following a convention banquet at Pipestem Resort.

The local man was Joseph W. Short, now semi-retired and working as a photographer for The Ravenswood NEWS. Others who received certificates were Joseph Buckner of Clarksburg, Allen Byrne of Phillippi, and C. Donee Cook of Richwood. The Fifty-Year Club was established in 1937.

Short did his first newspaper work in 1919 as printers devil on The Morgantown Post. While attending West Virginia University, where he majored in journalism and was managing editor of The Athenaeum, University publication, he worked evenings on The Morgantown New Dominion and in 1924 accepted a full-time position on The Fairmont West Virginian, a daily newspaper. He served on weeklies in Pt. Pleasant, Keyser, Morgantown and Martinsburg, and was managing editor of the morning Morgantown daily for six years.

He and his wife, Lucille, came to Ravenswood in 1941 and purchased The Ravenswood NEWS, which they sold in 1955. After working in public relations with the West Virginia Motor Truck Association and editing that organization's monthly magazine, The Transporter, for six years, Short returned here as news editor for the NEWS.

The Fifty-Year Club certificate states that the recipient has devoted more than 50 years to the newspaper profession, "and in recognition of his services to his community and state and contributions made to the material, moral and spiritual development of our people, is awarded this certificate of membership in the Fifty-Year Club of the West Virginia Press Association."

OUR AIM IS TO TRY HARDER

Although we've become accustomed to winning awards in the West Virginia competition, we are singularly proud of one citation we received last week at the press association's annual meeting.

The NEWS—among other citations—was given the first place award for general excellence, in competition with all weekly newspapers in the state. Like the Blue Ribbon newspaper designation about which we wrote several weeks ago, the general excellence prize goes to that newspaper which does everything better than other newspapers in the state.

To win the plaudit is a compliment to our total staff. It means the judges felt we covered news events better than other papers and that our stories about the news were well written. It means the number and quality of our photographs are superior. The advertising content of the paper is well presented. Those who produce the paper—the typesetters, makeup personnel, camera, platemaking and pressroom crews—do a superlative job.

In other words, in giving the general excellence award the judges feel we have done a better all-round job with our newspaper than any others. It means our team has performed better than the teams who work for the other weekly newspapers in the state.

We're very proud to have earned this distinction once again, and remain proud of the staff which writes and produces The NEWS.

At the same time, we realize we're not yet doing the job which the most important judges (our readers) feel needs be done. Last Sunday, for example, a reader wanted us to take a picture of an event—but our personnel were spread so thin that we couldn't honor the request. We know that particular reader doesn't place us at the top of the list this week. Other readers—as do we—feel our representatives should attend more meetings and give more personal reports. Or they feel the actions in circuit court should be given more personal attention and thorough reporting.

We know we must continue to improve our coverage of our community and county, and to relate more state happenings to a local level. We aren't satisfied. We pledge to continue working to make the state's best weekly newspaper even better.

RALPH NADER: HIS TRIBE INCREASES

(Mr. HECHLER of West Virginia asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. HECHLER of West Virginia. Mr. Speaker, the American consumer and the average guy who gets pushed around by insensitive and irresponsible institutions is much better off today because of Ralph Nader. Working within the system, Mr. Nader and his associates have effectively enabled voiceless people to be heard, and have pushed and prodded large corporations to become more aware of their civic responsibilities. They have done this both within the framework of the law, and by the use of the law for the protection of those hitherto unprotected.

In a recent article in the Los Angeles Times dated September 24, 1970, Rudy Abramson has written about some of the activities of Ralph Nader on behalf of the public interest. Some people and some institutions bristle when Mr. Nader sticks a pin into them, but his facts are accurate, his sense of timing is superb, his instinct for the jugular is uncanny, and he inspires confidence by the rising string of accomplishments to his credit. I commend the following articles in the September 24, 1970, Los Angeles Times to my colleagues:

NADER'S RAIDERS A BIGGER TEAM, MORE TARGETS

(By Rudy Abramson)

WASHINGTON.—This summer more than 4,000 students, including a third of the student body at Harvard law school, and, for the first time, substantial numbers from the Deep South, volunteered to work for a pittance under consumer man Ralph Nader.

His Center for the Study of Responsive Law, the home base for Nader's Raiders, could take only about 200 of them.

Nevertheless, this year's youth crusade on behalf of the consuming public has been the most fervent since the first time volunteers joined up in June, 1968.

Raider platoons have roamed far from their earlier haunts in the federal bureaucracy to probe land use in California, the pulp industry of Maine, pollution of the Savannah River in Georgia and the travail of textile towns in North Carolina.

Back in Washington, others returned to old targets like the Food and Drug Administration and the Department of Agriculture, and opened new investigations of the antitrust division of the Justice Department and the quality of care in nursing homes.

GAINING IN INFLUENCE

Nadar at 36, has become, in four years, a national institution. He has brought about a near-revoluton in U.S. law schools, and his influence is still skyrocketing.

New public interest groups are sprouting like daisies across the country—a few of them loosely connected with Nadar, some of them inspired by him, and others copies.

Boosted by a $425,000 out-of-court settlement of an invasion-of-privacy suit against General Motors last month, Nader has been able to start a public interest law firm in Washington. As one of its first major projects, it is zeroing in on the Civil Service System, doing a technical analysis of what is required to make Civil Service employes more accountable to the public.

He has also launched another new group called Professionals for Auto Safety, which he hopes will develop into a nationwide body of lawyers, engineers, physicians and other professionals who will give their time to lobby for auto safety needs.

It is now leaving the starting gate in pursuit of the tinted windshield, a luxury item from Detroit which its leaders consider a dangerous limitation on visibility, particularly among elderly drivers, and during twilight hours.

This fall, Nader, who started it all with a 1966 book entitled "Unsafe at Any Speed," and two of his associates will bring out another car book—a manual for "lemon" owners.

DECLINE PREDICTED

Despite new backbone in the consumer movement and the spread of the religion called Naderism, some critics still forecast the decline they have predicted from the time Nader burst into prominence.

