Prince E. Denton (civilian college graduate) to be a permanent lieutenant and a temporary lieutenant commander in the Dental Corps of the Navy subject to the qualification therefor as provided by law.

The following-named (Naval Reserve officers) to be permanent lieutenants and temporary lieutenant commanders in the Dental Corps of the Navy, subject to the qualification therefor as provided by law:

William C. Johnston
Frank U. Perry

Patrick J. Haney (Naval Reserve officer) to be a permanent lieutenant (junior grade) and a temporary lieutenant in the Dental Corps of the Navy, subject to the qualification therefor as provided by law.

The following-named (Naval Reserve officers) to be permanent lieutenant commanders and temporary commanders in the Medical Corps of the Navy, subject to the qualification therefor as provided by law:

William S. Moore
Kurt Sorensen
James E. Wenger

The following-named (Naval Reserve officers) to be permanent lieutenants and temporary lieutenant commanders in the Medical Corps of the Navy, subject to the qualification therefor as provided by law:

Larry D. Cordell
Ronald P. Digiacomo
James H. Hall III
Donald L. Johnson
Shun Hung Ling
Antonio Tamara
George G. Telesh
Robert L. Vickerman
William F. McKenzie
William T. Mason
David A. Neal
Albert L. Roper II
Edward A. Sherwood
William C. Welch
Allan Ka-lun Yung

The following-named (Naval Reserve Officers) to be permanent lieutenants (junior grade) and temporary lieutenants in the Medical Corps of the Navy, subject to the qualification therefor as provided by law:

Douglas P. Boldon
Stephen Boyle
Wesley L. Coker
Edgar L. Corte's
Max A. Dean
John C. Donaldson
Norris W. Dyer
Jay R. Grossman
John A. Gastright
Stephen A. Grzenda
Robert S. Howell, Jr.
Floyd R. Hyatt
James L. Knavel
Robert J. Koterbay
Daniel J. MacNeil
Trent W. Nichols, Jr.
Samuel G. Ogle
Douglas A. Palenschat
Glenn C. Parrish
Richard S. Rose
Douglas F. Thomas
Edward D. Williams
James D. Woods
James J. Zelenak

CONFIRMATION

Executive nomination confirmed by the Senate December 10, 1970:

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Sidney P. Marland, Jr., of New York, to be Commissioner of Education.

WITHDRAWAL

Executive nomination withdrawn from the Senate December 10, 1970:

FEDERAL COMMUNICATIONS COMMISSION

Sherman Unger, of Ohio, to be a member of the Federal Communications Commission for the unexpired term of 7 years from July 1, 1964, vice Robert Wells, which was sent to the Senate on July 24, 1970.

HOUSE OF REPRESENTATIVES—*Thursday, December 10, 1970*

The House met at 12 o'clock noon.

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

The law of God is in his heart: None of his steps shall slide.—Psalms 37:31.

Almighty God, our Father, we thank Thee for the open door of a new day which makes available to us once again the steps that lead to a better and a brighter life. Guide us, we pray Thee, that in this generation we may find the way to good will toward men, freedom among men, justice between men, and peace in the hearts of men.

Bless every lover of liberty, every effort for the growth of free institutions, and every endeavor to make democracy work on our planet. This is our task and our mission. May we prove ourselves worthy of it and play our full part in climbing the steps toward this glorious achievement.

"Give me the heart, to hear Thy voice
and will
That without fault or fear I may fulfill
Thy purpose with a glad and holy zest,
Like one who would not bring less than
his best."

In the spirit of Him who leads us from strength to strength, we pray. Amen.

THE JOURNAL

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

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Arrington, one of its clerks, announced that the Senate had passed without amendment bills of the House of the following titles:

H.R. 2214. An act for the relief of the Mutual Benefit Foundation;

H.R. 2335. An act for the relief of Enrico DeMonte;

H.R. 7267. An act to require the Foreign Claims Settlement Commission to reopen and redetermine the claim of Julius Deutsch against the Government of Poland, and for other purposes;

H.R. 7830. An act for the relief of James Howard Giffin; and

H.R. 12173. An act for the relief of Mrs. Francine M. Welch.

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

H.R. 19436. An act to provide for the establishment of a national urban growth policy, to encourage and support the proper growth and development of our States, metropolitan areas, cities, counties, and towns with emphasis upon new community and inner city development, to extend and amend laws relating to housing and urban development, and for other purposes; and

H.R. 19877. An act authorizing the construction, repair, and preservation of certain public works on rivers and harbors for navigation, flood control, and for other purposes.

The message also announced that the Senate insists upon its amendments to the bill (H.R. 19877) entitled "An act authorizing the construction, repair, and preservation of certain public works on rivers and harbors for navigation, flood control, and for other purposes," requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. RANDOLPH, Mr. YOUNG of Ohio, Mr. MUSKIE, Mr. JORDAN of North Carolina, Mr. COOPER, Mr. DOLE, and Mr. GURNEY to be the conferees on the part of the Senate.

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

S. 3070. An act to encourage the development of novel varieties of sexually reproduced plants and to make them available to the public, providing protection available to those who breed, develop, or discover them, and thereby promoting progress in agriculture in the public interest.

The message also announced that the Senate agreed to the amendment of the House to the bill (S. 3431) to amend sections 13(d), 13(e), 14(d), and 14(e) of the Securities Exchange Act of 1934 in order to provide additional protection for investors with an amendment in which concurrence of the House is requested to the foregoing bill.

The message also announced that the Senate agreed to House amendments to a bill of the Senate (S. 3785) to amend title 38, United States Code, to authorize educational assistance to wives and children, and home loan benefits to wives, of members of the Armed Forces who are missing in action, captured by a hostile force, or interned by a foreign government or power, with amendments, in which concurrence of the House is requested to the foregoing bill.

The message also announced that the Senate had passed bills of the following titles, in which the concurrence of the House is requested:

S. 106. An act for the relief of Ida Kunstmann, Waldermar F. Kunstmann, and Anneliese E. Kunstmann;

S. 1035. An act for the relief of certain postal employees at the Elmhurst, Ill., Post Office;

S. 1779. An act for the relief of Bogdan Bereznicki;

S. 3168. An act for the relief of Daniel H. Robbins; and

S. 4557. An act to amend Public Law 91-273 to increase the authorization for appropriations to the Atomic Energy Commission in accordance with section 261 of the Atomic Energy Act of 1954, as amended, and for other purposes.

COMMUNICATION FROM THE CLERK OF THE HOUSE

The Speaker laid before the House the following communication from the Clerk of the House of Representatives:

DECEMBER 10, 1970.

The Honorable the SPEAKER,
U.S. House of Representatives.

DEAR SIR: Pursuant to authority granted on December 10, 1970, the Clerk received from the Secretary of the Senate today the following message:

That the Senate agree to the Report of the Committee of Conference on the disagreeing votes of the two Houses on the amendment of the Senate to the Joint Resolution (H.J. Res. 1413) entitled "Joint Resolution to provide for a temporary prohibition of strikes or lockouts with respect to the current railway labor-management dispute."

Respectfully,

W. PAT JENNINGS, *Clerk,*
U.S. House of Representatives.

ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. The Chair desires to announce that pursuant to the authority granted him on Wednesday, December 9, 1970, he did, on December 10, 1970, sign the following joint resolution of the House:

H.J. Res. 1413. Joint resolution to provide for a temporary prohibition of strikes or lockouts with respect to the current railway labor-management dispute.

FAILURE TO FUND NEEDED RESEARCH GRANT

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

Mr. BINGHAM. Mr. Speaker, a recent complaint from a constituent has highlighted for me the fact that President Nixon's rhetoric about clean air is just that—rhetoric and nothing more.

A distinguished scientist and member of the chemistry department at New York University complained to me that, although the National Air Pollution Control Administration had approved grants for him totaling over $150,000 to continue his research on air pollutants which had been started with Federal support years earlier, no funds were available to support these grants.

On checking with the Office of Research Grants of the National Air Pollution Control Administration, I found out that, of the 60 to 80 grants which they had recommended for funding only half were actually receiving funds. The backlog in recommended grants that could not be funded amounted to $1 million. Yet the administration continues to cut back the funds allocated for air pollution research grants.

Mr. Speaker, the American people must be made aware of the fact that, while the President is speaking about cleaner air, he places more budgetary emphasis on developing the SST, which will be a major polluter, than he does on funding the research grants necessary to combat the problems of air pollution.

TO ESTABLISH AMERICAN FREEDOM AND SPORTSMANSHIP AWARD

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

Mr. JACOBS. Mr. Speaker, it is a pleasure to announce establishment of the American Freedom and Sportsmanship Award, to be given periodically to deserving Members who go above and beyond something or other to block another Member's right to speak his conscience in this House.

The official motto of recipients will be "I may not agree with a word you say, but I shall defend my scheme to foul your right to say it."

The quiet-spoken gentleman, which is to say true patriot, from Tennessee (Mr. ANDERSON) in 6 years' time has risen to speak in special order only once. Naturally that was too much for the first winners of the American Freedom and Sportsmanship Award, who last night effectively denied one of America's great naval heroes his right to speak in this House.

Nice going, fellows.

Last night's assailants of Mr. ANDERSON said that they cut off his right to speak because he declined to yield during his prepared statement.

Mr. Speaker, the RECORD will show that on April 15, 1970, the minority leader spoke in special order and declined to yield to any Member at any point during his 60-minute period, explaining that he would not yield during his prepared statement.

Oh, well.

AUTHORIZING EDUCATIONAL ASSISTANCE AND HOME LOAN BENEFITS TO WIVES OF ARMED FORCES MEMBERS MISSING IN ACTION OR INTERNED BY FOREIGN GOVERNMENT OR POWER

Mr. TEAGUE of Texas. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (S. 3785) to amend title 38, United States Code, to authorize educational assistance to wives and children, and home loan benefits to wives, of members of the Armed Forces who are missing in action, captured by a hostile force, or interned by a foreign government or power, with Senate amendments to the House amendments thereto, and concur in the Senate amendments to the House amendments.

The Clerk read the title of the bill.

The Clerk read the Senate amendments, as follows:

Page 7, line 4, of the House engrossed amendments, after "agency" insert "or the actual cost of the eligible veteran, whichever is the lesser".

Page 7, after line 4, the House engrossed amendment, insert:

"SEC. 10. Section 1652 of title 38, United States Code, is amended by—

"(1) striking out 'at least two years' in subsection (a)(2) and inserting in lieu thereof 'more than one hundred and eighty days'; and

"(2) by adding at the end of subsection (b) a new sentence as follows: 'Such term also means any unit course or subject, or combination of courses or subjects, pursued by an eligible veteran at an educational institution, required by the Administrator of the Small Business Administration as a condition to obtaining financial assistance under the provisions of 402(a) of the Economic Opportunity Act of 1964 (42 U.S.C. 2902(a)).'

"SEC. 11. (a) Clause (4) of section 1684(a) of title 38, United States Code, is amended to read as follows:

"'(4) an institutional undergraduate course offered by a college or university on a quarter- or semester-hour basis shall be considered a full-time course when a minimum of fourteen semester hours or the equivalent thereof, for which credit is granted toward a standard college degree (including those for which no credit is granted but which are required to be taken to correct an educational deficiency), is required, except that where such college or university certifies, upon the request of the Administrator, that (A) full-time tuition is charged to all undergraduate students carrying a minimum of less than fourteen such semester hours or the equivalent thereof, or (B) all undergraduate students carrying a minimum of less than fourteen such semester hours or the equivalent thereof, are considered to be pursuing a full-time course for other administrative purposes, then such an institutional undergraduate course offered by such college or university with such minimum number of such semester hours shall be considered a full-time course, but in the event such minimum number of semester hours is less than twelve semester hours or the equivalent thereof, then twelve semester hours or the equivalent thereof shall be considered a full-time course.'

"(b) The last sentence of section 1684(a) of such title is repealed.

"SEC. 12. Clause (3) of section 1733(a) of title 38, United States Code, is amended to read as follows: '(3) an institutional undergraduate course offered by a college or university on a quarter- or semester-hour basis shall be considered a full-time course when a minimum of fourteen semester hours or the equivalent thereof, for which credit is granted toward a standard college degree (including those for which no credit is granted but which are required to be taken to correct an educational deficiency), is required, except that where such college or university certifies, upon the request of the Administrator, that (A) full-time tuition is charged to all undergraduate students carrying a minimum of less than fourteen such semester hours or the equivalent thereof, or (B) all undergraduate students carrying a minimum of less than fourteen such semester hours or the equivalent thereof, are considered to be pursuing a full-time course for other administrative purposes, then such an institutional undergraduate course offered by such college or university with such minimum number of such semester hours shall be considered a full-time course, but in the event such minimum number of semester hours is less than twelve semester hours or the equivalent thereof, then twelve semester hours or the equivalent thereof shall be considered a full-time course.'

"SEC. 13. Section 3010 of title 38, United States Code, is amended by adding at the end thereof a new subsection as follows:

"'(n) The effective date of the award of any benefit or any increase therein by reason of marriage or the birth or adoption of a child shall be the date of such event if proof of such event is received by the Veterans' Administration within one year from the date of the marriage, birth, or adoption.'"

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

Mr. TEAGUE of California. Mr. Speaker, reserving the right to object—and I shall not object, since I support the motion of the gentleman—I do request that he give the House a brief explanation of what this involves.

Mr. TEAGUE of Texas. Mr. Speaker, this bill which passed the House on November 16 by unanimous vote, authorizes education and training and home loan benefits to the wives and children of Armed Forces personnel who are missing in action, captured by a hostile force, or detained or interned by a foreign government or power. There is no difference in this feature of the bill between the House and Senate versions. The House, however, added sections 6, 7, and 8 having to do with apprenticeship and on-the-job training and the Senate has accepted these sections.

Section 9 of the House bill redefines the term "established charge" applicable to veterans who are taking correspondence courses. The Senate has accepted this provision with a minor amendment providing that in those cases where the veteran pays cash, the charge will be the cash payment.

Another amendment which the Senate added relates to permitting men on active duty to take advantage of educational provisions at an earlier date. At present, a serviceman must have 2 years service before he is permitted to take training under the GI bill. The Senate amendment will lower the service requirement to 6 months.

Another amendment redefines measurement of courses. This is a minor clarification of existing practice.

Another of the Senate amendments clarifies the time when added benefits for new dependents become effective.

All of these sections are favored by the Veterans' Administration. I hope that the President will see fit to promptly sign this measure.

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

There was no objection.

The Senate amendments to the House amendments were concurred in.

A motion to reconsider was laid on the table.

RESIGNATION OF BRYCE N. HARLOW

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

Mr. GERALD R. FORD. Mr. Speaker, it was announced just within the last 24 hours that Mr. Bryce Harlow, one of the most valuable members of the President's staff, was leaving Government service to return to private life. It has been my privilege to know Bryce Harlow ever since I first came to the House of Representatives. As a matter of fact, he came to the Washington scene in 1938 and has served almost entirely since that time in one capacity or another. I know of no person in my time who has had more universal respect than Bryce Harlow. He has served not only the Congress in various capacities from time to time, but he has served two Presidents in the most sensitive and most important areas. In any or all capacities Bryce Harlow has performed with excellence. Words alone cannot express my admiration for him.

I think it is fair to say that Bryce Harlow's rapport with Members of the Congress on both sides of the aisle, at both ends of the Capitol, has been of the highest. He has been and is a tower of strength in every respect. He could not have been improved upon in any way whatsoever. It is a tragedy that he is leaving Government service, but I know that in time of need in the future Bryce Harlow will respond again as he always has. He is a truly dedicated American.

I can only say that I, for one, have lost in Government one of my best friends. In the past 2 years I could not have carried out my responsibilities effectively without the cooperation, assistance, and understanding of Bryce Harlow. We all wish him well as Bryce returns to private life, and we extend the maximum of praise to a person who represents the very finest in every respect.