Nader has spread himself too thin, the argument goes. He is eroding his influence by speaking out too often on too many subjects, always with a predictable level of outrage. One great mistake by one of his Raiders will destroy his credibility, they say.

But allies in the consumer movement marvel that Nader becomes more and more influential despite four years in the spotlight. His capacity for work is as limitless as ever.

Nader has become one of the more powerful people in a city that iodolizes power. Bureaucrats he has taken under fire tend to think portrayals of Nader as a David against Goliath had the characters reversed.

HOUSEHOLD WORD

While the Nader institution is taking root across the country, the man is about the same invisible, mildly eccentric character he was before he became a household word. Apparently, this is of both choice and necessity.

He carefully guards the address of his $80-a-month room, does not own an automobile, frequently changes the telephone number where he can be reached, and operates from a secret private office.

He is mysterious about his movements around town. The only way to find him is to leave word around with his associates at the Center for the Study of Responsive Law or with congressional aides he frequently sees. A favorite meeting place is the lobby of the Dupont Plaza Hotel. Usually late, Nader seems to materialize from nowhere, often with an armful of books and papers.

His workday is said to run as long as 20 hours. Not infrequently, he is on the phone in the middle of the night, rousting less-driven allies out of bed to talk business.

In preparation for appearances before con-

gressional committees, he has been known to work through the night, then roll his prepared testimony out of the typewriter just in time to deliver it at the committee session.

A story is told that Nader had similar habits as a Princeton undergraduate majoring in Oriental studies.

A night watchman is said to have repeatedly found him sleeping in the library after it was closed. The student explained he had so much work to do that he found it necessary to nap with his head on a library table.

The explanation got Nader entrusted with a personal key to the library, but it made him no friends when he refused fellow students who wanted to borrow the key to take girl friends to the library after hours.

Nader left Princeton a Phi Beta Kappa, though someone had seen fit to put him in a remedial English class as a freshman.

DISILLUSION GROWS

His deep disillusionment with the workings of the system set in at Harvard Law, an institution he found too much a trade school. His grades were not outstanding, and, in retrospect, it seems Harvard never really challenged him.

People who have known Nader since his first days in Washington see little change in him.

"He's more sophisticated now," said a Senate staff member who works with him. "It used to be just the good guys and the bad guys, as far as he was concerned, with no in-between. Now he understands that Sen. Philip Hart (D-Mich.) can go just so far on auto safety, and Sen. Fred Harris (D-Okla.) can go just so far on pipeline safety."

When he sees the pulbic interest at stake, though, Nader isn't hesitant to harpoon the good guys, too.

Last May, one of his task forces hit Sen. Edmund S. Muskie (D-Me.), the Senate's leading force against air pollution, with a bare-knuckled broadside.

"The man who has received the greatest political mileage from his identification with the air pollution issue, Sen. Edmund S. Muskie of Maine, does not deserve the credit he has been given," the report said. "He and Sen. Jennings Randolph of coal-rich West Virginia worked hand-in-hand in 1967 to create the labyrinthine Air Quality Act, which has so far been a business-as-usual license to polluters."

MUSKIE ANGERED

Muskie was furious, and many leaders of the consumer movement were aghast.

Here, some friends said, was that first big mistake. Nader associate John Esposito wrote the report but Nader stood behind it.

"I looked at that report and said, 'Oh, God, he's made his first mistake,' " said one of Nader's lawyer friends. "Maybe Muskie should have done more; but he's done more than anybody else, and he's not somebody to dump on."

The episode has now blown over. Muskie and Nader have communicated several times since the incident. Nader and his team are convinced personally that stinging the senator had something to do with the toughest piece of air pollution legislation in history, which Muskie's subcommittee wrote recently.

If that's true, it is real evidence of Nader's clout, for Muskie is a man with Senate prestige and serious aspirations to be President.

In contrast to his investigative reports and public pronouncements on consumer issues, Nader works through other avenues open to no one else. He helps write some legislation before it ever emerges to public view.

ANNOYED BY CHANGE

A Senate legislative aide with Nader on a bill once changed an adjective to an adverb for grammatical reasons. Nader wasn't told of the change, and when he saw it, the staff member said, "He went up the wall. He thought somebody had gotten to the staff."

As that indicates, Nader is a man with a conspiratorial nature.

"But," said one of his close friends, "it's hard to tell when he is being for real and when he is just posturing."

Others think this element of his personality is a real problem for him, that he spends a great deal of time worrying about things that never happen.

Some of his friends thought he was daft in 1966 when he became convinced he was being followed. As it turned out, he was being shadowed by a private detective retained by General Motors.

GM admitted it, and its president apologized publicly. Nader sued, and out of that grew the $425,000 settlement.

Whatever the motivation for Nader's reclusive life style, the fact he is disinterested in creature comforts or accumulation of personal wealth has added greatly to his credibility. The other reason for his credibility is that he is careful with his facts.

HOLDS TRUMP CARD

One of Nader's favorite techniques is to make an expose without revealing his crucial evidence. After his target issues a denial, Nader then likes to produce his trump card—as he did once with a printout from Ford Motor Co.'s own computers.

The printout came to Nader from a graduate student who had worked at Ford and who had taken the discarded information home with him to use in preparation of his thesis.

Not surprisingly, Nader does not talk about his intelligence network. It is a source of some pride to him that no one has ever been fired for helping him. And there hasn't been a lawsuit against him and his Raiders for their investigations.

Many who have worked with Nader and watched him are convinced that descriptions of him as a one-man CIA are overdone.

Jerome N. Sonosky, a Washington lawyer who was a Senate staff member during the 1966 auto safety hearings, said of Nader, "He uses good lawyer techniques, good reporter techniques. A lot of the stuff he gets is right under our noses. I'm not saying that to minimize what he's doing. That's his genius; he came here and learned the system, and he found that government agencies put out an unbelievable amount of data that people pay no attention to."

At one point in his automobile safety crusade, for example, Nader went to the U.S. Patent Office, got the names of people who had patented safety devices and wrote to each of them.

Nader has been on the scene long enough now that he has developed personal constituencies throughout government agencies as well as in Congress.

He frequently feeds information to members of Congress involved with consumer matters, and, by the same token, goes to them on occasions for help in breaking information loose.

The center operates in a disheveled old townhouse just off Washington's Dupont Circle. The interior looks more like the command post for a weekend demonstration than a permanent institution. The door is always locked.

Outside his personal orbit, Naderism has become more apparent than ever in recent months.

In Cleveland, a group has been established to monitor auto manufacturers and keep an eye on the sales, servicing and advertising practices of area dealers. It will serve as an organization to collect citizens' complaints about their cars, and will produce a rating of auto dealers for potential buyers.

At the University of Texas law school, nine students, who spent most of the summer in Washington investigating the Atomic Energy Commission, are writing a 350-page report for the Texas Law Review. The Review raised $10,000 for the study.

Robert Fellmeth, a Harvard graduate whose California land use study is the biggest project ever undertaken by Nader's Raiders, said he and several others will first spend a year raising money to establish a firm with offices in California, Washington and New York.

They expect to conduct investigations, write reports and use summer student volunteers like the Center for the Study of Responsive Law. A separate branch of the same organization would practice more conventional case law.

LAWSUITS POSSIBLE

During the summer study now being put into book form, seven Raider teams combed California records and interviewed officials on land planning and use.

"We see the possibility for literally hundreds of suits," Fellmeth said, "including multimillion-dollar actions against some large corporations."

Nader seems to consider his prime mission one of developing leadership for the new consumer advocacy by providing opportunities for young professionals to expose institutional wrongs.

"The name of the game is numbers," he said. "We have to have large numbers all over the country. The function of leadership is to develop leadership. It's a question of whether you want the movement to provide career roles, or if you just want to write a few books and testify a little."

For all the success of his movement so far, Nader's outrage is unabated.

"Everybody agrees society is going downhill," he said in an interview, then started reeling off why—an obsolete Congress, prematurely aged labor unions, people and institutions who endorse principles, then make a mockery of them.

"I talk with people with $200 and $300 million fortunes who won't support 10 law students," he said. "That's the Roman decline right there."

"The country has produced absolutely ingenious ways to siphon public resources into the private sector, when it should be working the other way, and corporations are crying socialism all the way to the bank."

Nader's young allies at work in the field often get lectured by their elders that they're following a radical who is trying to destroy the free enterprise system.

"The corporations are the radicals," Nader replies. "They're the ones acting outside the ideals, the norms of society. They can do almost anything they want so long as it is through inaction—like releasing cars that pour out poisonous gases affecting all Americans."

Besides the major projects already mentioned, the staff at Nader's center and the Raiders have been investigating supermarkets, the Federal Water Quality Administration, the National Air Pollution Control Administration, the Bureau of Reclamation, the Forest Service, the National Institute of Mental Health, land taxation, black cooperatives, hospital accreditation, the Connecticut Insurance and Consumer Department, and law firms.

Nader says he will never run out of subjects.

Despite all of the things he sees, he is not a total pessimist.

"The country knows the disasters we are headed for, and that's a plus," he said. "We also have the resources to deal with these things."

"The question is whether we can band these into a will, a commitment, an ethic where everybody in his job is his own person, whether he's working on an assembly line or in a government agency."

WINS AND LOSSES ON NADER'S SCOREBOARD

WASHINGTON.—Ralph Nader's targets range from General Motors, his well-known favorite, to excessively fatty hot dogs and the red

dye in maraschino cherries. His calls for reform have covered such a wide range of subjects that many have come to nothing.

Some examples of his wins and losses:

His book "Unsafe at Any Speed" focused on Chevrolet's popular Corvair. Although courts have held the car is not inherently unsafe, sales plunged 93% in the years after the book, and Corvair was taken out of production after 1969 models.

A scathing report on the Federal Trade Commission started a reorganization of the agency. A study by the American Bar Assn. backed up many of the FTC criticisms by Nader's raiders.

His reports on dental X-rays raised public concern over the possibility of miscarriages and birth deformities. The American Dental Assn. told members they should stop making X-rays a standard part of dental examination of pregnant women.

RADIATION EMITTED

After Nader reports that some color television sets emit excessive radiation, the FTC issued warning to consumers to sit a least 6 feet from the screen.

Three baby food manufacturers stopped using the taste-enhancer monosodium glutamate after Nader called attention to harmful effects to animals produced by large amounts in laboratory studies.

Nader's forces recently won a major victory when the U.S. District Court in Baltimore ordered the Agriculture Department to release certain records to its meat inspection division. The case is being appealed by the government.

Recently, Nader tried to get a ban against smoking on airliners, contending it is a safety hazard as well as a nuisance to nonsmokers. He was turned down by the Federal Aviation Administration, went to court, and lost again.

A report by Nader's Raiders recommended that the Interstate Commerce Commission be abolished. There is no indication that it is in the works, but a congressional study is being made.

A project called "Campaign GM," backed by Nader, lost a bid last spring to get three public representatives appointed to the GM board of directors but succeeded in spotlighting the issue of corporations and public responsibility.

W. A. (Tony) Boyle won reelection as president of the United Mine Workers despite Nader charges of corruption and nepotism in the union.

A report by Nader's Raiders on the Food and Drug Administration called for complete food labeling and charged the FDA with repeated favors to special interests. Major recommendations have not been followed.

In some areas of the federal establishment, the Raiders are finding improved access to information. But some agencies—the Department of Housing and Urban Development and the Food and Drug Administration—have started charging them for researching files and for providing large numbers of copies.

Nader's exposures and work with consumer-oriented members of Congress played a major role in the auto safety bill of 1966, the Wholesome Meat Act of 1967 and the Coal Mine Health and Safety Act this year.