RESIGNATION OF BRYCE N. HARLOW

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

Mr. McCORMACK. Mr. Speaker, I wish to join with my friend from Michigan in the deserved words of praise that he has just paid to my dear friend, Bryce N. Harlow.

Bryce Harlow is one of the most dedicated men that I have ever met. He has served with great ability, devotion, and loyalty at least two Presidents of the United States. I might say that the late Speaker, Sam Rayburn, and I always were glad to see Bryce Harlow. When Bryce Harlow was serving President Eisenhower, I know that Speaker Sam Rayburn was glad to see him. Ever since I have been Speaker my doors have always been open to him, and as I have said to him on several occasions, "Bryce, you are as welcome as the flowers in May."

As I have said, Bryce Harlow is one of the most dedicated men I have ever met. What I like about him is not only his ability but also his loyalty and his rich qualities of character. Every responsible and important job he had he performed in a most refined manner, obtaining the maximum results possible. Earlier in the day, when I read in the newspaper of his retirement, I dictated a letter to him, which he will receive shortly.

While he is retiring, I know that he will always be active and he will always be responsive to the requests of a President of the United States or the Congress, if the Congress should call on him.

Bryce Harlow is a man who has served our country. While he might be a Republican by persuasion, he has certainly served the United States and showed by his example and his conduct that our country is over and above political considerations. I know that President Nixon and future Presidents will call upon him without regard to consideration of political party. As long as Bryce Harlow is alive, he can be called upon, and Bryce Harlow will respond.

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

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

Mr. ALBERT. First, I want to join the distinguished Speaker and the distinguished minority leader in their words of tribute to Bryce Harlow, and then I want to add a few personal words of my own.

Bryce Harlow is an Oklahoman. He was born in Oklahoma. I knew his father who had a publishing company in Oklahoma City and was a great Oklahoma historian as well. Bryce has a brother John who is a constituent of mine in Ardmore, Okla., and he has another brother formerly with the University of Oklahoma where he was dean of the school of education and now president of West Virginia University.

While the Speaker said Bryce Harlow may be a Republican by persuasion, it took a great deal of persuading, because Bryce came to Washington with Wes Disney, the Democratic Congressman from the State of Oklahoma and became his secretary. Bryce served in the Armed Forces, and everyone who knew him then remembers how well he served on the Committee on Armed Services with Chairman Carl Vinson, a great leader of that committee for so many years. It was his service there and with the military that led him to the White House, completely on a nonpolitical basis, during the early part of the administration of President Eisenhower. He later became one of President Eisenhower's closest and most trusted advisers.

Everything that has been said here about Bryce as an American, as an intelligent loyal human being, is true. He is a great administrator. He is quiet. He is humble, but he is one of the most effective and knowledgeable men that I have ever known in my lifetime.

To give some example of the esteem in which he has been held in my State, he is one of those who have been considered for the presidency of the University of Oklahoma. He comes from a family of Oklahoma pioneers, all of whom have distinguished themselves in public and private life. I am happy that I can say that for more years than I can remember, I have known Bryce Harlow, not only as a man, but as a friend.

Mr. EDMONDSON. Mr. Speaker, I share the high regard of our speaker and the majority and minority leaders for a great Oklahoman, Bryce Harlow, who yesterday announced his return to private life after another outstanding tour of duty in the White House.

All Oklahomans are proud of Bryce Harlow and his fine family. They are a credit to our State and to the country.

The President and the Federal Government will miss this able and dedicated American, who has contributed significantly to the Nation in public service under both Democratic and Republican Presidents, and as a staff member in the Congress.

We wish him well in future endeavors, and hope his wise and valued counsel will continue to be available to the leaders of our Government.

Mr. COWGER. Mr. Speaker, I wish to join with you and the minority leader, GERALD FORD, and my other colleagues in praising the public service of my friend, Bryce Harlow. I have known Bryce for many years and hold him in high esteem for his dedication to principle. During President Eisenhower's administration, and again during the administration of President Nixon, he has served his country in high positions in the White House. It saddens all of us, both Republicans and Democrats, to see Bryce Harlow return to private life. I know, however, that when his President, or when his country needs him again, he will rally to the call.

Mr. Speaker, Bryce Harlow is one of the great Americans that I have had the pleasure to serve with here in Washington, D.C. I wish him well in his future endeavors.

Mr. DORN. Mr. Speaker, I have known, admired, and respected Bryce Harlow for many years—long before he assumed the position from which he now is retiring. It was my pleasure to work with him when he served on the staff of President Eisenhower, and when he served on the staff of the Armed Services Committee of the House under Chairman Carl Vinson. I have known him to be one who served his country's Armed Forces and who still serves in the Reserves. Mr. Speaker, Bryce Harlow has well served both sides of the political aisle. He has been of great assistance to all Members of Congress. Bryce Harlow played a vital role in shaping the history of this entire era and favorably contributing to the cause of freedom the world over. As a counselor and adviser to Presidents, Cabinet members, and leaders of Congress for a quarter of a century he earned an enviable reputation of distinguished, loyal, and dedicated service to his country. I commend him for the outstanding service he has rendered to the President and to the Congress, and wish for continued success upon his return to private enterprise.

GENERAL LEAVE TO EXTEND

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent that all Members who desire to do so may have 5 legislative days in which to extend their remarks on the life, character, and public service of Bryce Harlow.

The SPEAKER pro tempore (Mr. HECHLER of West Virginia). Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

BRYCE HARLOW AN ILLUSTRIOUS OKLAHOMAN

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

Mr. GROSS. Mr. Speaker, Bryce Harlow is one of the illustrious Oklahomans who could see the political light at the end of the tunnel. I regret that he is leaving the Government.

APPOINTMENT OF CONFEREES ON H.R. 19436, HOUSING AND URBAN DEVELOPMENT ACT OF 1970

Mr. PATMAN. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 19436) to provide for the establishment of a national urban growth policy, to encourage and support the proper growth and development of our States, metropolitan areas, cities, counties, and towns with emphasis upon new community and inner city development, to extend and amend laws relating to housing and urban development, and for other purposes, with a Senate amendment thereto, disagree to the Senate amendment, and request a conference with the Senate thereon.

The SPEAKER. Is there objection to the request of the gentleman from Texas? The Chair hears none, and appoints the following conferees: Messrs. PATMAN and BARRETT, Mrs. SULLIVAN, Messrs. ASHLEY and WIDNALL, Mrs. DWYER, and Mr. STANTON.

AUTHORIZING PRESIDENT TO DESIGNATE THIRD SUNDAY IN JUNE AS FATHER'S DAY

Mr. ROGERS of Colorado. Mr. Speaker, I ask unanimous consent that the Committee on the Judiciary be discharged from the further consideration of the Senate joint resolution (S.J. Res. 187) to authorize the President to designate the third Sunday in June of each year as Father's Day, and ask for immediate consideration of the Senate joint resolution.

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. 187

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the third Sunday in June of each year is hereby designated as "Father's Day". The President is authorized and requested to issue a proclamation calling on the appropriate Government officials to display the flag of the United States on all Government buildings on such day, inviting the governments of the States and communities and the people of the United States to observe such day with appropriate ceremonies, and urging our people to offer public and private expressions of such day to the abiding love and gratitude which they bear for their fathers.

AMENDMENT OFFERED BY MR. ROGERS OF COLORADO

Mr. ROGERS of Colorado. Mr. Speaker, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. ROGERS of Colorado:

1. On page 1, line 3, strike out the phrase "each year" and insert in lieu thereof "1971".

The amendment was agreed to.

The Senate joint resolution was ordered to be read a third time, was read the third time, and passed.

TITLE AMENDMENT OFFERED BY MR. ROGERS OF COLORADO

Mr. ROGERS of Colorado. Mr. Speaker, I offer an amendment to the title.

The Clerk read as follows:

Title amendment offered by Mr. ROGERS of Colorado: Amend the title so as to read:

To authorize the President to designate the third Sunday in June, 1971, as "Father's Day."

A motion to reconsider was laid on the table.

NATIONAL EMPLOY THE OLDER WORKER WEEK

Mr. ROGERS of Colorado. Mr. Speaker, I ask unanimous consent that the Committee on the Judiciary be discharged from the further consideration of the Senate joint resolution (S.J. Res. 74) to provide for the designation of the first full calendar week in May of each year as "National Employ the Older Worker Week," and ask for immediate consideration of the Senate joint resolution.

The Clerk read the title of the Senate joint resolution.

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

Mr. GROSS. Mr. Speaker, reserving the right to object, will this joint resolution in any way provide for jobs for the older workers whom it is intended to recognize? Will this provide any jobs for them even during this one week?

Mr. ROGERS of Colorado. Mr. Speaker, if the gentleman will yield, we are hopeful that this resolution will direct the attention of many employers to the services of the group outlined, the older workers, who may be used by them, and therefore bring about employment for them. The adoption of this resolution providing for this week should have that result.

Mr. GROSS. Mr. Speaker, I thank the gentleman from Colorado, and withdraw my reservation.

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. 74

Joint resolution to provide for the designation of the first full calendar week in May of each year as "National Employ the Older Worker Week"

Whereas many older workers have difficulty finding and retaining employment despite their experience, stability, dependability, energy, and enthusiasm; and

Whereas failure of qualified older workers to find employment is unfortunate from the standpoint of the Nation in that there is a failure to take full advantage of their potentials for helping the Nation to reach its objectives; and there is an increased possibility that they and their dependents will need public assistance and a decreased possibility that they will pay taxes; and

Whereas the unemployability of qualified older workers not only impoverishes them in the present but can also reduce future retirement income due to inability to acquire social security quarters of coverage and credits under other retirement systems; and

Whereas unemployability of qualified older workers may adversely affect younger members of their families as well as themselves; and

Whereas Congress in enacting the Age Discrimination in Employment Act of 1967 (Public Law 90-202), recognized the necessity of implementing the national policy of prohibiting age discrimination in employment with an active program of education and information concerning the advantages of employing older workers; and

Whereas the American Legion has, for approximately ten years, designated the first week in May of each year as "National Employ the Older Worker Week", which it celebrates by commending employers who have taken the leadership in employing older workers: Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the President is authorized and requested to issue a proclamation designating the first full calendar week in May of each year as "National Employ the Older Worker Week" and calling upon employer and employee organizations, other organizations officially concerned with employment, and upon all the people of the

United States to observe such week with appropriate ceremonies, activities, and programs designed to increase employment opportunities for older workers and to bring about the elimination of discrimination in employment because of age.

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 pages 1 and 2, strike out all "whereas" clauses.

On page 2, line 5, strike out the phrase "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.

TITLE AMENDMENT OFFERED BY MR. ROGERS OF COLORADO

Mr. ROGERS of Colorado. Mr. Speaker, I offer an amendment to the title.

The Clerk read as follows:

Title amendment offered by Mr. ROGERS of Colorado: Amend the title so as to read: "To provide for the designation of the first full calendar week in May, 1971, as 'National Employ the Older Worker Week'."

The title amendment was agreed to.

A motion to reconsider was laid on the table.

NATIONAL MULTIPLE SCLEROSIS SOCIETY ANNUAL HOPE CHEST APPEAL WEEKS

Mr. ROGERS of Colorado. Mr. Speaker, I ask unanimous consent that the Committee on the Judiciary be discharged from the further consideration of the Senate joint resolution (S.J. Res. 226) to authorize the President to proclaim the period from May 9, 1971, Mother's Day, through June 20, 1971, Father's Day, as the "National Multiple Sclerosis Society Annual Hope Chest Appeal Weeks," and ask for immediate consideration of the Senate joint resolution.

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. 226

Joint resolution to authorize the President to proclaim the period from May 9, 1971, Mother's Day, through June 20, 1971, Father's Day, as the "National Multiple Sclerosis Society Annual Hope Chest Appeal Weeks"

Whereas five hundred thousand Americans, stricken usually between the ages of twenty and forty years, are affected by the ravages of multiple sclerosis and related neurological diseases; and

Whereas two million members of American families are deeply concerned with the financial and emotional problems of this disease; and

Whereas multiple sclerosis predominantly strikes young fathers and mothers in their wage-earning and family-building years and reduces the buying power of such families; and

Whereas such reduction results in a $2,000,000,000 annual economic loss to the Nation and forces the removal of two out of every three disabled multiple sclerosis victims from the Nation's work force; and

Whereas multiple sclerosis remains a disease of unknown causes, unpredictable course, and discovered cure; and

Whereas the National Multiple Sclerosis Society, which is celebrating its twenty-fifth anniversary in 1971, has launched a five-year research development plan to explore as quickly as possible promising clues that may lead to methods which will prevent, or more effectively treat, multiple sclerosis: Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the President of the United States is authorized and requested to issue a proclamation—

(1) designating the period from May 9, 1971, Mother's Day, through June 20, 1971, Father's Day, as "National Multiple Sclerosis Society Annual Hope Chest Appeal Weeks";

(2) inviting the Governors of the several States to issue proclamations for like purposes; and

(3) urging the people of the United States and educational, philanthropic, scientific, medical, and health care professions and organizations to provide the assistance and resources necessary to discover the cause and cure of multiple sclerosis and to alleviate the suffering of persons stricken by this disease.

AMENDMENT OFFERED BY MR. ROGERS OF COLORADO

Mr. ROGERS of Colorado. Mr. Speaker, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. ROGERS of Colorado: On pages 1 and 2, strike all "whereas" clauses.

The amendment was agreed to.

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.

CLEAN WATERS FOR AMERICA WEEK

Mr. ROGERS of Colorado. Mr. Speaker, I ask unanimous consent that the Committee on the Judiciary be discharged from the further consideration of the Senate joint resolution (S.J. Res. 172) to authorize the President to issue annually a proclamation designating the first full calendar week in May of each year as "Clean Waters for America Week," and ask for immediate consideration of the Senate joint resolution.

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. 172

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That, in order to emphasize the need for a continuous program for the control and elimination of water pollution and related problems, and to call the attention of the American people to such need, the President is authorized and requested to issue annually a proclamation designating the first full calendar week in May of each year as "Clean Waters for America Week", and calling upon the people of the United States and interested groups and organizations to observe such week 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 7, strike the word "annually."

On page 1, line 8, strike the phrase "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.

TITLE AMENDMENT OFFERED BY MR. ROGERS OF COLORADO

Mr. ROGERS of Colorado. Mr. Speaker, I offer an amendment to the title.

The Clerk read as follows:

Title amendment offered by Mr. ROGERS of Colorado: Amend the title so as to read: "To authorize the President to issue a proclamation designating the first full calendar week in May of 1971 as 'Clean Waters for America Week'."

The title amendment was agreed to.

A motion to reconsider was laid on the table.

GENERAL LEAVE TO EXTEND

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

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

CHANGING NAME OF WEST BRANCH DAM AND RESERVOIR, MAHONING RIVER, OHIO, TO MICHAEL J. KIRWAN DAM AND RESERVOIR

Mr. EDMONDSON. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (H.R. 18858) to change the name of the West Branch Dam and Reservoir, Mahoning River, Ohio, to the Michael J. Kirwan Dam and Reservoir.

The Clerk read the title of the bill.

The SPEAKER pro tempore (Mr. ALBERT). Is there objection to the request of the gentleman from Oklahoma?

Mr. CARNEY. Mr. Speaker, it is a very happy day for me, and for all of the citizens of the 19th District of Ohio, as the Congress unanimously approved naming West Branch Reservoir—the Michael J. Kirwan Reservoir.

Mike worked tirelessly and faithfully to obtain this last of three reservoirs for our district. It is right that the reservoir bear his name.

As a new Member of the Congress, I am amazed at the love and esteem that the Congress holds for Mike Kirwan. He was a great American and a great Congressman.