Associates believe Raider criticism of Sen. Edmund S. Muskie (D-Me.) prodded him to engineer a tougher air pollution bill this year.

Nader's charges that fishing vessels are not inspected for sanitation brought a White House meeting on the subject, but not a public reaction such as the one that pushed the Wholesome Meat Act through Congress.

AN ACCURATE CENSUS: THE TALE OF ONE CITY

(Mr. HECHLER of West Virginia asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. HECHLER of West Virginia. Mr. Speaker, recently I called attention to the efforts to obtain an accurate census count in my hometown of Huntington, W. Va. I believe we have succeeded, and the Bureau of the Census deserves high praise for its efforts. As a matter of fact, the Director of the Census, Dr. George H. Brown, has accepted an invitation to address over 100 census enumerators who will be my guests at a steak dinner to be held at the Hotel Frederick, Huntington, October 10. Under unanimous consent, there follows the text of my testimony on this subject before the House Subcommittee on Census and Statistics, September 29, 1970.

STATEMENT OF REPRESENTATIVE KEN HECHLER

I come to praise the Census, not to bury it.

I have invited over 100 census enumerators in my home town of Huntington, West Virginia, to be my guests at a steak dinner on the evening of October 10, to honor them for their dedicated and conscientious work in taking the 1970 census, despite the fact that their results revealed a drop of over 10,000 in Huntington's population since 1960. The Director of the Census, Dr. George H. Brown, has accepted an invitation to speak at the dinner.

It is very natural for anguished outcries to fill the air whenever the census, a measure of progress, shows a decline in population instead.

The 1960 census pegged Huntington's population at 83,627. When the news broke early in June that Huntington's preliminary 1970 count was only 72,970, a 7 column headline splashed across our local newspaper: "City Census Figure Faces Challenge." My telephone started ringing incessantly with protests.

Local officials insisted that with over 28,000 households billed for city garbage collection, at a rate of three persons per household there surely must be at least 84,000 people instead of 72,970 in Huntington. Other indices such as increases in water meters, auto registration, and certified work force were used to refute the claims of the Census Bureau.

The Huntington Herald-Dispatch categorically stated in the opening sentences of a critical June 6, 1970 editorial: "Maybe West Virginia census enumerators just can't count. Or perhaps Mountaineers were more indignant than most Americans about answering some of the questions on the census forms and decided to be 'out' when the enumerator came around." In its concluding blast at the inaccuracy of the census, the Herald Dispatch stated: "But to concede—in the face of indices all pointing in the opposite direction—that Huntington has lost 10,657 residents since 1960, is just plain ridiculous."

When these protests rolled in, I was determined to get the facts and instead of arguing with the critics of the census I was equally determined that they be accorded a free, full and fair opportunity to present their evidence and have it weighed carefully. First, I talked at length with Census officials at central headquarters to insist that a massive volunteer recount effort in Huntington should receive the official blessing of the Bureau of the Census. Second, I quizzed Joseph Norwood, Regional Director of the Census Bureau in Charlotte, N.C., on the best procedure for such a volunteer recount, as well as the steps which had been attempted in Huntington to re-check the preliminary figures. Mrs. Anna Maxine Booth, district manager for eleven West Virginia counties including the city of Huntington, had carried out additional checks for census coverage under the direction of the Regional Office, prior to announcing the preliminary total. These checks included: comparing each enumerator's district with the city master map to see that all of the City was properly included; checking the address register of all households for full coverage of addresses; a re-check of areas showing below average number of persons per housing unit or above average of vacancies; and a re-check of areas where there had been some demolitions to insure that the structures were either vacant or demolished. At the same time, "Were You Counted?" advertisements were run in the newspapers and over radio and television in a concerted effort to discover those people who had been overlooked.

Despite these careful checks which had been made, I encouraged both the city officials and the Bureau of the Census to give support to a volunteer block count in order to get the facts, and there was enthusiastic agreement all around that this task should get underway immediately.

On June 4, 1970—two days after the preliminary census figures were revealed—I issued a public statement which was carried in all the news media. Noting that "I am sure that Mrs. Maxine Booth, manager of the Huntington Census Bureau office, has done an excellent job with her enumerators," I added: "All of us are concerned that the count be complete and accurate . . . The Census Bureau will assist any citizen campaign effort to encourage those who feel they were not counted to report information to the regional director."

We arranged a special air shipment to Huntington of several thousand "Were You Counted?" forms, and the City of Huntington duplicated additional forms. A 3-column front page article on Sunday June 7, 1970 helped kick off the effort, along with the lead editorial in the Sunday June 7 Huntington Herald-Advertiser entitled "Operation Blockcount is a Crusade For Truth." A double-column bold type box in the center of the editorial stated: "Notice to Volunteers. If you wish to join in 'Operation Blockcount,' to insure that the City of Huntington receives full credit for its entire population, call City Hall. The number is 529–7164. Ask for the Central Clearing Office. . . . Let's make this campaign a crusade!"

The Census Bureau allowed 11 days for the "Operation Blockcount." Thirty volunteers showed up the first day, and immediately went to work. The blockcounters were authorized to pick up census forms not previously collected by enumerators, and were also authorized to record basic information on those people who felt they had not been counted. The Huntington Junior Chamber of Commerce participated in and backed the volunteer effort, as did other civic organizations.

Massive radio, telephone and newspaper support backed up the campaign, which I encouraged at every opportunity with television and radio spots and news announcements. During the first week of the Blockcount it was reported that 250 persons had volunteered to assist, with an estimated 50 percent of the city's residential areas assigned. Totals recording the additional people counted were published frequently by the newspapers.

At all levels, the Census Bureau was most cooperative, and midway in the Blockcount an eleven-day extension in the deadline was granted up to June 30. Not all of the City of Huntington was covered in Operation Blockcount. Yet few civic projects received such strong support from the news media, city officials and civic organizations, and the Bureau of the Census did everything possible to make Operation Blockcount a success.