Mr. EDMONDSON. Mr. Speaker, the name of Mike Kirwan is one of the most illustrious congressional names of our century, and it is entirely appropriate that the Congress name in his honor a great reservoir in Ohio constructed by the Army Corps of Engineers.

Mike Kirwan contributed more to water resource development than anyone I know in this century and he is sorely missed today. Millions of Americans, however, will benefit for hundreds of years to come from his wise and forceful leadership in water resource development.

The Kirwan Reservoir, in his own Ohio, is a fitting memorial to this great American.

Mr. HARSHA. Mr. Speaker, today the House of Representatives passed H.R. 18858 which was designed as a tribute to the late Congressman from Ohio, Michael J. Kirwan. The measure changed the name of the West Branch Dam and Reservoir on the Mahoning River in Ohio to the Michael J. Kirwan Dam and Reservoir. This dam and reservoir complex is located near the 19th District of Ohio that Mike Kirwan served so ably for nearly a third of a century. Residents of this Youngstown district are one of the major groups benefiting from the project.

I would like to take just a moment to remind my colleagues what a fine public servant and gentleman Mike Kirwan was during his years in Washington. He made countless contributions to the State of Ohio and to the Nation for which he will long be remembered, but, he most likely will be remembered here in the House for his chairmanship of the Public Works Subcommittee of the House Appropriations Committee.

His vast knowledge and years of experience in the field of public works appropriations gained him the respect and admiration of all. He possessed an untiring desire to make the public projects system in the United States second to none while, at the same time, always utilizing his unexcelled expertise to forward programs that provided for full development without overlooking conservation and reclamation of our vital natural resources. Mike Kirwan was a builder of America.

His biography in the Congressional Directory of the 91st Congress aptly reflects the straightforwardness and simplicity of this devoted Representative. It reads:

Michael Joseph Kirwan, Democrat, of Youngstown, Ohio; elected to the 75th and each succeeding Congress.

Mike Kirwan could be warm and gentle which enabled him to respond compassionately to the people of Ohio he served. He could also be candid, even blunt, but in a manner that left little doubt as to his position and knowledge on a particular issue. He is certainly remembered as a man of integrity, loyalty, and trust throughout his enviable career. His word was his bond and those who were privileged to serve with Mike soon learned that when he made a commitment it was always fulfilled.

With the passing of Mike Kirwan I lost a very dear friend and the people of Ohio lost an outstanding Congressman. It is for this reason that I am especially pleased that the House today has taken this action creating a timeless memorial to an able and conscientious Member of Congress, a grand gentleman, and a great public servant.

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

There was no objection.

The Clerk read the bill as follows:

H.R. 18858

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the West Branch Dam and Reservoir, Mahoning River, Ohio, authorized by section 203 of the River and Harbor Act of 1958 (72 Stat. 297), shall hereafter be known as the Michael J. Kirwan Dam and Reservoir, and any law, regulation, document, or record of the United States in which such project is designated or referred to shall be held to refer to such project under and by the name of "Michael J. Kirwan Dam and Reservoir".

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.

GENERAL LEAVE TO EXTEND

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

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

There was no objection.

NAMING A FEDERAL BUILDING IN MEMPHIS, TENN., FOR THE LATE HONORABLE CLIFFORD DAVIS

Mr. EDMONDSON. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (H.R. 19890) to name a Federal building in Memphis, Tenn., for the late Clifford Davis.

The Clerk read the title of the bill.

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

Mr. HARSHA. Mr. Speaker, reserving the right to object, and I will not object, I ask unanimous consent to extend my remarks at this point in the RECORD.

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

There was no objection.

Mr. HARSHA. Mr. Speaker, during the month of July I was deeply saddened by the passing of my good friend and former colleague, Cliff Davis of Tennessee. Today, along with my colleagues, I had the opportunity to help establish a memorial for this outstanding legislator. In passing H.R. 19890, the House today named the Federal Building on North Main Street in Memphis, Tenn., the Clifford Davis Federal Building.

Cliff Davis served with distinction for 24 years as a Representative in Congress from the Ninth District of Tennessee. Before that—as city judge, vice mayor, and commissioner of public safety—he established an incomparable record in Tennessee as a man dedicated to the needs of the people he served.

He made outstanding contributions in many areas, but he was particularly knowledgeable in the field of public works. As chairman of the Public Works Subcommittee on Flood Control, he was a champion of water resource development not only in the Tennessee Valley but throughout the country.

It was during his tenure as a member of the Public Works Committee that I came to know Cliff Davis best. He was always a most helpful and cooperative colleague with a personality that made him one of the most genial and popular Members of the House. He was a man who will not be forgotten by those who had the privilege of knowing and working with him in Congress.

For this reason I am especially pleased that today, here in the House, we have offered another fitting tribute to Cliff Davis by creating, as a memorial, the Cliff Davis Federal Building in Memphis, Tenn.

Mr. EDMONDSON. Mr. Speaker, it is a pleasure to join in supporting H.R. 19890, to designate the Clifford David Federal Building in Memphis, Tenn., in recognition of our former friend and colleague, the late Congressman Clifford Davis.

"Judge" Davis was one of the most highly respected and well-liked Members of this body that I have ever had the privilege to serve with, and I can think of no finer recognition of his many contributions to his own home State of Tennessee than to name this building in his memory.

The imprint of Cliff Davis' work here in the House has been left on so many major pieces of public works legislation it is hard to point out his single greatest achievement, but I can personally think of no more important one than the tremendous authorization for the Tennessee Valley Authority. The overwhelming success brought about by TVA is a lasting tribute to Cliff Davis—the author and successful floor manager of the TVA self-financing bill. As chairman of the Flood Control Subcommitte, and chairman of the Select Subcommittee on Federal Land Acquisition Policies, Cliff Davis became responsible for some of the most important public works projects ever conducted in our Nation.

It is particularly fitting that we consider this bill here today, for just this last Monday, the House considered and passed S. 1, establishing a Federal land acquisition and relocation assistance policy—the result of a 9-year study which began with Cliff Davis as chairman of the select subcommittee established for this purpose.

He was at the same time both a leader and dedicated servant of the people he represented in the Congress, and I know his loss has been felt by every Member who had the good fortune to know and work with this able legislator.

Mr. Speaker, it will be a fine tribute to our former colleague for the Federal Building in Memphis to henceforth carry his name, and I urge my colleagues to lend their support to this legislation.

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

There was no objection.

The Clerk read the bill as follows:

H.R. 19890

Be it enacted by the Senate and House of Representatives of the United States of

America in Congress assembled, That the Federal building located at 167 North Main Street, Memphis, Tennessee, shall hereafter be known and designated as the "Clifford Davis Federal Building". Any reference in a law, map, regulation, document, record, or other paper of the United States to such Federal building shall be held to be a reference to the "Clifford Davis Federal Building".

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.

GENERAL LEAVE TO EXTEND

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

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

There was no objection.

NAMING AUTHORIZED LOCK AND DAM NO. 17 ON VERDIGRIS RIVER IN OKLAHOMA FOR THE CHOUTEAU FAMILY

Mr. EDMONDSON. Mr. Speaker, I ask unanimous consent for the immediate consideration of the Senate bill (S. 1499) to name the authorized lock and dam No. 17 on the Verdigris River in Oklohoma for the Chouteau family.

The Clerk read the title of the Senate bill.

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

There was no objection.

The Clerk read the Senate bill as follows:

S. 1499

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That lock and dam numbered 17 on the Verdigris River, Oklahoma, a feature of the Arkansas River and tributaries navigation project, authorized to be constructed by the River and Harbor Act of July 24, 1946 (60 Stat. 641, 647), as amended, shall be known and designated hereafter as the Chouteau lock and dam. Any law, regulation, map, document, record, or other paper of the United States in which such lock and dam is referred to shall be held to refer to such lock and dam as the Chouteau lock and dam.

Mr. EDMONDSON. Mr. Speaker, it is a privilege to rise in support of S. 1499, a bill to designate Lock and Dam 17 on the Verdigris River in Oklahoma as the "Chouteau Lock and Dam."

In the early 1800's, Maj. Jean Pierre Chouteau and his son, Col. Auguste P. Chouteau, came to what is now northeastern Oklahoma and constructed a complete shipyard at the falls of the Verdigris River near the present site of Lock and Dam 17. At this shipyard, they built large keel boats used to transport hides and produce down the Verdigris and Arkansas Rivers into the Mississippi, and on to the booming New Orleans market.

In April of 1968, the Oklahoma State Legislature officially went on record in favor of legislation being introduced to name Lock and Dam 17, then under construction, in honor of the family of Col. Auguste P. Chouteau. As the legislature pointed out in House Concurrent Resolution 586, the "Chouteau Lock and Dam" would be a fitting tribute to "the family who visioned the feasibility of navigation of these streams for commercial purposes and brought it to fruition."

By the end of this year, the Arkansas-Verdigris waterway will be opened to commercial traffic again for the first time in nearly 100 years. It seems only fitting that one of the great structures which will make this navigation possible should be dedicated to the memory of the two men who first saw and used the shipping potential of these rivers.

As a sponsor of an identical House bill, I am pleased to be able to join the Oklahoma State Legislature and the many civic groups and private citizens who have urged their support for this legislation, and feel sure my colleagues here today will also want to join in this tribute to the memory of these two men, by voting in favor of S. 1499.

The 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.

GENERAL LEAVE TO EXTEND

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

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

There was no objection.

NAMING AUTHORIZED LOCK AND DAM NUMBERED 18 ON THE VERDIGRIS RIVER IN OKLAHOMA AND THE LAKE CREATED THEREBY FOR NEWT GRAHAM

Mr. EDMONDSON. Mr. Speaker, I ask unanimous consent for the immediate consideration of the Senate bill (S. 1500) to name the authorized lock and dam No. 18 on the Verdigris River in Oklahoma and the lake created thereby for Newt Graham.

The Clerk read the title of the Senate bill.

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

There was no objection.

The Clerk read the Senate bill as follows:

S. 1500

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That lock and dam numbered 18 on the Verdigris River, Oklahoma, a feature of the Arkansas River and tributaries navigation project, authorized to be constructed by the River and Harbor Act of July 24, 1946 (60 Stat. 641, 647), as amended, shall be known and designated hereafter as the Newt Graham lock and dam, and the lake created thereby as the Newt Graham Lake. Any law, regulation, may, document, record, or other paper of the United States in which such lock and dam and lake are referred shall be held to refer to such lock and dam as the Newt Graham lock and dam, and the lake as the Newt Graham Lake.

Mr. BELCHER. Mr. Speaker, I am deeply grateful to all my colleagues in the House who joined in supporting the passage of S. 1500, "To name the authorized lock and dam numbered 18 on the Verdigris River in Oklahoma and the lake created thereby for Newt Graham," a bill of which I was the House sponsor.

In my estimation, no tribute could be more fitting or more justifiable than this effort to honor the memory of Newt Graham, an outstanding Oklahoman who dreamed the impossible dream of navigation on the Arkansas River and Tulsa as a port city and worked until that dream was not only a possibility but well on the road to reality. Sadly, he did not live to get the towboat ride he dreamed of.

Newton Robert Graham, known throughout Oklahoma as "Newt," was a leading business and civic leader for most of his adult life. As the Tulsa Daily World put it when Newt died in 1957, "Not many events have occurred in the span of Oklahoma's 50 years that Mr. Graham was not a part of or a moving force for progress."

Newt was born in Colorado and came to Oklahoma in 1907 as advertising man for the Tulsa Democrat. He later served as business manager of the Tulsa World until 1913 when he joined the newly organized Planters National Bank as an account promoter. The bank was later absorbed by the Exchange National Bank of which Newt soon became a vice president, a position he held until 1934 when he was made president of Tulsa's Clearing House Association, the office he occupied at the time of his death.

During this long and successful business career Newt was a longtime chairman of the legislative committee of Oklahoma's Bankers Association, served in 1942 as president of Tulsa's Chamber of Commerce on whose board he was long active, and served two terms as a member of the Oklahoma game and fish commission and 26 years on the Tulsa Park Board. He was also on the board of the Hillcrest Medical Center, served as State chairman of the U.S. Victory Bond campaign in 1945, and was an active Mason, Rotarian, and member of the First Baptist Church of Tulsa.

More relevant to the legislation we have just passed is the fact that his is generally agreed to have been the early and driving force behind the Arkansas River navigation project. He believed that the Arkansas-Verdigris Waterway could be made navigable and he believed it way back in the 1920's when as the Tulsa Tribune recently put it, "the idea was in the same class as colonizing Saturn." In those days, some places along the Arkansas were so narrow at certain times of the year you could step across it.

The home folks thought it was a wild dream, but Newt persevered and I can remember the magnificent selling job he did for his idea to one Governor after another. Through Newt's efforts, a district office of the Army Corps of Engineers was located in Tulsa to make the Army more conscious of the river. Then, with the help of Senator Elmer Thomas, a study of the project was begun. One of the Governors to whom Newt made his sales pitch was Robert S. Kerr, and when the Governor moved on to the U.S. Senate his strong support of the project helped begin to move it from dream to reality. I feel privileged in knowing that I too have played a part in moving this project along, as have past and present members of the Oklahoma Congressional Delegation, and many officials and private citizens of Oklahoma, Arkansas, and Kansas. But, again in the words of the Tribune, it was Newt Graham who "almost singlehandedly kept the dream of Arkansas River Navigation alive in a period when others argued it would be better to pave the river."

In his devotion to the development of water resources in our area, Newt Graham served at one time or another as chariman of the water resources committee of the State Planning and Resources Board, as well as vice-chairman of the Board; as Arkansas Basin compact commissioner for Oklahoma; and as one of the founding fathers and first vice-president of the Arkansas Basin Development Association.

I ask permission to append to my remarks a copy of a concurrent resolution adopted by the Oklahoma State Legislature and certified on March 5, 1969, memorializing Congress to take the action represented by S. 1500.

I believe the record of accomplishment I have cited will indicate to you that you have honored, not only a dear and personal friend of mine, but an outstanding citizen who is deserving of recognition for the tremendous part he played in making the Arkansas River Navigation project a reality.

SENATE CONCURRENT RESOLUTION No. 14

A concurrent resolution recognizing the dedicated leadership and many public services of Newton R. Graham in promoting Oklahoma's water resources and recreational facilities and in the development of navigation on the Arkansas river; requesting the Congress of the United States to make Lock and Dam No. 18 on the Verdigris River the "Newton R. Graham Lock and Dam"; and directing distribution of copies of the resolution

Whereas, the late Newton R. Graham dedicated his life to service in the public interest and is one of Oklahoma's outstanding pioneers in the development of water resources and recreational facilities; and

Whereas, he rendered valuable assistance to the Oklahoma Legislature and to the Congress in promoting progressive legislation; and

Whereas, as President of the Arkansas Basin Development Association and as a member of the Oklahoma Planning and Resources Board and Chairman of its Water Resources Committee he devoted more than a quarter of a century as an ardent champion of all phases of the development of Oklahoma's water and recreational resources in a manner that would preserve the natural beauty of our state; and

Whereas, his goal was the realization of a dream of the earliest Oklahomans for maximum development of all natural resources, especially navigation on the Arkansas River; and

Whereas, he was the leader in presenting to Congress the economic study on navigation of the Arkansas River, from the Mississippi River to a point near Tulsa, which culminated in the authorization in the 1930's of studies by the Corps of Engineers to determine the feasibility of a multipurpose plan for development of the Arkansas River, including navigation; and

Whereas, as Chairman of the Bi-State Committee, appointed by the Governors of the States of Oklahoma and Arkansas, he presented the testimony for the two states which resulted in authorization by Congress in 1946 of the multipurpose plan for development of the Arkansas River, with navigation to Catoosa; and

Whereas, the name Newton R. Graham is synonymous with water resources projects, parks, and recreation generally and especially with navigation on the Arkansas River; and

Whereas, the pool created by Lock and Dam 18 on the Verdigris River will bring water into the Port of Catoosa; and

Whereas, said Lock and Dam 18 has not been named.

Now, therefore, be it Resolved by the Senate of the first session of the 32d Oklahoma legislature, the House of Representatives concurring therein:

SECTION 1. That the Congress of the United States be and is hereby respectfully requested to name the uppermost lock and dam on the Verdigris River, which is currently designated Lock and Dam No. 18, the "Newton R. Graham Lock and Dam."

SEC. 2. That duly authenticated copies of this Resolution be transmitted to the presiding officers of the Senate and House of Representatives of the Congress of the United States, to the members of the Oklahoma Congressional Delegation, to the Governors of Oklahoma and Arkansas and to the City of Tulsa-Rogers County Port Authority.

Adopted by the Senate the 25th day of February, 1969.

Mr. EDMONDSON. Mr. Speaker, Oklahomans will feel a warm gratitude today with the final passage of the bill, S. 1500, to name lock and dam No. 18 on the Verdigris River and the body of water created by the lock and dam the Newt Graham lock and dam and the Newt Graham Lake.

Newt Graham was a leader of Oklahomans, and this tangible monument to his leadership is fitting.

Newt Graham was a man ahead of times—a quality often associated with the kind of leadership he provided the people of Tulsa and subsequently all the people of Oklahoma. He saw that the key to full economic development of eastern Oklahoma lay in the navigation of the Arkansas River many, many years before others took this proposal seriously. During this period he was the good natured recipient of much scoffing, but in the end he is credited with selling the idea to the late Senator Robert S. Kerr, and the project began to become reality.

Newt Graham died in 1957 when only three of the major project structures in Oklahoma were under construction, none of them on the main stem of the navigation project. But the ball he had started rolling was gaining full momentum, and there were able and willing men to keep it rolling.

As a result, this month will see the first barge come up the river, in modern times, to the head of navigation at Catoosa, near Newt Graham's city of Tulsa.

I am pleased that this bill is being passed in time to be enacted so that this first tugboat will be locked through the Newt Graham lock and dam, the final lock and dam in the system, when this river is finally declared navigable by the Army Corps of Engineers.

The 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.

GENERAL LEAVE TO EXTEND

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

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

There was no objection.

Mr. GROSS. Mr. Speaker, I ask unanimous consent that all Members may extend their remarks on all of the bills presently under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. EDMONDSON. I thank the gentleman from Iowa.

TO AUTHORIZE THE NAMING OF THE RESERVOIR CREATED BY LITTLE GOOSE LOCK AND DAM, SNAKE RIVER, WASH., IN HONOR OF THE LATE DR. ENOCH A. BRYAN

Mr. EDMONDSON. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (H.R. 13862) to authorize the naming of the reservoir to be created by the Little Goose lock and dam, Snake River, Wash., in honor of the late Dr. Enoch A. Bryan.

The Clerk read the title of the bill.

The SPEAKER pro tempore (Mr. ALBERT). Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

The Clerk read the bill, as follows:

H.R. 13862

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the reservoir to be created by the Little Goose lock and dam on the Snake River in Washington shall be known and designated as Lake Bryan. Any law, regulation, document, or record of the United States in which such reservoir is designated or referred to under the name of Little Goose Reservoir, shall be held to refer to such body of water under and by the name of Lake Bryan.

Mrs. MAY. Mr. Speaker, I am pleased to be a sponsor of H.R. 13862, to authorize the naming of the reservoir created by the Little Goose lock and dam, Snake River, Wash., in honor of the late Dr. Enoch A. Bryan. The legislation is completely without controversy, and I commend the House for its favorable consideration of this bill.

I first drafted and introduced legislation to so honor Dr. Bryan, about 9 years ago. Dr. Bryan was the third president of Washington State University. A last-minute disagreement in the Senate over an unrelated matter caused the entire section of the omnibus rivers, harbors, and flood control bill, which contained this proposed name change, to be deleted from the omnibus legislation.

Dr. Bryan, president of Washington State University from 1893 until 1916, built the college from modest beginnings into one of the country's great land-grant institutions. He saw the land-grant college in its broad and modern context—that of an institution which would provide a versatile and liberal education for all people.

An influential and early spokesman for the causes of reclamation, irrigation, and conservation of natural resources, Dr. Bryan envisioned a modern Utopia between Big Goose Island and Little Goose Island on the Snake River, which he called the Riviera. He purchased land for $16,000 on the south bank of the river, plotted a town with 73 lots, and made plans to irrigate the tract. This vision, however, was never realized. A lack of water for irrigation and employment opportunities elsewhere during World War I contributed to an exodus of participants. The Riviera, which had come to be known as Reveria, existed only as a ghost town for many years. Now the site is covered by the waters of the reservoir which was filled only in recent days this year.

The naming of the reservoir for Dr. Bryan will be a fitting memorial to a farseeing man who may have been too farsighted in the case of the Riviera, but whose vision was responsible for a new and lasting educational philosophy.

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.

TO DESIGNATE AS THE JOHN H. OVERTON LOCK AND DAM THE LOCK AND DAM AUTHORIZED TO BE CONSTRUCTED ON THE RED RIVER NEAR ALEXANDRIA, LA.

Mr. EDMONDSON. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (H.R. 14683) to designate as the John H. Overton Lock and Dam the lock and dam authorized to be constructed on the Red River near Alexandria, La.

The Clerk read the title of the bill.

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

There was no objection.

The Clerk read the bill as follows:

H.R. 14683

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the lock and dam authorized by section 101 of the River and Harbor Act of 1968 (82 Stat. 731) for construction on the Red River at about mile 70.3 near Alexandria, Louisiana, shall be known and designated as the John H. Overton Lock and Dam. Any law, regulation, map, document, or record of the United States in which such lock and dam are referred to as lock and dam numbered 2 of the Red River below the Fulton, Arkansas, project, or in any other manner, shall be held to refer to such lock and dam as the John H. Overton Lock and Dam.

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.

TO RENAME A LOCK OF THE CROSS-FLORIDA BARGE CANAL THE "HENRY HOLLAND BUCKMAN LOCK"

Mr. EDMONDSON. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (H.R. 956) to rename a lock of the Cross-Florida Barge Canal the "Henry Holland Buckman lock."

The Clerk read the title of the bill.

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

There was no objection.

The Clerk read the bill as follows:

H.R. 956

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Saint Johns lock of the Cross-Florida Barge Canal is hereby renamed the "Henry Holland Buckman lock."

AMENDMENT OFFERED BY MR. EDMONDSON

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

The Clerk read as follows:

Amendment offered by Mr. EDMONDSON: Page 1, strike out line 4 and insert in lieu thereof the following: "is hereby renamed the Henry Holland Buckman lock. Any law, regulation, map, document, record or other paper of the United States in which such lock is referred to shall be held to refer to such lock as the Henry Holland Buckman lock."

The amendment was agreed to.

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

TO OFFICIALLY DESIGNATE THE TOTTEN TRAIL PUMPING STATION

Mr. EDMONDSON. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (H.R. 3107) to officially designate the Totten Trail Pumping Station.

The Clerk read the title of the bill.

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

There was no objection.

The Clerk read the bill as follows:

H.R. 3107

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the pumping station at the Snake Creek arm of the reservoir formed by Garrison Dam, North Dakota, shall hereafter be known as the Totten Trail Pumping Station.

SEC. 2. Any laws, regulations, documents, or records of the United States in which such pumping station is designated or referred to shall be held to refer to such pumping station under and by the name of "Totten Trail Pumping Station".

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.

TO DESIGNATE THE NAVIGATION LOCK ON THE SACRAMENTO DEEPWATER SHIP CHANNEL IN THE STATE OF CALIFORNIA AS THE WILLIAM G. STONE NAVIGATION LOCK

Mr. EDMONDSON. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (H.R. 15205) to designate the navigation lock on the Sacramento deepwater ship channel in the State of California as the William G. Stone navigation lock.

The Clerk read the title of the bill.

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

There was no objection.

The Clerk read the bill as follows:

H.R. 15205

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the navigation lock on the Sacramento deepwater ship channel in the State of California which connects the Sacramento River with the Sacramento-Yolo deepwater port shall hereafter be known as the William G. Stone navigation lock, and any law, regulation, document, or record of the United States in which such lock is designated or referred to shall be held to refer to such lock under and by the name of the William G. Stone navigation lock.

Mr. JOHNSON of California. Mr. Speaker, the purpose of this legislation is to designate as the William G. Stone navigation lock that navigation lock on the Sacramento deepwater ship channel which connects the Sacramento River with the Sacramento-Yolo deepwater port in the State of California.

The existing project provides for a deepwater ship channel between Suisun Bay and Washington Lake, construction of a harbor and turning basin at Washington Lake and a connecting canal with a navigation lock from the harbor to the Sacramento River. It is this navigation lock which would be designated as the William G. Stone navigation lock.

Mr. William G. Stone spent a long and active life promoting a deepwater port of Sacramento, which he had first envisioned in 1916 and helped in the preparation of enabling legislation in 1937 which was enacted into law by the act of July 24, 1946, Public Law 525, 79th Congress.

In 1948, he was named port director and served as such throughout the construction phase of the project. The new channel opened in 1962, the year Mr. Stone retired as port director.

Mr. Stone died in 1969. In view of his long and close identification with this project, it is most appropriate that this navigation lock be named in his honor.

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. EDMONDSON. Mr. Speaker, I ask unanimous consent that the Committee on Public Works be discharged from further consideration of the Senate bill (S. 3192) to designate the navigation lock on the Sacramento deepwater ship channel in the State of California as the William G. Stone navigation lock, a bill identical to H.R. 15205 just passed, and ask for its immediate consideration.

The Clerk read the title of the Senate bill.

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

There was no objection.

The Clerk read the Senate bill as follows:

S. 3192

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the navigation lock on the Sacramento deepwater ship channel in the State of California which connects the Sacramento River with the Sacramento-Yolo deepwater port shall hereafter be known as the William G. Stone navigation lock, and any law, regulation, document, or record of the United States in which such lock is designated or referred to shall be held to refer to such lock under and by name of the William G. Stone navigation lock.

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. 15205) was laid on the table.

TO NAME CERTAIN FEDERAL BUILDINGS

Mr. EDMONDSON. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (H.R. 19857) to name certain Federal buildings.

The Clerk read the title of the bill.

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

Mr. GERALD R. FORD. Mr. Speaker, reserving the right to object—and I state here and now that I have no intention of objecting—but as I understand it by this action a new precedent is being established for the naming of Federal buildings while a Member is still a Member of the Congress.

Mr. EDMONDSON. Mr. Speaker, will the gentleman yield on that point?

Mr. GERALD R. FORD. Mr. Speaker, may I conclude, and if I am in error I will be glad to yield, and to correct the record.

As I understand it, this particular resolution pertains to three Members who are still Members, but will not be with the House in the next Congress.

Let me say that my objection is not to the naming of these buildings on behalf of these three outstanding Members of the Congress of the United States. All three of these Members have had enviable records, great accomplishments and great achievements. My concern is with the timing. I think it is unwise to take the action that we take today while a Member is still a Member of the Congress of the United States.

I will also say that I will remember these three men by the indelible record of achievement and accomplishment they have made in this Chamber, and the efforts that they have made over many, many years for a finer America and a greater place for all mankind. As I say, I will not object, but I will think more of the record of these men than the name on the respective buildings.

I am concerned about the timing of this matter.

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

Mr. GERALD R. FORD. I yield to the gentleman from Oklahoma.

Mr. EDMONDSON. Mr. Speaker, in the first place let me say that the committee does not regard this as a new precedent on the subject, because there have been some notable occasions in the past in which outstanding Members of the Congress presently in the Congress have been recognized by the naming of appropriate structures for them.

I call to the memory of the gentleman from Michigan the late Tom O'Brien, of Illinois, who was honored by the naming of a structure in his memory while he was still serving in the House.

The House several times in the past has passed a bill naming a structure for the distinguished gentleman from Minnesota (Mr. BLATNIK) although the other body has not acted on it. So there are precedents.

The distinguished gentleman from Michigan, Mr. Dondero, had a structure named after him through executive action while he was serving in the House, so there are some precedents.

In the instant case, the committee just thought that because the contributions to the Nation and to the Committee on Public Works particularly of these three gentlemen have been so remarkable and outstanding that it was in order to name these structures for them.

I am pleased to hear the gentleman will not object to the action here.

Mr. GERALD R. FORD. I reiterate, I have no intention of objecting. But it does seem to me that the timing is ill-advised. And I repeat what I said earlier; my memory of these men in public service will come from the tremendous services that they have performed over many, many years in this Chamber on behalf of the United States and mankind generally. That is the thought that means more to me in their memory than the kind of action we are taking today.

Mr. EDMONDSON. I thank the gentleman.

Mr. GERALD R. FORD. Mr. Speaker, I withdraw my reservation of objection.

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

There was no objection.

The Clerk read the bill, as follows:

H.R. 19857

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the United States post office and courthouse located in Post Office Square, Boston, Massachusetts, shall hereafter be known and designated as the "John W. McCormack Post Office and Courthouse". Any reference in a law, map, regulation, document, record, or other paper of the United States to such post office and courthouse shall be held to be a reference to the "John W. McCormack Post Office and Courthouse".

SEC. 2. The Federal office building located at 31 Hopkins Plaza, Baltimore, Maryland, shall hereafter be known and designated as the "George H. Fallon Federal Office Building". Any reference in a law, map, regulation, document, record, or other paper of the United States to such Federal office building shall be held to be a reference to the "George H. Fallon Federal Office Building".

SEC. 3. The Federal office building located at 141 First Avenue South, Saint Petersburg, Florida, shall hereafter be known and designated as the "William C. Cramer Federal Office Building". Any reference in a law, map, regulation, document, record, or other paper of the United States to such Federal office building shall be held to be a reference to the "William C. Cramer Federal Office Building".

AMENDMENT OFFERED BY MR. EDMONDSON

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

The Clerk read as follows:

Amendment offered by Mr. EDMONDSON: On page 2, line 7, strike "141" and insert in lieu thereof "144".

The amendment was agreed to.

Mr. EDMONDSON. Mr. Speaker, I strongly support section 1 of H.R. 19857 which designates the John W. McCormack Post Office and Courthouse in the city of Boston.

I am delighted that the House has this opportunity to say thank you, legislatively, to our retiring leader, Speaker McCORMACK. I view this as a thank you, rather than as an attempt to recognize the Speaker's accomplishments, for any attempt to recognize these accomplishments would necessarily be inadequate.

Speaker McCORMACK does not need his name on a building to be remembered by a grateful Nation. The Speaker's imprint is on every piece of major legislation enacted by Congress for many, many years, legislation which has touched the lives of every citizen, and which has tremendously improved the Nation we live in. It is this major legislation which is Speaker McCORMACK's true monument. It is this major legislation which has made the Speaker a giant among great men.

Speaker McCORMACK has devoted his entire life to public service and it has been a rich and fruitful life. He has dedicated his life to the cause of justice and he has pursued this cause with zeal and success. He wanted every American to have the best possible opportunity in the pursuit of life and happiness. Any review of 20th century landmark acts in the fields of health, education, housing, poverty and many others quickly points up the magnitude of Speaker McCORMACK's success. He has championed the cause of the common citizen, and we all live in a better world for his efforts and his victories.

I am sure the House will agree with me that we should say thank you on behalf of ourselves and the people we represent by unanimously adopting this bill and designating the John W. McCormack Courthouse and Post Office in his beloved city of Boston.

Mr. Speaker, one of the great privileges of my service in the House of Representatives has been the privilege of working on the Public Works Committee under the chairmanship of our distinguished and able colleague from Maryland, the Honorable GEORGE H. FALLON.