By the time 20 percent of the city had been checked, it was estimated that 1,000 names had been added, leading to the projection by local authorities that Huntington's final count would add about 5,000 people. However, by the end of the period, forms for 1,328 persons, representing 568

households, had been turned in to the Charlotte Regional Office. To these 568 households were added 164 more forms that were sent either to the Huntington census office after it officially closed early in June, or to the Jeffersonville, Indiana, or central office of the Bureau of the Census.

Now started the refining process of thoroughly checking the 732 additional households. By comparing these 732 forms with data already recorded, it was discovered that all but 71 households (representing 183 persons) were either outside the City of Huntington or duplicated households and individuals already counted.

When Regional Director Norwood relayed this information to me, I suggested that he ought to take these 183 additional people and field check his results in Huntington to find out why they were not counted in the original census. A survey statistician from the Regional Census Office went to Huntington and he personally checked out each of the 71 households and 183 people, and discovered that 4 addresses were non-existent, 3 were in the county and outside the Huntington city limits, 2 had the wrong name entered, and 8 were households which had moved into Huntington since April 1 and knew they had been counted elsewhere.

So this boiled down to 30 households and 90 people, and I again went back to Mr. Norwood and asked him: just why weren't these 90 counted? It was discovered that they were living in the rear or over commercial buildings, or were transient or floater population that simply had not been caught in the census net. Nevertheless, 90 additional people—which constitutes a shade over one-tenth of one percent increase beyond the preliminary census estimate—is sufficient cause for a celebration and a steak dinner for the enumerators who did such an accurate job.

After all the build-up and the criticism of the enumerators, the Huntington morning newspaper blacked out any mention of the results of the final census check. The afternoon newspaper, the Huntington Advertiser, carried a little one column story on September 10, 1970.

Aside from this Tale of One City, I would like to make two small suggestions for the committee's consideration in making recommendations for the next census. West Virginia has the highest percentage of its population serving in the armed forces, and I believe the lowest number of personnel in proportion to population serving as recruiters or other military personnel within the borders of the state. I know that since 1790, military personnel has been allocated under the census to the state where the military happens to be serving. I can see no logic in counting a man who is sent against his will to Fort Jackson, S.C., in South Carolina's population, when he pays his taxes, votes, owns property and expects to return to West Virginia when he gets out of the military service. The same thing goes for college students, who are now counted in the state where they happen to be attending college. That is simply illogical, and should be changed in both instances so they will be accurately added to the population of the state which is their true state of residence.

Finally, in the light of the great mobility of our populations, I support a census taken every five years.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. LOWENSTEIN (at the request of Mr. WOLFF), for today, on account of religious observance.

Mr. DOWDY (at the request of Mr. BOGGS) for an indefinite period, on account of illness.

Mr. SCHEUER (at the request of Mr. BINGHAM), on account of illness.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. VAN DEERLIN, for 10 minutes, today.

Mr. GONZALEZ, for Thursday, October 1, 1970, for 30 minutes.

Mr. RARICK (at the request of Mr. GONZALEZ), for 15 minutes, today, and to revise and extend his remarks, and include extraneous matter.

(The following Members (at the request of Mr. MCCLOSKEY) to address the House and to revise and extend their remarks and include extraneous matter:)

Mr. HALL, for 60 minutes, on October 7.

Mr. HOSMER, for 10 minutes, today.

Mr. FINDLEY, for 15 minutes, today.

Mrs. HECKLER of Massachusetts, for 5 minutes, today.

EXTENSION OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

Mr. GRAY in two instances and to include extraneous matter.

Mr. HOLIFIELD to include extraneous matter in his remarks on H.R. 18679.

Mr. PRICE of Illinois (at the request of Mr. HOLIFIELD), to extend his remarks in the RECORD on the bill H.R. 18679.

Mr. BYRNES of Wisconsin to revise and extend remarks made on the hijack bill, H.R. 19444.

(The following Members (at the request of Mr. MCCLOSKEY) and to include extraneous material:)

Mr. ZWACH.
Mr. CHAMBERLAIN.
Mr. ROBISON in two instances.
Mr. LUJAN.
Mr. KING.
Mr. WYMAN in two instances.
Mr. HOGAN.
Mr. MCDONALD of Michigan.
Mr. RHODES.
Mr. BEALL of Maryland.
Mr. ADAIR.
Mr. HOSMER in two instances.
Mr. SKUBITZ.
Mr. FINDLEY.
Mrs. HECKLER of Massachusetts.
Mr. FREY.
Mr. COUGHLIN.
Mr. WYLIE.
Mr. SCHWENGEL.
Mr. SCHMITZ.
Mr. WEICKER.
Mr. GROVER.
Mr. HALL.
Mr. GERALD R. FORD.
Mr. SCHADEBERG in two instances.
Mr. WATSON.
Mr. SCOTT.
Mr. MESKILL.

(The following Members (at the request of Mr. GONZALEZ) and to include extraneous matter:)

Mr. MAHON in two instances.
Mr. CELLER.
Mr. PEPPER in two instances.
Mr. KASTENMEIER.
Mr. MCCARTHY in three instances.
Mr. RODINO.
Mr. GARMATZ.
Mr. MCMILLAN in two instances.
Mr. KLUCZYNSKI in two instances.
Mr. ANNUNZIO in three instances.
Mr. RARICK in two instances.
Mr. DENT in three instances.
Mr. MINISH in two instances.
Mr. PUCINSKI in six instances.
Mr. PICKLE in four instances.
Mr. NIX.
Mr. BLATNIK.
Mr. STEPHENS in two instances.
Mr. ROSTENKOWSKI.
Mr. NICHOLS.
Mr. EDWARDS of California.
Mr. BRASCO in three instances.
Mr. BENNETT in two instances.
Mr. EILBERG.
Mr. TIERNAN.

SENATE ENROLLED BILL SIGNED

The SPEAKER announced his signature to an enrolled bill of the Senate of the following title:

S. 3558. An act to amend the Communications Act of 1934 to provide continued nnancing for the Corporation for Public Broadcasting.

ADJOURNMENT

Mr. GONZALEZ. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 4 o'clock and 5 minutes p.m.), the House adjourned until tomorrow, Thursday, October 1, 1970, at 12 o'clock noon.

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. KASTENMEIER: Committee on the Judiciary. H.R. 2175. A bill to amend title 18 of the United States Code to authorize the Attorney General to admit to residential community treatment centers persons who are placed on probation, released on parole, or mandatorily released (Rept. No. 91–1520, pt. II)). Referred to the Committee of the Whole House on the State of the Union.

Mr. FLOWERS: Committee on the Judiciary. H.R. 14684. A bill for the relief of the State of Hawaii (Rept. No. 91–1542). Referred to the Committee of the Whole House on the State of the Union.

Mr. CELLER: Committee on the Judiciary. H.R. 17901. A bill to improve judicial machinery by providing for the appointment of a circuit executive for each judicial circuit; with amendments (Rept. No. 91–1543). Referred to the Committee of the Whole House on the State of the Union.

Mr. EDMONDSON: Committee on Interior and Insular Affairs. S. 368. An act to authorize the Secretary of the Interior to make disposition of geothermal steam and associated geothermal resources, and for other purposes; with amendments (Rept. No. 91–1544). Referred to the Committee of the Whole House on the State of the Union.

Mr. DONOHUE: Committee on the Judiciary. S. 902. An act to amend section 1162 of title 18, United States Code, relating to State jurisdiction over offenses committed by or against Indians in the Indian country (Rept. No. 91–1545). Referred to the Com-

mittee of the Whole House on the State of the Union.

Mr. KASTENMEIER: Committee on the Judiciary. S. 1461. An act to amend section 3006A of title 18, United States Code, relating to representation of defendants who are financially unable to obtain an adequate defense in criminal cases in the courts of the United States; with amendments (Rept. No. 91–1546). Referred to the Committee of the Whole House on the State of the Union.

Mr. ZABLOCKI: Committee on Foreign Affairs. House Joint Resolution 1355. Joint resolution concerning the war powers of the Congress and the President (Rept. No. 91–1547). Referred to the Committee of the Whole House on the State of the Union.

Mr. ROONEY of New York: Committee of conference. Conference report on H.R. 17575 (Rept. No. 91–1548). Ordered to be printed.

Mr. ROGERS of Colorado: Committee on the Judiciary. S. 30. An act relating to the control of organized crime in the United States; with an amendment (Rept. No. 91–1549). Referred to the Committee of the Whole House on the State of the Union.

REPORTS OF COMMITTEES ON PRIVATE 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. MANN: Committee on the Judiciary. H.R. 4463. A bill for the relief of Francis X. Tuson. (Rept. No. 91–1541). Referred to the Committee of the Whole House.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. CLANCY:

H.R. 19517. A bill to restore balance in the Federal form of Government in the United States; to provide both the encouragement and resources for State and local government officials to exercise leadership in solving their own problems; to achieve a better allocation of total public resources; and to provide for the sharing with State and local governments of a portion of the tax revenue received by the United States; to the Committee on Ways and Means.

By Mr. HOSMER:

H.R. 19518. A bill to amend the National Wild and Scenic Rivers Act of 1968 (Public Law 90–542) to include certain rivers located within the State of California as potential components of the National Wild and Scenic Rivers System, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. O'HARA (for himself, Mr. STEIGER of Wisconsin, Mr. DANIELS of New Jersey, Mr. QUIE, Mr. PERKINS, Mr. AYRES, Mr. DENT, Mr. BELL of California, Mr. PUCINSKI, Mr. REID of New York, Mr. CAREY, Mr. ERLENBORN, Mr. HAWKINS, Mr. DELLENBACK, Mr. SCHEUER, Mr. ESCH, Mr. BURTON of California, Mr. HANSEN of Idaho, and Mr. GAYDOS):

H.R. 19519. A bill to assure an opportunity for employment to every American seeking work and to make available the education and training needed by any person to qualify for employment consistent with his highest potential and capability and for other purposes; to the Committee on Education and Labor.

By Mr. BROOMFIELD:

H.R. 19520. A bill to promote public health and welfare by expanding, improving, and better coordinating the family planning services and population research activities of the Federal Government, and for other purposes; to the Committee on Interstate and Foreign Commerce.

H.R. 19521. A bill to prohibit assaults on State law enforcement officers, firemen, and judicial officers; to the Committee on the Judiciary.

By Mr. EDMONDSON (for himself, Mr. BELCHER, Mr. CAMP, Mr. JARMAN, and Mr. STEED):

H.R. 19522. A bill for the relief of the owners of interests in the minerals and mineral rights in certain land located in Caddo County, Okla.; to the Committee on the Judiciary.

By Mr. FINDLEY:

H.R. 19523. A bill to require that the training of the National Guard for civil disorders be emphasized equally with that for combat warfare, and to require that the National Guard be provided with specialized weapons and protective equipment suitable for use to control civil disorders; to the Committee on Armed Services.

By Mr. KOCH:

H.R. 19524. A bill to amend the Internal Revenue Code of 1954 to provide that blood donations shall be considered as charitable contributions deductible from gross income; to the Committee on Ways and Means.

By Mr. McCARTHY:

H.R. 19525. A bill to amend the Water Resources Planning Act (79 Stat. 244) to include provision for a national land use policy by broadening the authority of the Water Resources Council and river basin commissions and by providing financial assistance for statewide land use planning; to the Committee on Interior and Insular Affairs.

By Mr. MILLS:

H.R. 19526. A bill to eliminate the duty on natural rubber containing fillers, extenders, pigments, or rubber-processing chemicals; to the Committee on Ways and Means.

By Mr. MURPHY of New York:

H.R. 19527. A bill to prohibit assaults on State law enforcement officers, firemen, and judicial officers; to the Committee on the Judiciary.