Chairman FALLON has aggressively led his committee to meet the new challenges of the 1960's and to prepare to meet the even greater challenges of the 1970's. He has led the way in building public awareness of our urgent need to halt practices which are polluting our water, and to prevent future pollution. He has guided us to the near completion of an Interstate Highway System which is bringing our people closer together. He is a champion of water conservation and water resource development from the upstream watersheds to the giant multipurpose dams and their reservoirs, an effort which is reducing, and will finally eliminate tragic flooding which has been a fact of life to the people who live and work on our great rivers. He has been a great leader in Congress and in the Nation in these and many other areas since coming to Congress in 1945.

Chairman FALLON's lifetime of public service is fittingly recognized in section 2 of H.R. 19857 which designates the George H. Fallon Federal Building in Baltimore, Chairman FALLON's hometown which he has so ably served in this body.

Mr. Speaker, it is also a privilege to join in support of section 3 of H.R. 19857, which would designate the Federal Office Building in St. Petersburg, Fla., the William C. Cramer Federal Office Building.

I hope this measure is unanimously adopted as a fitting tribute to the leadership our colleague, BILL CRAMER, has offered in the area of public works.

Mr. CRAMER sits on the other side of the aisle, and we have not always seen eye to eye on the issues of the day. But this has not been the case on public works. No Member of this Congress has been more astutely aware of the importance of public works to the American people than has BILL CRAMER. He has been a leader in the Committee on Public Works and in the House in convincing the people of this Nation that we have no more important job than the development and conservation of our natural resources.

One of the reasons the Public Works Committee is a great committee is that its members leave their party labels at the door when they go in to consider legislation benefitting all Americans. BILL CRAMER is the embodiment of this spirit of bipartisan cooperation, and I salute him for it. The next time I am in St. Petersburg, I plan to visit the William C. Cramer Federal Office Building.

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.

DESIGNATING LAKE IMPOUNDED BY BUTLER VALLEY DAM, CALIF., AS "BLUE LAKE"

Mr. EDMONDSON. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (H.R. 19855) to designate the lake formed by the waters impounded by the Butler Valley Dam, Calif., as "Blue Lake."

The Clerk read the title of the bill.

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

There was no objection.

The Clerk read the bill, as follows:

H.R. 19855

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the lake formed by the waters impounded by the Butler Valley Dam in the State of California, located on the Mad River, shall hereafter be known as Blue Lake and any law, regulation, document, or record of the United States in which such lake is designated or referred to shall be held to refer to such lake under and by the name of "Blue Lake".

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.

DESIGNATING MILLERS FERRY LOCK AND DAM ON THE ALABAMA RIVER AS THE WILLIAM "BILL" DANNELLY RESERVOIR

Mr. EDMONDSON. Mr. Speaker, I ask unanimous consent for the immediate consideration of the Senate bill (S. 528) to provide that the reservoir formed by the lock and dam referred to as the "Millers Ferry lock and dam" on the Alabama River, Ala., shall hereafter be known as the William "Bill" Dannelly Reservoir.

The Clerk read the title of the Senate bill.

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

There was no objection.

The Clerk read the Senate bill, as follows:

S. 528

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in honor of late Probate Judge William "Bill" Dannelly of Wilcox County, Alabama, and in recognition of his long and outstanding service to his county, State, and Nation, and his leadership in the modernization of the Alabama-Coosa Waterway, the reservoir formed by the Millers Ferry lock and dam on the Alabama River, Alabama, shall hereafter be known and designated as the William "Bill" Dannelly Reservoir. Any law, regulation, map, or record of the United States in which such reservoir is referred to shall be held and considered to refer to such reservoir by the name of the William "Bill" Dannelly Reservoir.

The 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.

DESIGNATING COMPREHENSIVE MISSOURI RIVER BASIN DEVELOPMENT PROGRAM AS THE PICK-SLOAN MISSOURI BASIN PROGRAM

Mr. EDMONDSON. Mr. Speaker, I ask unanimous consent for the immediate consideration of the Senate bill (S. 1100) to designate the comprehensive Missouri River Basin development program as the Pick-Sloan Missouri Basin program.

The Clerk read the title of the Senate bill.

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

There was no objection.

The Clerk read the Senate bill as follows:

S. 1100

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the comprehensive program of flood control, navigation improvement, and development for the Missouri River Basin, which arose out of the coordination of the multiple-purpose plans recommended in the report of the Corps of Engineers, United States Army, contained in House Document Numbered 475, Seventy-eighth Congress, and in the report of the Bureau of Reclamation, Department of the Interior, contained in Senate Document Numbered 191, Seventy-eighth Congress, shall hereafter be known as the Pick-Sloan Missouri Basin program. Any law, regulation, document, or record of the United States in which such program is designated or referred to under the name of the Missouri River Basin development program, or under any other name, shall be held and considered to refer to such program under and by the name of the Pick-Sloan Missouri Basin program.

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.

DESIGNATING THE LAKE FORMED BY THE WATERS IMPOUNDED BY THE LIBBY DAM, MONT., AS "LAKE KOOCANUSA"

Mr. EDMONDSON. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (H.R. 7334) to designate the lake formed by the waters impounded by the Libby Dam, Mont., as "Lake Koocanusa."

The Clerk read the title of the bill.

The SPEAKER pro tempore (Mr. ALBERT). Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

The Clerk read the bill as follows:

H.R. 7334

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the lake formed by the waters impounded by the Libby Dam in the State of Montana shall hereafter be known as Lake Koocanusa and any law, regulation, document, or record of the United States in which such lake is designated or referred to shall be held to refer to such lake under and by the name of "Lake Koocanusa".

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.

TO PROVIDE THAT THE LOCK AND DAM REFERRED TO AS THE "JACKSON LOCK AND DAM" ON THE TOMBIGBEE RIVER, ALA., SHALL HEREAFTER BE KNOWN AS THE COFFEEVILLE LOCK AND DAM

Mr. EDMONDSON. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (H.R. 8933) to provide that the lock and dam referred to as the "Jackson lock and dam" on the Tombigbee River, Ala., shall hereafter be known as the Coffeeville lock and dam.

The Clerk read the title of the bill.

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

There was no objection.

The Clerk read the bill as follows:

H.R. 8933

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Jackson lock and dam on the Tombigbee River, Alabama, shall hereafter be known and designated as the "Coffeeville lock and dam". Any law, regulation, map, or record of the United States in which such lock and dam is referred to shall be held and considered to refer to such lock and dam by the name of the "Coffeeville lock and dam".

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.

TO RENAME A POOL OF THE CROSS FLORIDA BARGE CANAL "LAKE OCKLAWAHA"

Mr. EDMONDSON. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (H.R. 12564) to rename a pool of the Cross Florida Barge Canal "Lake Ocklawaha."

The Clerk read the title of the bill.

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

There was no objection.

The Clerk read the bill as follows:

H.R. 12564

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Rodman Pool, or impoundage, of the Cross Florida Barge Canal shall, after the date of enactment of this Act, be known and designated as "Lake Ocklawaha". Any law, regulation, map, document, or record of the United States in which such pool, reservoir, or impoundage is referred to shall be held and considered to refer to such pool, reservoir, or impoundage as "Lake Ocklawaha".

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.

WAIVING POINTS OF ORDER AGAINST H.R. 19928, SUPPLEMENTAL APPROPRIATIONS, 1971

Mr. MADDEN. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 1303 and ask for its immediate consideration.

The Clerk read the resolution as follows:

H. Res. 1303

Resolved, That upon the adoption of this resolution it shall be in order to move, clause 6 of rule XXI to the contrary notwithstanding, 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. 19928) making supplemental appropriations for the fiscal year ending June 30, 1971, and for other purposes, and all points of order against said bill are hereby waived.

CALL OF THE HOUSE

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

The SPEAKER pro tempore. Evidently a quorum is not present.

Mr. MADDEN. 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. 398]

Abbitt	Daddario	Howard
Abernethy	Davis, Ga.	Hungate
Adair	Dent	Karth
Anderson,	Diggs	Kee
Tenn.	Dowdy	King
Ashley	Edwards, Calif.	Landrum
Aspinall	Edwards, La.	Long, La.
Baring	Fallon	Lowenstein
Bolling	Farbstein	Lukens
Brock	Frey	McCarthy
Buchanan	Galifianakis	McCulloch
Burton, Utah	Gallagher	McKneally
Button	Gaydos	Macdonald,
Camp	Gilbert	Mass.
Carney	Gray	Meskill
Celler	Hagan	Mize
Collier	Hansen, Idaho	Morgan
Corman	Hathaway	Morton
Cramer	Hébert	Murphy, N.Y.

O'Konski	Rivers	Thompson, N.J.
Ottinger	Roberts	Waggonner
Pollock	Rodino	Weicker
Powell	Roudebush	Wiggins
Preyer, N.C.	Saylor	Wilson, Bob
Purcell	Scheuer	Wold
Reifel	Stanton	Wolff
Reuss	Stephens	Wright

The SPEAKER pro tempore (Mr. BOGGS). On this rollcall 354 Members have answered to their names, a quorum.

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

FURTHER MESSAGE FROM THE SENATE

A further 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. 3867) entitled "An act to assure opportunities for employment and training to unemployed and underemployed persons, to assist States and local communities in providing needed public services, and for other purposes."

WAIVING POINTS OF ORDER AGAINST H.R. 19928, SUPPLEMENTAL APPROPRIATIONS, 1971

The SPEAKER pro tempore (Mr. BOGGS). The gentleman from Indiana, (Mr. MADDEN) is recognized.

Mr. MADDEN. Mr. Speaker, House Resolution 1303 provides for the consideration of H.R. 19928, clause 6 of rule XXI to the contrary notwithstanding—3-day rule—and waives all points of order against the bill. Other reasons for waiving points of order follow:

Chapter II provides two appropriations which are not yet authorized by law—"military assistance" and "economic assistance."

Chapter VI contains language enacting as permanent law several House resolutions recently adopted. House Resolution 1270 and House Resolution 1276 relating to allowances for Members for telephone, telegraph, and stationery—House Resolution 1241, compensation for official reporters of the House of Representatives, House Resolution 1264, clerk hire allowance for Members of the House of Representatives.

Chapter IX contains a provision which is technical in nature in connection with the establishment and implementation of the Airport and Airway Trust Fund which may be subject to a point of order.

Mr. Speaker, I urge the adoption of House Resolution 1303 in order that H.R. 19928 may be considered.

(Mr. SMITH of California asked and was given permission to revise and extend his remarks.)

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

Mr. Speaker, the only reason the Rules Committee is here today on House Resolution 1303 is so that we can consider H.R. 19928, the supplemental appropriation bill for the fiscal year 1971. A number of the programs for which this bill will carry funds have not as yet been authorized. One is the measure we handled yesterday on military assistance. There is $990 million in this bill for that program. That has not yet been signed by the President.

The rule would waive clause 6 of rule XXI; otherwise it would be 3 days before the bill could be called up.

We are here to help you, Mr. Speaker, and other Members, to get the show on the road so that possibly we can adjourn on January 19 in order to come back on January 20.

I yield 2 minutes to the gentleman from Iowa.

(Mr. GROSS asked and was given permission to revise and extend his remarks.)

Mr. GROSS. Mr. Speaker, this rule is another testimonial to the footdragging and procrastination that has taken place in this session of Congress and in the lameduck session of Congress. On yesterday I offered a mild compliment to the Rules Committee when it at last provided one open rule, and I was told then by the gentleman from California, my friend (Mr. SMITH), that it would only be a short time until there would be additional rules of a different nature. Less than 24 hours later, and at this moment we find ourselves confronted with two more rules waiving points of order, in other words, throwing out the rulebook with respect to the consideration of legislation.

This bill—and I believe it is the second deficiency and not the first deficiency of this session—is subject to a good many points of order, because the authorizing legislation has not yet been finally approved by the President. I suspect that that is to be the operation from here on out in this lameduck session of the Congress—more rules waiving points of order, nullifying the rules of the House in order to consider legislation that ought to have been considered long, long ago in this session.

This is a session that no one—and I say no one in this House—can be proud of from the standpoint of expeditious and full consideration of the legislation that has come before it.

I yield back the remainder of my time.

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

The previous question was ordered.

The SPEAKER pro tempore (Mr. BOGGS). The question is on the resolution.

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

Mr. GROSS. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make a point of order that a quorum is not present.

The SPEAKER pro tempore. 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 331, nays 28, not voting 74, as follows:

[Roll No. 399]

YEAS—331

Adair	Anderson, Ill.	Beall, Md.
Adams	Andrews, Ala.	Belcher
Addabbo	Andrews,	Bell, Calif.
Albert	N. Dak.	Bennett
Alexander	Annunzio	Berry
Anderson,	Arends	Betts
Calif.	Ayres	Bevill

Biaggi
Biester
Bingham
Blackburn
Blanton
Blatnik
Boggs
Boland
Bow
Brasco
Bray
Brinkley
Brock
Brooks
Broomfield
Brotzman
Brown, Mich.
Brown, Ohio
Broyhill, N.C.
Broyhill, Va.
Buchanan
Burke, Mass.
Burleson, Tex.
Burlison, Mo.
Burton, Calif.
Bush
Byrne, Pa.
Byrnes, Wis.
Cabell
Caffery
Carey
Carney
Carter
Casey
Cederberg
Celler
Chamberlain
Chappell
Chisholm
Clancy
Clark
Clausen, Don H.
Clawson, Del
Clay
Cleveland
Cohelan
Collins, Ill.
Collins, Tex.
Colmer
Conable
Conte
Conyers
Corbett
Corman
Cowger
Cramer
Crane
Culver
Cunningham
Daniel, Va.
Daniels, N.J.
Davis, Ga.
Davis, Wis.
de la Garza
Delaney
Dellenback
Denney
Dennis
Derwinski
Devine
Dingell
Donohue
Dorn
Downing
Dulski
Duncan
Dwyer
Edmondson
Edwards, Ala.
Eilberg
Erlenborn
Esch
Eshleman
Evins, Tenn.
Fascell
Feighan
Findley
Fish
Fisher
Flood
Flowers
Flynt
Foley
Ford, Gerald R.
Forsythe
Fountain
Frelinghuysen
Friedel
Fulton, Pa.
Fulton, Tenn.
Fuqua
Garmatz
Gaydos
Gettys
Giaimo
Gibbons
Gonzalez
Goodling
Green, Pa.
Griffin
Griffiths
Grover
Gubser
Gude
Haley
Halpern
Hamilton
Hammerschmidt
Hanley
Hanna
Hansen, Wash.
Harsha
Harvey
Hawkins
Hays
Heckler, Mass.
Helstoski
Henderson
Hicks
Hogan
Holifield
Hosmer
Howard
Hull
Hunt
Hutchinson
Ichord
Jarman
Johnson, Calif.
Johnson, Pa.
Jonas
Jones, Ala.
Jones, N.C.
Jones, Tenn.
Karth
Kazen
Keith
Kleppe
Kluczynski
Koch
Kuykendall
Kyl
Kyros
Langen
Leggett
Lennon
Lloyd
Long, Md.
Lujan
Lukens
McDade
McEwen
McFall
McKneally
McMillan
MacGregor
Madden
Mahon
Mailliard
Marsh
Martin
Matsunaga
Mayne
Meeds
Melcher
Michel
Miller, Calif.
Mills
Minish
Minshall
Mizell
Mollohan
Monagan
Montgomery
Moorhead
Morgan
Morse
Mosher
Murphy, Ill.
Murphy, N.Y.
Myers
Natcher
Nelsen
Nichols
Nix
Obey
O'Hara
Olsen
O'Neal, Ga.
O'Neill, Mass.
Passman
Patman
Patten
Pelly
Pepper
Perkins
Pettis
Philbin
Pickle
Pike
Pirnie
Poage
Podell
Poff
Price, Ill.
Price, Tex.
Pryor, Ark.
Pucinski
Quie
Quillen
Randall
Rees
Reid, Ill.
Reid, N.Y.
Rhodes
Riegle
Robison
Rodino
Roe
Rogers, Colo.
Rogers, Fla.
Rooney, N.Y.
Rooney, Pa.
Rostenkowski
Roth
Roybal
Ruppe
Ruth
Ryan
St Germain
Sandman
Satterfield
Saylor
Schadeberg
Scherle
Scheuer
Schneebeli
Schwengel
Scott
Sebelius
Shipley
Shriver
Sikes
Sisk
Skubitz
Slack
Smith, Calif.
Smith, Iowa
Smith, N.Y.
Snyder
Springer
Stafford
Staggers
Stanton
Steed
Steele
Steiger, Ariz.
Steiger, Wis.
Stokes
Stratton
Stubblefield
Sullivan
Symington
Taft
Talcott
Taylor
Teague, Calif.
Teague, Tex.
Thompson, Ga.
Thomson, Wis.
Tiernan
Tunney
Udall
Ullman
Van Deerlin
Vander Jagt
Vanik
Vigorito
Waldie
Wampler
Ware
Watson
Watts
Whalen
Whalley
White
Whitehurst
Whitten
Widnall
Williams
Winn
Wold
Wright
Wyatt
Wydler
Wylie
Wyman
Yatron
Young
Zablocki
Zion
Zwach