By Mr. PIKE (for himself, Mr. GUBSER, Mr. RIVERS, Mr. ARENDS, Mr. LEGGETT, Mr. STAFFORD, Mr. HICKS, Mr. FOREMAN, Mr. WHITE, Mr. WHITEHURST, Mr. BRINKLEY, Mr. DANIEL of Virginia, and Mr. BEALL of Maryland):

H.R. 19528. A bill to amend chapter 73 of title 10, United States Code, to establish a survivor benefit plan; to the Committee on Armed Services.

By Mr. ROBISON:

H.R. 19529. A bill to amend the Truth in Lending Act to eliminate the inclusion of agricultural credit; to the Committee on Banking and Currency.

By Mr. ST GERMAIN:

H.R. 19530. A bill to amend section 344(a)(1) of the Immigration and Nationality Act to prohibit the charging of fees with respect to certain individuals in naturalization proceedings; to the Committee on the Judiciary.

By Mr. SHRIVER:

H.R. 19531. A bill to allow the Comptroller General of the United States to settle and pay certain claims arising out of the crash of a U.S. aircraft at Wichita, Kans., on January 16, 1965; to the Committee on the Judiciary.

By Mr. SYMINGTON:

H.R. 19532. A bill to amend the Public Health Service Act to encourage physicians, dentists, optometrists, and other medical personnel to practice in areas where shortages of such personnel exist, and for other purposes; to the Committee on Interstate and Foreign Commerce.

H.R. 19533. A bill to amend the Internal Revenue Code of 1954 to provide relief to certain individuals 65 years of age and over who own or rent their homes, through a system of income tax credits and refunds; to the Committee on Ways and Means.

By Mr. WATSON:

H.R. 19534. A bill to amend title II of the Social Security Act to increase from $1,680 to $3,000 the amount of outside earnings permitted each year without any deductions from benefits thereunder; to the Committee on Ways and Means.

By Mr. WEICKER (for himself, Mr. ANDERSON of California, Mr. ANDERSON of Illinois, Mr. BARING, Mr. BUCHANAN, Mr. BUTTON, Mr. BYRNE of Pennsylvania, Mr. CARTER, Mr. CLEVELAND, Mr. COUGHLIN, Mr. DULSKI, Mr. EDWARDS of California, Mr. FLOOD, Mr. FOLEY, Mr. FRELINGHUYSEN, Mr. FREY, Mr. FULTON of Pennsylvania, Mr. GIAIMO, Mr. GUBSER, Mr. HALPERN, Mr. HASTING, Mrs. HECKLER of Massachusetts, Mr. HICKS, Mr. HORTON, and Mr. HOSMER):

H.R. 19535. A bill to require the Secretary of Transportation to prescribe regulations governing the humane treatment of animals transported in air commerce; to the Committee on Interstate and Foreign Commerce.

By Mr. WEICKER (for himself, Mr. JARMAN, Mr. JOHNSON of California, Mr. KASTENMEIER, Mr. KUYKENDALL, Mr. KYROS, Mr. MATHIAS, Mr. McCULLOCH, Mr. McKNEALLY, Mr. MESKILL, Mr. MINISH, Mrs. MINK, Mr. MOORHEAD, Mr. MORSE, Mr. MOSS, Mr. MURPHY of New York, Mr. OTTINGER, Mr. PETTIS, Mr. PIRNIE, Mr. RIVERS, Mr. RODINO, Mr. ROE, Mr. RYAN, Mr. SCHWENGEL, and Mr. TALCOTT):

H.R. 19536. A bill to require the Secretary of Transportation to prescribe regulations governing the humane treatment of animals transported in air commerce; to the Committee on Interstate and Foreign Commerce.

By Mr. WEICKER (for himself, Mr. TUNNEY, Mr. WHITEHURST, and Mr. YATRON):

H.R. 19537. A bill to require the Secretary of Transportation to prescribe regulations governing the humane treatment of animals transported in air commerce; to the Committee on Interstate and Foreign Commerce.

By Mr. WOLD:

H.R. 19538. A bill to designate the Stratified Primitive Area as a part of the Washakie Wilderness, heretofore known as the South Absaroka Wilderness, Shoshone National Forest, in the State of Wyoming, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. DON H. CLAUSEN:

H.R. 19539. A bill to authorize the Secretary of Agriculture to cooperate with the States and subdivisions thereof in the enforcement of State and local laws, rules, and regulations within the national forest system; to the Committee on Agriculture.

By Mr. DIGGS:

H.R. 19540. A bill; National Public Employee Relations Act; to the Committee on Education and Labor.

By Mr. DULSKI:

H.R. 19541. A bill to amend title 39, United States Code, to improve the protection of a person's right of privacy by defining obscene mail matter, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. FRASER:

H.R. 19542. A bill; National Public Employee Relations Act; to the Committee on Education and Labor.

By Mr. ICHORD (for himself, Mr. RANDALL, Mr. HULL, Mr. PUCINSKI, Mr. JONES of North Carolina, Mr. EILBERG, Mr. BYRNE of Pennsylvania, Mr. ABBITT, Mr. RHODES, Mr. ROBERTS, Mr. HANSEN of Idaho, Mr. McCULLOCH, Mr. RARICK, Mr. KING, Mr. SCHERLE, Mr. BEVILL, Mr. KUYKEN-

DALL, Mr. BRINKLEY, Mr. EDMONDSON, Mr. PEPPER, Mr. SMITH of California, Mr. SANDMAN, Mr. CLARK, Mr. SATTERFIELD, and Mr. FLYNT):

H.R. 19543. A bill to make it a Federal crime to kill or assault a fireman or law enforcement officer engaged in the performance of his duties when the offender travels in interstate commerce or uses any facility of interstate commerce for such purpose; to the Committee on the Judiciary.