NAYS—28

Ashbrook
Brademas
Brown, Calif.
Burke, Fla.
Coughlin
Diggs
Eckhardt
Gross
Hall
Harrington
Hathaway
Hechler, W. Va.
Horton
Jacobs
Kastenmeier
Landgrebe
Lowenstein
McCloskey
McDonald, Mich.
Mann
Mikva
Miller, Ohio
Mink
Nedzi
Rosenthal
Rousselot
Schmitz
Yates

NOT VOTING—74

Abbitt
Abernethy
Anderson, Tenn.
Ashley
Aspinall
Baring
Barrett
Bolling
Burton, Utah
Button
Camp
Collier
Daddario
Dent
Dickinson
Dowdy
Edwards, Calif.
Edwards, La.
Evans, Colo.
Fallon
Farbstein
Ford, William D.
Foreman
Fraser
Frey
Galifianakis
Gallagher
Gilbert
Goldwater
Gray
Green, Oreg.
Hagan
Hansen, Idaho
Hastings
Hébert
Hungate
Kee
King
Landrum
Latta
Long, La.
McCarthy
McClory
McClure
McCulloch
Macdonald, Mass.
Mathias
May
Meskill
Mize
Morton
Moss
O'Konski
Ottinger
Pollock
Powell
Preyer, N.C.
Purcell
Railsback
Rarick
Reifel
Reuss
Rivers
Roberts
Roudebush
Stephens
Stuckey
Thompson, N.J.
Waggonner
Weicker
Wiggins
Wilson, Bob
Wilson, Charles H.
Wolff

So the resolution was agreed to.

The Clerk announced the following pairs:

Mr. Hébert with Mr. Dickinson.

Mr. Rivers with Mr. King.

Mr. Thompson of New Jersey with Mr. Button.

Mr. Waggonner with Mr. Burton of Utah.

Mr. Aspinall with Mr. Camp.

Mr. Dent with Mr. McClory.

Mr. Gallagher with Mr. Meskill.

Mr. Moss with Mr. Goldwater.

Mr. Wolff with Mr. Collier.

Mr. Charles H. Wilson with Mr. Wiggins.

Mr. Macdonald of Massachusetts with Mr. Latta.

Mr. William D. Ford with Mr. Foreman.

Mrs. Green of Oregon with Mrs. May.

Mr. Stephens with Mr. Roudebush.

Mr. Stuckey with Mr. Reifel.

Mr. Evans of Colorado with Mr. Railsback.

Mr. Edwards of Louisiana with Mr. O'Konski.

Mr. Abernethy with Mr. McCulloch.

Mr. Barrett with Mr. Bob Wilson.

Mr. Abbitt with Mr. Mize.

Mr. Ashley with Mr. Weicker.

Mr. Preyer of North Carolina with Mr. McClure.

Mr. Baring with Mr. Frey.

Mr. Dowdy with Mr. Hansen of Idaho.

Mr. Galifianakis with Mr. Hastings.

Mr. Anderson of Tennessee with Mr. Pollock.

Mr. Gray with Mr. Morton.

Mr. Hagan with Mr. Mathias.

Mr. Hungate with Mr. Daddario.

Mr. Kee with Mr. Farbstein.

Mr. Landrum with Mr. Roberts.

Mr. Purcell with Mr. Gilbert.

Mr. Long of Louisiana with Mr. McCarthy.

Mr. Rarick with Mr. Fallon.

Mr. Reuss with Mr. Edwards of California.

Mr. Fraser with Mr. Ottinger.

Messrs. ASHBROOK, ROUSSELOT, and HECHLER of West Virginia changed their votes from "yea" to "nay."

Mr. SCHEUER 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.

AMENDING SECURITIES EXCHANGE ACT OF 1934 TO PROVIDE ADDITIONAL PROTECTION FOR INVESTORS

Mr. STAGGERS. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (S. 3431) to amend sections 13(d), 13(e), 14(d), and 14(e) of the Securities Exchange Act of 1934 in order to provide additional protection for investors, with a Senate amendment to the House amendments thereto, and concur in the Senate amendment to the House amendments.

The Clerk read the title of the bill.

The Clerk read the Senate amendment to the House amendments, as follows:

Page 3, after line 10, of the Senate engrossed bill, insert:

"SEC. 6. (a) Section 3(a)(2) of the Securities Act of 1933 (15 U.S.C. 77c(a)(2)) is amended to read as follows:

"'(2) Any security issued or guaranteed by the United States or any territory thereof, or by the District of Columbia, or by any State of the United States, or by any political subdivision of a State or territory, or by any public instrumentality of one or more States or territories, or by any person controlled or supervised by and acting as an instrumentality of the Government of the United States pursuant to authority granted by the Congress of the United States; or any certificate of deposit for any of the foregoing; or any security issued or guaranteed by any bank; or any security issued by or representing an interest in or a direct obligation of a Federal Reserve bank; or any interest or participation in any common trust fund or similar fund maintained by a bank exclusively for the collective investment and reinvestment of assets contributed thereto by such bank in its capacity as trustee, executor, administrator, or guardian; or any security which is an industrial development bond (as defined in section 103(c)(2) of the Internal Revenue Code of 1954) the interest on which is excludable from gross income under section 103(a)(1) of such Code if, by reason of the application of paragraph (4) or (6) of section 103(c) of such Code (determined as if paragraphs (4)(A), (5), and (7) were not included in such section 103(c)), paragraph (1) of such section 103(c) does not apply to such security; or any interest or participation in a single or collective trust fund maintained by a bank or in a separate account maintained by an insurance company which interest or participation is issued in connection with (A) a stock bonus, pension, or profit-sharing plan which meets the requirements for qualification under section 401 of the Internal Revenue Code of 1954, or (B) an annuity plan which meets the requirements for the deduction of the employers' contribution under section 404(a)(2) of such Code, other than any plan described in clause (A) or (B) of this paragraph (i) the contributions under which are held in a single trust fund maintained by a bank or in a separate account maintained by an insurance company for a single employer and under which an amount in excess of the employer's contribution is allocated to the purchase of securities (other than interests or participations in the trust or separate account itself) issued by the employer or by any company directly or indirectly controlling, controlled by, or under common control with the employer or (ii) which covers employees some or all of whom are employees within the meaning of section 401(c)(1) of such Code. The Commission, by rules and regulations or order, shall exempt from the provisions of section 5 of this title any interest or participation issued in connection with a stock bonus, pension, profit-sharing, of annuity plan which covers employees some or all of whom are employees within the meaning of section 401(c) (1) of the Internal Revenue Code of 1954, if and to the extent that the Commission determines this to be necessary or appropriate in the public interest and consistent with the protection of investors and the purposes fairly intended by the policy and provisions of this title. For purposes of this paragraph, a security issued or guaranteed by a bank shall not include any interest or participation in any collective trust fund maintained by a bank; and the term 'bank' means any national bank, or any banking institution organized under the laws of any State, territory, or the District of Columbia, the business of which is substantially confined to banking and is supervised by the State or territorial banking commission or similar official; except that in the case of a common trust fund or similar fund, or a collective trust fund, the term 'bank' has the same meaning as in the Investment Company Act of 1940.' "

"(b) Section 3(a) of the Securities Exchange Act of 1934 (15 U.S.C. 78c) (relating to exempted securities) is amended by inserting after 'any municipal corporate instrumentality of one or more States;' in paragraph (12) the following: 'or any security which is an industrial development bond (as defined in section 103(c)(2) of the Internal Revenue Code of 1954) the interest on which is excludable from gross income under section 103(a)(1) of such Code if, by reason of the application of paragraph (4) or (6) of section 103(c) of such Code (determined as if paragraphs 4(A), (5), and (7) were not included in such section 103(c)), paragraph (1) of such section 103(c) does not apply to such security;'.

"(c) Section 304(a) of the Trust Indenture Act of 1939 (15 U.S.C. 77ddd) (relating to exempted securities) is amended by reclassifying the present text of paragraph (4) thereof as paragraph (4)(A), and by adding a new subparagraph (B) at the end of such paragraph (4), to read as follows:

" '(B) any security exempted from the provisions of the Securities Act of 1933, as amended, by paragraph (2) of subsection 3(a) thereof, as amended by section 401 of the Employment Security Amendments of 1970.'

"(d) The amendments made by this section shall apply with respect to securities sold after January 1, 1970."

The SPEAKER pro tempore (Mr. ALBERT). Is there objection to the request of the gentleman from West Virginia?

There was no objection.

The Senate amendment to the House amendments was concurred in.

A motion to reconsider was laid on the table.

SUPPLEMENTAL APPROPRIATIONS, 1971

Mr. MAHON. 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. 19928) making supplemental appropriations for the fiscal year ending June 30, 1971, and for other purposes; and pending that motion, Mr. Speaker, I ask unanimous consent that general debate be limited to not more than 1½ hours, the time to be equally divided and controlled by the gentleman from Ohio and myself.

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

There was no objection.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Texas.

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. 19928, with Mr. PEPPER in the chair.

The Clerk read the title of the bill.

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

The CHAIRMAN. Under the unanimous-consent agreement, the gentleman from Texas (Mr. MAHON) will be recognized for 45 minutes, and the gentleman from Ohio (Mr. BOW) will be recognized for 45 minutes.

The Chair recognizes the gentleman from Texas.

Mr. MAHON. Mr. Chairman, this is the final appropriation bill scheduled for this session of the Congress.

During this session, we presented 14 regular appropriation bills for the current fiscal year 1971. This final supplemental, which is customarily brought in near the session end, is the 15th appropriation bill with respect to fiscal 1971.

I believe the House can be rather proud of the fact that in handling the appropriation bills, which originate in the House, the House has moved rather expeditiously. By July 1 of this year, 12 of the 14 annual appropriation bills had been passed by the House. During the month of July, the 13th bill was passed. But we could not move on the Defense appropriation bill because the related authorization bill was very late. But when the authorization became available, then we moved to the passage of the Defense appropriation bill in early October.

THE PENDING BILL

The pending supplemental bill totals about $1,525,000,000 in new budget authority, compared to budget requests of $1,701,000,000.

Mr. Chairman, under leave granted, I include an excerpt from the committee report on the bill setting forth the highlights of the bill total:

The Committee recommends a total of $1,525,365,538 in new budget (obligational) authority in the accompanying bill, a reduction of $176,471,200 from the $1,701,836,738 requested in the estimates and considered by the Committee. Some $52,389,000 of this reduction represents deferrals for lack of authorization or postponements to the next budget.

In addition to new (budget) obligational authority, the accompanying bill recommends the following sums not involving increases in NOA: $40,105,000 in appropriations to liquidate contract authorization; $27,775,000 to increase various limitations; $54,914,225 in District of Columbia funds; and $485,000 in transfers between appropriations. Details concerning these items are set forth in the various chapters of this report and are shown in the Summary table of this report.

BILL HIGHLIGHTS

$1,035,000,000 for foreign assistance contained in House Doc. 91–418 represents about 61 percent of the total new budget authority requested, and the $990,000,000 recommended in the bill for that purpose is about 65 percent of the total new budget authority recommended in the accompanying bill.

Some $335,139,338, or about 22 percent of the new budget authority recommended in the bill is for mandatory-type items.

These and various other items representing the bulk of the total new budget authority recommended in the bill are as follows:

	New budget authority: Budget estimates	New budget authority: Recommended in bill
Foreign assistance	$1,035,000,000	$990,000,000
Mandatory-type items:		
Payments to retirement, disability, and other trust funds	159,816,600	159,816,600
Unemployment compensation payments	67,050,000	66,650,000
Payments to helium production fund	56,100,000	50,000,000
Claims and judgments	41,747,738	41,747,738
Welfare support payments to Indians	17,000,000	16,925,000
Total, foregoing mandatory-type items	(341,714,338)	(335,139,338)
Selected other items:		
Federal Aviation Administration	91,500,000	77,000,000
(Note: Federal funds payment to airport and airway trust fund to cover deficit (not NOA))	(576,989,000	(.............)
(Note: Federal funds payment to liquidate airport development grants (not NOA))	(40,000,000)	(40,000,000)
General Services Administration:		
Additional court facilities	$34,150,000	$14,150,000
Purchase of automatic data processing equipment	20,000,000	20,000,000
Loans and grants to District of Columbia government:		
Loans for Washington area rapid transit system	34,178,000	....
Federal payment to District of Columbia government	17,571,000	11,794,000
Atomic Energy Commission fire prevention and safety facilities	25,500,000	....
Water pollution control and research	20,400,000	20,400,000
United Nations building construction	20,000,000	....
Federal Bureau of Investigation: For control of interstate gambling, bombings, and skymarshal program	14,150,000	14,150,000
All other new budget authority items	47,673,400	42,732,200
Grand total	[1] 1,701,836,738	1,525,365,538

[1] Excludes $22,500,000 for payment to the Corporation for Public Broadcasting (H. Doc. 91–404) not considered in connection with this bill. Also excludes $1,250,000 for House Office Building Commission (H. Doc. 91–404) and $105,000 for State Marine Schools (H. Doc. 91–404) which were treated by the committee as contract liquidations rather than new budget (obligational) authority.

THE UNFINISHED APPROPRIATIONS BUSINESS

We are moving toward the conclusion of the appropriation business of the session.

We have to pass this bill and it will of course have to clear the other body, and then be cleared through conference.

The Transportation appropriation bill is in conference now and could be settled later today.

The Labor-HEW appropriation bill conference has concluded and will be presented very shortly to the House. The Defense appropriation bill was passed by the other body earlier in the week and conference will probably be held on Saturday, or on Monday of next week—hopefully, Saturday.

The Foreign Aid appropriation bill is expected to go to conference shortly—we hope tomorrow.

So it seems to me we should push hard and by the middle of next week, or shortly thereafter, clear out the appropriation work of the session, and then our only work will have to do with legislative matters otherwise.

THE PENDING BILL

The largest item in the bill is $990 million for foreign assistance, which is made up mostly of military aid for Israel, Cambodia, and Korea. There was a cut in the budget request of $45 million. The foreign assistance funds make up about 65 percent of the pending bill.

Another $335 million, about 22 percent of the bill, is for several mandatory-type items such as payment to the civil service retirement fund under specific legislation, higher unemployment compensation payments somewhat related to the existing sluggishness of the economy, claims and judgments, and one or two other items.

It was necessary to ask for the rule waiving points of order—which was promptly granted by the Committee on Rules—because final passage has not taken place on legislation authorizing the military assistance to Korea and Southeast Asia. That bill cleared the House only yesterday. So it was necessary to have that rule.

This bill, I might add, makes permanent the actions taken by the House within the last few days with respect to the additional clerk hire allowance for members; with respect to the additional stationery allowance of $500. There is a quirk in that stationery bill which says the final $500 can be paid upon the request of the Member. Also, it makes permanent the resolution increasing the telephone allowance by 10,000 units; and also makes permanent the resolution dealing with some pay increases having to do with employees of the House.

The rule was necessary in order to make these matters not subject to a point of order. The House has indicated its will in passing the four resolutions, and we moved in accordance with the will of the House. Some members of the committee had different views as to the course followed by the House in the original actions, but the House having made its determination, the Committee on Appropriations felt obligated—and properly so, in my judgment—to reflect the will of the House.

OVERALL APPROPRIATIONS SUMMARY

I would like to give a sort of overall brief summary of what we have done thus far, moneywise, in appropriation bills at this session with respect to the fiscal year 1971 budget.

I am speaking now only of the fiscal year 1971.

First, it now looks as if, by the end of the session, Congress will have reduced the appropriation budget requests—and I specify the appropriation or new budget authority requests—of the President by about $1 billion, perhaps something more than that.

I will include for the RECORD certain information that will be, I hope, of interest to the Members of the House.

HOUSE TOTALS

In the 14 regular bills and the pending supplemental bill in the House:

Budget estimates considered (budget authority)	$139,091,898,560
Amounts approved	136,472,075,355
Net reduction by House in budget authority requested for fiscal year 1971	−2,619,823,205

Twelve bills were below the related budget requests. Three bills were above the related budget requests—Education, $319 million; the new independent offices-HUD bill, $241 million; and the Labor-HEW bill, $92 million. But the net reduction in all 15 bills was $2 billion $619 million.

IN THE SENATE

The Senate has passed all 14 of the regular bills. They will probably pass this pending supplemental bill early next week.

The Senate has considered additional estimates sent directly to them which the House did not consider. The Senate has also increased a number of the House bills—in a few cases, rather substantially.

But in the aggregate, on the 14 bills, the Senate:

Considered budget estimates for new budget authority for fiscal year 1971 of	$138,185,403,936
Amounts approved	137,377,375,736
Net reduction by Senate (14 bills)	−808,028,200

The Senate reduced 10 bills below the budget. The Senate increased four bills above the budget—education, $816 million; the new independent offices-HUD bill, $241 million; the agriculture bill, $727 million; and the Labor-HEW bill, $510 million).

With respect to the independent offices-HUD bill, the original Senate bill—which was later vetoed—was $1,186 million above the budget. But the new bill passed both the House and the Senate in identical form and amount.

ENACTED INTO LAW

Ten of the 15 bills have been enacted into law. Seven are below the budget and three are above the budget.

In summary:

Budget requests considered in the 10 bills	$45,250,005,499
Amounts enacted	45,967,110,270
Net increase (10 bills)	+717,104,771

The education bill as enacted is $453 million over the budget.

The new independent offices-HUD bill is $241 million over the budget.

The agriculture bill, now pending signature of the President, is $342 million above the budget.

THE PENDING BILL

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

Mr. MAHON. I yield to the distinguished gentleman from Iowa.

Mr. GROSS. The gentleman has spoken of waiving points of order on this bill, but I do not believe he mentioned the waiving of clause 6 of rule 21 with respect to the requirement that a bill be made available 3 calendar days and in printed form before consideration on the floor of the House.

This leads me to point out to the gentleman that yesterday afternoon for the first time I was able to obtain a copy of the committee print. Only this morning was I able to obtain a copy of the numbered bill. The committee print of yesterday afternoon contains a provision with respect to foreign military assistance and economic assistance:

Provided, That this appropriation shall be available only upon enactment into law of authorizing legislation.

My question to the gentleman is: Why was this dropped out of the numbered bill that was made available only this morning?

Mr. MAHON. The gentleman has asked a good question. The reason why it was dropped is that the House, by a vote of better than two to one, on yesterday indicated its interest in providing these funds to help wind down the war in Vietnam, hopefully, and to move toward greater stability, if possible, in the Middle East. So this was the basis for the action. It was the feeling that the House apparently would embrace and has now embraced, as of yesterday, the President's request for the authorization of about $500 million for military and economic assistance.

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

Mr. MAHON. I am glad to yield further.

Mr. GROSS. I respectfully suggest to the gentleman—and I am sure he is well aware of it—that this language, "available only upon enactment into law of authorizing legislation," means that the legislation must be passed by both branches of Congress and signed by the President of the United States. It is not a question of what the House did yesterday; it is a question of whether the authorizing legislation has been placed before the President and he has signed it. That is the requirement of the rule, that the authorizing legislation first become law.

Mr. MAHON. Well, we worked in close contact with the Committee on Foreign Affairs headed by the able gentleman from Pennsylvania, and when it became apparent the authorization bill would be taken up on the floor before this supplemental appropriation bill, when it became apparent that the rule would be granted, and when it became apparent to the Appropriations Committee that the authorization bill would pass, then we felt at liberty to delete the provision because we anticipated that that would be the will of the House. Of course, if the appropriation bill is enacted into law it will become the law and the funds will become available, because it also will be in a sense an authorization bill.

Mr. GROSS. If the gentleman will yield further and briefly, the liberties he speaks of are the very things for which I am speaking, that is, the liberties of the Members of the House of Representatives to use the rules of the House in the consideration of legislation.

This is the point I have been striving to make and others have been striving to make around here for a long time. This is shabby treatment of the rule book in the House of Representatives.

I say to the gentleman, if he will further indulge me for just a moment, I am about ready to suggest that an electronic device be installed at the place of residence of each Member of the House of Representatives—whereby the Member can just roll over in bed, if he or she wants to stay in bed, and push a button and vote "yes" or "no" on the legislation being called up on the floor of the House of Representatives. I believe it is about time to give consideration to something of that kind if we are going to set aside the working rules of the House of Representatives every time we turn around.

Mr. MAHON. Of course, the rules of the House provide the mechanisms in order for the House to work its will, and the House will have its opportunity today, as it did yesterday, to work its will on these measures.

I must say to my friend from Iowa that I usually undertake to get an early copy of the report and the bill to the gentleman from Iowa, because I know of his great interest and diligent work, and I must say it is effective and helpful work in connection with our appropriation bills. I am not at all critical of the gentleman's interest in seeing to it that we give due consideration to all legislation, and certainly that includes the appropriation bills.

INDEMNITY PAYMENTS TO FARMERS

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

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

Mr. FINDLEY. I thank the chairman for yielding to me.

I asked for this opportunity to raise a question or two about chapter I. I was surprised to see the supplemental provides $300,000 for indemnity payments to dairy farmers, which seems to me discriminates against the provisions of the same act of 1970 which authorizes indemnity payment for bee keepers. Why was no fund set up from which indemnity claims for the bee industry could be paid on the same basis?

Mr. MAHON. The gentleman who is best advised on this subject is the gentleman from Mississippi, and I yield to him.

Mr. WHITTEN. May I say to the gentleman this amendment was not offered by me or the subcommittee, but, as the gentleman knows, we have now provision for the payment of indemnities under certain circumstances for which a fund of $250,000 has just been appropriated which means that if the dairy producer can show he was without fault in having milk that was later condemned, and thereby becomes eligible for the value of that which was destroyed at the instance of the Government, there is a fund from which he can be paid.

Mr. FINDLEY. But why was it not done with regard to bees?

Mr. WHITTEN. In the legislative bill that was passed, processers were made entitled to a payment under certain circumstances. This fact was called to the attention of the committee and there was an amendment offered by the gentleman from Wisconsin (Mr. OBEY) which put processors now included with dairy producers, in the authorization. The provision here puts them on the same basis so far as availability of funds is concerned. The other items in the legislative bill will have to be dealt with in another supplemental when one is called for. It does not provide for the payment for all condemned processed dairy products. It sets up a fund so that, if it should be shown through adjudication they are entitled to it, then we provide here a fund that would be available to be used for that purpose. However, that was the amendment that was considered, and it was accepted by the committee.

Mr. FINDLEY. May I ask a further question? Judging from what the gentleman said, I would assume there was no request from the Department for this sum of money and there was no showing of claims in this amount to justify the allocation of a fund in this magnitude. Is that correct?

Mr. WHITTEN. Insofar as I know, there was no budgeted item and the Bureau of the Budget did not recommend it and the Department of Agriculture did not recommend it, so far as I know.

I would also point out that the legislation itself was signed only a few days ago, so undoubtedly the lack of time is the primary reason why it was not.

Mr. FINDLEY. If I may proceed for a moment further, may I have just one moment?

Mr. MAHON. I yield to the gentleman for a question.

Mr. FINDLEY. I am afraid we are entering pretty dangerous waters with reference to these indemnity payments. That is why I bring up the subject. I fear we are adding to our difficulties by laying out a sum of even $300,000 which in my opinion is going to be an invitation to dairymen to make claims against that sum.

I would think it would be far more logical and responsible on the part of the Congress not to provide any funds at this stage, but wait until the regular appropriation process is undertaken when the annual appropriation comes along. In the meantime, let the dairy interests and the bee interests and the other cyclamates, whatever they may be, try to make a case for their claims. I hope we will go very slowly in this field of providing for indemnity claims. This represents a tremendous potential for raids on the U.S. Treasury.

For this reason, I think this ought to be stricken from the appropriation bill.

Mr. WHITTEN. May I point out again to the gentleman that this language, although I did not have the privilege of adding it, was to establish a fund to be made available for payment where such payment was determined to be necessary. So, this does not free any claimant from having to prove his claim and have it adjudicated. If the law was passed and the adjudication were made, the Congress would have to meet the payment. Here we have set up a fund to take care of such claims. I was asked yesterday in the committee because of some question about this matter, why we could not wait until the next bill comes up in order to deal with this subject. I do not want the subcommittee to have that responsibility and I do not think it is my own responsibility to make the determination that we wait until the next appropriation bill. This year the appropriation bill passed in the House and so far as I know in the bill we passed we provided for authorization to set conditions under which they would be entitled to make claim for payment. As it is presently written they would have to wait a year in order to get it.

Mr. FINDLEY. To that I will say just two things: First of all, the establishment of this fund is an invitation to claims and, second, if there is validity to the point which the gentleman made, we ought to make the same provision for the bee industry as we are making for the dairymen.

Mr. WHITTEN. I will say to the gentleman that the gentleman is a very active Member and if he feels that way, I am sure he will get his pad and pencil out and get busy in an effort to bring it into line with the gentleman's thinking. This was proposed to the committee and we thought we ought to pay it.

Mr. FINDLEY. Could the gentleman give me some idea as to the extent of claims that can be filed under the dairy provisions?

Mr. WHITTEN. There are only two about which I know that have claims for damages, according to a letter which we have received from the Secretary of the Department of Agriculture. These two claims, he said, that the entire payments during the last fiscal year were only $175,000. So, may I say at this point that some of our people have gotten so excited about all the additions and conditions of various milk products and other commodities that we have lost sight of the question as to whether it does injury or not. So, I am inclined to agree with the gentleman that I am disturbed as to just what this will lead to, but the Congress passed the act and the act requires that certain proof be made before payments will be made under this fund.

It is my judgment that the funds already available would not be any more invitation than the law is itself and if the adjudication is made, we would have to provide the money with which to pay it.

Mr. MAHON. Mr. Chairman, it is true that the appropriation bill for agriculture was sent to the President for his approval just this week. This was done despite the fact that long before the beginning of the fiscal year, the House had passed an appropriation bill for agriculture. However, final action on the bill by the House and Senate conferees was deferred and delayed until we had a new farm program bill. For that reason, there was a long delay in enacting into law this appropriation bill for the Department of Agriculture.

I share somewhat the concern of the gentleman from Illinois with respect to payments and more especially with respect to appeals and applications for payments that must be made.

We want—and I would like to say this for the record and for the legislative history of it—we want the program operated with the greatest of care and efficiency. We do not want any bogus claims acted upon favorably. This small gesture in this bill should not of course be misinterpreted to mean we are inviting claims to be presented.

Mr. ANDREWS of North Dakota. Mr. Chairman, will the gentleman yield?

Mr. MAHON. I yield to the gentleman from North Dakota.

Mr. ANDREWS of North Dakota. Mr. Chairman, I think what we are trying to point out is that if this is supposed to be the land of milk and honey maybe the beekeepers are getting stung.

Mr. MAHON. That is well stated, but let us not disparage bees and honey, because without those we would be in a sad state of affairs.

DRUG ABUSE PREVENTION CONTROL ACT

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

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

Mr. KOCH. Mr. Chairman, I would like to direct my questions to the distinguished gentleman from Pennsylvania (Mr. FLOOD) whose subcommittee has jurisdiction over this particular matter.

First, I notice in going through the supplemental bill that the $43 million authorized for title I of the Comprehensive Drug Abuse Prevention and Control Act of 1970 for rehabilitation, treatment, prevention, and education programs is not funded, and I wonder why the omission, and ask whether that will be corrected.

Mr. FLOOD. Mr. Chairman, if the gentleman will yield, I am very glad the gentleman raised that question, and I am glad the gentleman is not doing it in the form of an amendment, because I have reason of course to believe that such an amendment under the circumstances this late in the year would cause me to ask for its defeat. I am in favor of the program, and that might jeopardize it.

Heaven knows what will happen in conference. I understand that certain Senators are interested in this, and will propose it. I certainly am. But I know the position of the gentleman from New York, on the frightful narcotic situation, especially in the big cities of our Nation.

I would like to say to the gentleman—and I think the record will show this, that I am very concerned about this drug problem, as are the other members of the Loln-HEW Appropriations Subcommittee.

We intend to bring out a separate appropriations bill for education programs next year, just as we did this year.

We intend to do this very early in the next session of Congress. I invite the gentleman to appear, and I would like the gentleman's mayor to appear. We would like to hear their views on this matter.

I think the gentleman should also know that I will request permission to insert a table in the record for the gentleman to show to his people and to his mayor, demonstrating that HEW will spend about $55 million on combatting drugs and drug addiction in fiscal year 1971, just that one thing. HEW is already supporting—and I mean they are supporting—efforts to develop community-based educational resources, to deal with these problems of drug abuse—and the gentleman's area has special problems.

In 1970 NIMH spent $1.8 million for public information and education programs. The Office of Education spent about $3.5 million on this very thing, to train school personnel—which is what the gentleman has in mind, in the fundamentals in drug education. This must be done. It has never been done properly.

In 1971 NIMH has budgeted $2.2 million, and the Office of Education $600,000 for training teachers. They have asked school districts to direct grants which they receive under titles I and III of the Elementary and Secondary Education Act toward projects and activities in drug abuse education.

There is nothing with which we are more concerned at this time than this problem of drugs and narcotics, especially among our schoolchildren.

Mr. KOCH. Mr. Chairman, if the gentleman will yield further so I may make a brief observation to the gentleman from Pennsylvania——

Mr. MAHON. I yield further to the gentleman from New York.

Mr. FLOOD. If the gentleman will yield, I am glad the gentleman brought this up. And, by the way, I am going to insert a table in the RECORD which is for the benefit of Members like the gentleman from New York, to assist them on this very serious problem.

Mr. KOCH. The reason why I would hope that the gentleman would actively support in the conference this $43 million, in addition to all of the other ongoing programs, is because of the great seriousness of this situation involving what has become a drug epidemic—and it is not just New York City that is suffering its effects.

Mr. FLOOD. I understand.

Mr. KOCH. There are an estimated 200,000 drug addicts in our country, at the very least, and that is an approximation—it is probably higher. I have received figures from the addiction services administration, the New York department in charge of this matter, that show that in New York City for 1970 up to November 19, 960 people have died of drug addiction, of which 192 were teenagers, and 768 were adults.