By Mr. ICHORD (for himself, Mr. DINGELL, Mr. MILLER of Ohio, Mr. LANDGREBE, Mr. DANIEL of Virginia, Mr. BROYHILL of North Carolina, Mr. ASHBROOK, Mr. COWGER, Mr. DORN, Mr. GOODLING, Mr. PATMAN, Mr. HECHLER of West Virginia, Mr. EVINS of Tennessee, Mr. WATSON, Mr. PIKE, Mr. DEVINE, Mr. CHAPPELL, and Mr. MCKNEALLY):

H.R. 19544. A bill to make it a Federal crime to kill or assault a fireman or law enforcement officer engaged in the performance of his duties when the offender travels in interstate commerce or uses any facility of interstate commerce for such purpose; to the Committee on the Judiciary.

By Mr. LOWENSTEIN:

H.R. 19545. A bill to provide that the United States shall reimburse the States and their political subdivisions for real property taxes not collected on certain real property owned by foreign governments; to the Committee on Foreign Affairs.

By Mr. PEPPER (for himself, Mr. STANTON, and Mr. STOKES):

H.R. 19546. A bill to provide for a program of Federal assistance in the development, acquisition, and installation of aircraft antihijacking detection systems, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. SKUBITZ:

H.R. 19547. A bill to amend the Internal Revenue Code of 1954 to provide charitable deduction for blood donations; to the Committee on Ways and Means.

By Mr. TEAGUE of California:

H.R. 19548. A bill to provide for the control and prevention of further pollution by oil discharges from Federal lands off the coast of California, and to provide for the improvement in the state-of-the-art with respect to oil production from submerged lands; to the Committee on Interior and Insular Affairs.

By Mr. UDALL:

H.R. 19549. A bill to establish a program for the protection of aircraft from air piracy; to authorize the purchase of magnetometers and other electronic sensing devices for the purpose of detecting air pirates, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. FULTON of Pennsylvania:

H. Con. Res. 758. Concurrent resolution to express the sense of Congress on international measures to discourage hijacking; to the Committee on Foreign Affairs.

H. Con. Res. 759. Concurrent resolution urging the President to determine and undertake appropriate actions with respect to stopping armed attacks on aircraft and passengers engaged in international travel; to the Committee on Foreign Affairs.

By Mr. SCHMITZ:

H. Con. Res. 760. Concurrent resolution expressing the sense of the Congress with respect to sanctions against Rhodesia; to the Committee on Foreign Affairs.

By Mr. WHALLEY:

H. Con. Res. 761. Concurrent resolution urging the President to determine and undertake appropriate actions with respect to stopping armed attacks on aircraft and passengers engaged in international travel; to the Committee on Foreign Affairs.

By Mr. MURPHY of New York (for himself and Mr. FRIEDEL):

H. Res. 1232. Resolution calling for a national commitment to cure and control cancer within this decade; to the Committee on Interstate and Foreign Commerce.

By Mr. SPRINGER:

H. Res. 1233. Resolution to amend the Rules of the House of Representatives to create a standing committee to be known as the Committee on the Environment; to the Committee on Rules.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII,

Mr. HALPERN introduced a bill (H.R. 19550) for the relief of Tito P. Romero, which was referred 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:

607. By the SPEAKER: Petition of Mrs. Fidelia Poblete Macapaz, Makati, Rizal, Philippines, relative to redress of grievances; to the Committee on Foreign Affairs.

608. Also, petition of CUNA International, Inc., Madison, Wis., relative to consumers affairs; to the Committee on Government Operations.

SENATE—*Wednesday, September 30, 1970*

The Senate met at 10 a.m. and was called to order by Hon. JAMES B. ALLEN, a Senator from the State of Alabama.

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

Almighty God, by whose providence we have been brought to this new day, we give Thee hearty thanks for the good land Thou hast given us. Forgive our transgressions; cleanse us from things that defile our national life, and grant that this people, which Thou hast abundantly blessed, may keep Thy commandments, walk in Thy ways, and trust in Thy grace.

Be gracious to our times, that by Thy bounty both national quietness and pure religion may be duly maintained. Keep the Members of this body steadfast and true and may Thy peace abide in their hearts.

Let the beauty of the Lord our God be upon us, and establish Thou the work of our hands upon us; yea, the work of our hands, establish Thou it.

Through Jesus Christ our Lord. Amen.

DESIGNATION OF ACTING PRESIDENT PRO TEMPORE

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

The assistant legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, D.C., September 30, 1970.

To the Senate:

Being temporarily absent from the Senate, I appoint Hon. JAMES B. ALLEN, a Senator from the State of Alabama, to perform the duties of the Chair during my absence.

RICHARD B. RUSSELL,
President pro tempore.

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

THE JOURNAL

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the reading of the Journal of the proceedings of Tuesday, September 29, 1970, be dispensed with.

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

COMMITTEE MEETINGS DURING SENATE SESSION

Mr. MANSFIELD. Mr. President, I ask unanimous consent—and I believe this has been cleared—that the Committee on Finance, the Committee on Commerce, the Subcommittee on Education of the Committee on Labor and Public Welfare be authorized to meet during the session of the Senate today.

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

EXECUTIVE SESSION

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate go into executive session to consider nominations on the Executive Calendar.

There being no objection, the Senate proceeded to the consideration of executive business.

The ACTING PRESIDENT pro tempore. The nominations on the Executive Calendar will be stated.

DEPARTMENT OF LABOR

The assistant legislative clerk read the nomination of Malcolm R. Lovell, Jr., of Michigan, to be an Assistant Secretary of Labor.

Mr. COTTON. Mr. President, I will not inconvenience or delay the Senate by asking for a rollcall vote on the confirmation of this nomination.

I merely state for the RECORD that if we had a rollcall vote, I would be compelled to vote against confirmation.

The ACTING PRESIDENT pro tempore. The question is, will the Senate advise and consent to the nomination of Malcolm R. Lovell, Jr., of Michigan, to be an Assistant Secretary of Labor?

The nomination was confirmed.

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

The assistant legislative clerk read the nomination of Wilmot R. Hastings, of