Mr. FLOOD. I have those figures.

Mr. KOCH. The important thing is that the city of New York is not able to cope with the problem with the limited funds that are available. And if the gentleman will just bear with me for one minute for an additional comment, let me say that yesterday we passed an amendment that the gentleman from New Jersey (Mr. RODINO) offered which would have barred foreign aid from countries which permit the opium poppy to be grown and heroin to be exported. And, yet, the major solutions in the areas of rehabilitation treatment and education are not at the moment adequately funded and I would urge you to do what you can in the conference committee to fund them.

Mr. FLOOD. Let me say this. The gentleman from Texas is the chairman of the Subcommittee on Appropriations for the Department of Defense and I have served on that since it was born and you know of the terrible problem that we are encountering with returning veterans. We know the problem and we were shocked last year by the testimony that we had before the Labor-HEW Subcommittee on the existence of drug addiction in the elementary schools. We are aware of this and we are badly disturbed by this.

We intend to go into this in our hearings next year and we certainly hope that you people and the mayors will come to those hearings.

Mr. MAHON. Mr. Chairman, I yield to the gentleman from Pennsylvania (Mr. FLOOD) such time as he might desire.

Mr. FLOOD. Mr. Chairman, I have no further need for time. But I think it is clear how the subcommittee certainly feels and I believe the House feels that way, too. We certainly intend to give very, very special attention to this problem in next year's hearings.

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

Mr. FLOOD. I yield to the gentleman.

Mr. MICHEL. Did I understand the gentleman from Pennsylvania to say that he was incorporating in his extension of remarks or in his remarks that table of information?

Mr. FLOOD. Yes, I have the table as does the gentleman from Illinois and I shall insert it in the RECORD for the information of our colleagues who are greatly concerned about this matter.

The table follows:

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE ESTIMATED OBLIGATIONS FOR NARCOTIC ADDICTION AND DRUG ABUSE ACTIVITIES

	1970	1971
National Institute of Mental Health:		
Research:		
Research grants	13,895,000	$15,800,000
Research contracts	1,600,000	1,738,000
Instramural research	768,000	788,000
Manpower development:		
Training grants	500,000	900,000
Fellowships	89,000	200,000
Training contracts	1,000,000	1,000,000
Community narcotic addiction rehabilitation	8,000,000	9,900,000
Inpatient care—Fort Worth and Lexington clinical research centers	10,689,000	10,911,000
NARA community aftercare services	4,477,000	7,194,000
Public information and education	1,807,000	2,150,000
Program direction and management	1,536,000	1,585,000
Total	44,361,000	52,166,000
Social and Rehabilitation Service	1,614,000	2,464,000
Office of Education	3,500,000	600,000
Total	49,475,000	55,230,000

HELIUM PROGRAM

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

Mr. MAHON. I yield to the gentleman.

Mr. PIKE. I may be reading this report wrong but as I look at the report at page 23 when you are talking about helium, there is a provision in here for $50 million for the purchase of helium—at a time when we have a 37-year supply. Can that be right? Or do I misunderstand the report?

Mr. MAHON. I yield to the gentlewoman from Washington, the chairman of the Subcommittee on Interior Appropriations, for comment in regard to the question.

Mrs. HANSEN of Washington. May I say to the gentleman from New York that the Federal Government is currently procuring helium under 4 contracts that were initiated in 1961 when it was determined that this Nation should have a helium conservation policy. A summary of helium production under these contracts follows:

SUMMARY OF HELIUM PURCHASES BY BUREAU OF MINES UNDER HELIUM CONSERVATION PROGRAM

[Volume in thousand cubic feet; dollar amounts in thousands]

Item	Contractor				
	Cities Service Helex, Inc., Ulysses, Kans.	National Helium Corp., Liberal, Kans.	Northern Helex Co., Bushton, Kans.	Phillips Petroleum Co.[1]	Total
Date of contract	Aug. 22, 1961	Oct. 13, 1961	Aug. 15, 1961	Nov. 13, 1961	
Maximum annual obligation	$9,100	$15,200	$9,500	$13,700	$47,500
Date of 1st helium delivery	June 25, 1963	Oct. 13, 1963	Dec. 7, 1962	Dec. 31, 1962	
Summary of operations:					
Fiscal year 1963:					
Volume[2]	3,613		85,595	227,852	317,060
Payment[2]	$63.3		$957.6	$2,339.7	$3,360.6
Fiscal year 1964:					
Volume	308,375	1,053,436	336,521	923,555	2,621,887
Payment	$3,653.3	$12,404.4	$3,762.5	$9,468.8	$29,289.0
Fiscal year 1965:					
Volume	534,108	1,211,182	544,423	980,024	3,269,737
Payment	$6,336.8	$14,308.5	$6,055.0	$10,080.4	$36,780.7
Fiscal year 1966:					
Volume	658,925	1,277,988	605,009	1,057,166	3,599,088
Payment	$7,844.7	$15,200.9	$6,800.6	$10,955.4	$40,800.7
Fiscal year 1967:					
Volume	759,149	1,255,285	560,802	1,007,059	3,582,295
Payment	$9,100.0	$15,200.0	$6,380.2	$10,618.1	$41,298.3
Fiscal year 1968:					
Volume	745,904	1,230,630	647,877	978,688	3,603,099
Payment	$9,100.0	$15,200.0	$7,506.9	$10,528.8	$42,335.7
Fiscal year 1969:					
Volume	733,016	1,211,754	634,579	995,291	3,574,640
Payment	$9,089.0	$15,200.0	$7,451.6	$10,910.0	$42,650.6
Fiscal year 1970:					
Volume	717,407	1,181,408	611,183	1,007,688	3,517,686
Payment	$9,097.4	$15,198.4	$7,348.1	$11,339.9	$42,983.8
Total					
Volume	4,460,497	8,421,683	4,025,989	7,177,323	24,085,492
Payment	$54,284.5	$102,711.3	$46,262.5	$76,241.1	$279,499.4

[1] Under its contract, Phillips Petroleum Co. constructed and operates 2 helium extraction plants, located at Dumas and Sherman Tex.

[2] Volume, as used herein, is the volume of helium in thousand cubic feet (Mcf) actually purchased by the Bureau of Mines. Payment, is the amount paid for the helium purchased.

The committee on numerous occasions has admonished the Department of the Interior to initiate renegotiation of these contracts in view of the decreasing demand for helium produced under these contracts.

The Department of the Interior has recently been working intensely on this.

Purchase of this helium is a contractual commitment that must be paid for. Interest accrues on delinquent payments for helium delivered under three of the contracts.

The committee felt that by cutting the $6.1 million from the request it would emphasize the need for contract renegotiation.

Mr. PIKE. Mr. Chairman, if the gentleman will yield further, then the fact is that under some contracts which apparently have been in existence for some length of time we continue to be committed to buying helium that we already have a 37-year supply of—is that the yes or no of it?

Mrs. HANSEN of Washington. The gentleman is completely correct. And the committee has been disturbed for some time about this problem. For example, in the hearings on February 25, 1969, the following discussion took place:

COSTS OF TERMINATING HELIUM PROCUREMENT CONTRACTS

Mrs. HANSEN. What would be the liquidated damages, if any, under the existing four procurement contracts if the Government decided it had stored sufficient helium and reduced its purchases under existing contracts considerably?

Mr. WHEELER. We have estimated that, if we should terminate all four contracts, the liquidation costs could be as high as $50 million. It might not be that much, depending on whether or not the companies would wish to retain the facilities. If we should be required to buy the facilities, it might cost us as much as $50 million.

House Report No. 91–361, dated July 10, 1969, from the committee, contained the following comment:

When the helium fund was originally activated, it was anticipated this program would be more or less self supporting through sales of helium to various consumers. This has not occurred. For the past few years the Committee has been called on to approve requests for more and more loan authority to offset increasing deficits in program operations due to the decline in helium sales.

The Committee is becoming concerned with regard to the practicability of the continuance of this program on its present basis. In an effort to learn what corrective action was anticipated, the Committee questioned the witnesses closely in hearings on this program. The only information the Committee received was that the program was being studied. To date, the Committee has received no reports on study results.

An overall review in depth of this program should be made, primarily to redetermine what the national policy should be with regard to the conservation program for helium in the coming years.

Again in House Report 91–1095, dated May 14, 1970, the committee stated:

HELIUM FUND

While the 1971 budget estimate did not contain a request for additional borrowing authorization for the helium program, the committee had occasion in several instances to review the operations of the program. For the last several years the helium program has experienced numerous difficulties for various reasons. This committee frequently has expressed its concern with the operation of the program. The situation continues to become more acute and until very recently the committee has been unable to discern any specific action by those responsible for the administration of the program to resolve the problem.

When the Director of the Bureau of Mines appeared before this commitee on Tuesday, February 25, 1969, he advised the committee that the Department was making a thorough review of the helium program which in his opinion was overdue. He stated that preliminary reviews were sufficient to indicate that the Department had some questions that required very careful exploration, particularly with regard to the demand estimates which were the predicate of the helium program and with regard to the share of the U.S. helium market that is supplied by the Bureau of Mines.

On September 10, 1969, the Comptroller General issued a report (B–114812) that was quite critical of the helium program operations.

Notwithstanding the foregoing, it was not until Thursday, May 7, 1970, the committee received informal information that the Department of Interior had finally arrived at a decision in this connection and was initiating action for revision of the helium procurement program.

In the meantime, the Government has been procuring billions of cubic feet of helium per year under existing contracts with no specific idea of what the eventual utilization will be, and interest costs have been accruing on delinquent payments for the purchase of the helium.

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

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

Mr. HOLIFIELD. The question that has been asked by the gentleman from New York (Mr. PIKE) excited my curiosity, too. Who is buying helium and for what purpose, and why do we have long-term contracts on helium when there has not been extensive use of it for many, many years? We used to use it in the old dirigibles but, as I understand, it is not used very much now, and I understand we have a 37-year supply on hand. Is the Government obligated under such long-term contracts to the point at which it cannot get out of them?

Mrs. HANSEN of Washington. If the gentleman will yield further, Congress enacted legislation for this program.

Mr. HOLIFIELD. For what term are the contracts?

Mrs. HANSEN of Washington. 22 years.

Mr. HOLIFIELD. What?

Mrs. HANSEN of Washington. 22 years.

Mr. HOLIFIELD. With no cancellation clause?

Mrs. HANSEN of Washington. The contracts may be terminated when certain conditions prevail. At this time, it has not been legally established that these conditions exist. To terminate the contracts under conditions other than those prescribed in the contract could subject the government to exorbitant charges. That is why we have been urging the renegotiation of the contracts.

A summary of the contract termination provisions follows:

TERMINATION PROVISIONS OF HELIUM CONSERVATION CONTRACTS

1. *Cities Service Helex, Inc.* (Contract #14-09-0060-2424)

"Buyer may, at its option, terminate this contract at any time if any of the following circumstances or any other circumstance of similar nature should occur which, in the opinion of the Secretary of the Interior, would make the continued operation of Seller's plant and the continued purchase of helium-gas mixture extracted therein unnecessary to accomplish the purposes of the Act or any amendments thereto: (1) the discovery of large new natural helium resources, or (2) a substantial diminution in helium requirements. Upon such termination, the provisions of paragraph 13.1 shall apply."

2. *National Helium Corporation* (Contract #14-09-0060-2429)

"Buyer may, at its option, terminate this contract at any time if (1) in the opinion of the Secretary of the Interior, the discovery of large new helium resources or a substantial diminution in helium requirements or any circumstance of similar nature should occur which would make the continued operation of Seller's plant and the continued purchase of helium-gas mixture extracted therein unnecessary to accomplish the purposes of the Act or any amendment thereto, or (2) a material circumstance of force majeuer making it impracticable or impossible for Buyer or Seller to carry out its obligations under this contract which circumstance cannot be remedied with reasonable dispatch."

3. *Northern Helex Company* (Contract No. 14-09-0060-2421)

"The United States may terminate this contract at any time if any of the following circumstances or any other circumstance of similar nature should occur which, in the opinion of the Secretary of the Interior, would make the continued operation of Seller's plant and the continued purchase of helium-gas mixture extracted therein unnecessary to accomplish the purposes of the Act or any amendments thereto: (1) the discovery of large new natural helium resources, or (2) a substantial diminution in helium requirements. Upon such termination, the provisions of paragraphs 9.4, 12.3, and 13.1 shall apply."

4. *Phillips Petroleum Company* (Contract No. 14-09-0060-2434)

"Buyer may, at its option, terminate this contract at any time as to the Dumas Plant with the Cactus-Dumas Pipelines and/or the Sherman Plant if any of the following circumstances or any other circumstance of similar nature should occur which, in the opinion of the Secretary of the Interior, would make the continued operation of either or both of Seller's plants and the continued purchase of helium-gas mixture extracted therein unnecessary to accomplish the purposes of the Act or any amendments thereto: (1) the discovery of large new natural helium resources, or (2) a substantial diminution in helium requirements. Upon such termination, the provisions of paragraph 13.1 shall apply."

Mr. HOLIFIELD. This accents the need of a study of procurement practices by this Government. I can hardly conceive of our going into 22-year contracts for something that we do not need and not have adequate cancellation clauses in them. If there were termination penalties, at least, we would be in better shape than we are.

Mrs. HANSEN of Washington. If the distinguished gentleman will yield further, that is what has disturbed the committee with regard to the helium contracts.

Mr. MAHON. Mr. Chairman, there was a time when NASA required a great amount of helium. Helium, of course, is a very important element. The Government entered into these long-range contracts at a time when the demand for helium was greater than it is now. Of course, research is currently underway that could greatly increase the demand for helium in the future. I am told there are great possibilities in the field of cryogenics.

Efforts are being made to negotiate settlements in the best interests of the Government. I will read a statement entitled "Status of Helium Contract Negotiations" from the Department of the Interior:

STATUS OF HELIUM CONTRACT NEGOTIATIONS

Since May 8, 1970, twenty-three negotiating sessions have been held by the Department of the Interior with the helium conservation contractors on an individual basis. The agreement which has been reached with one company is under review in the Office of Management and Budget. If that office finds the agreement acceptable, a similar contract will be sent to each of the other three contractors. Acceptance of the revised contract would reduce the annual cost of the helium conservation program by 36.5 percent. However, it is not yet known whether the revised contract will be acceptable to the remaining three companies.

Mr. MAHON. For the sake of general information, I think it would be well to insert in the RECORD at this point the 1960 law relating to the helium program:

PUBLIC LAW 86-877, 86TH CONGRESS, H.R. 10548, SEPTEMBER 13, 1959

An act to amend the Helium Act of March 3, 1925, as amended, for the defense, security, and the general welfare of the United States

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Helium Act Amendments of 1960."

SEC. 2. The Act entitled "An Act authorizing the conservation, production, and exploitation of helium gas, a mineral resource pertaining to the national defense, and to the development of commerical aeronautics, and for other purposes", approved March 3, 1925 (43 Stat. 1110), as amended, is amended to read as follows:

"That this Act may be cited as the 'Helium Act'.

"SEC. 2. As used in this Act:

"(1) The term 'Secretary' means the Secretary of the Interior;

"(2) The term 'person' means any individual, corporation, partnership, firm, association, trust, estate, public or private institution, or State or political subdivision thereof; and

"(3) The terms 'helium-bearing natural gas' and 'helium-gas mixture' mean, respectively, natural gas and gas mixtures containing three-tenths of 1 per centum or more of helium by volume.

"SEC. 3. (a) For the purpose of conserving, producing, buying, and selling helium, the Secretary is authorized—

"(1) to acquire by purchase, lease, gift, exchange, or eminent domain, lands or interests therein or options thereon, including but not limited to sites, rights-of-way, and oil or gas leases containing obligations to pay rental in advance or damages arising out of the use and operation of such properties; but any such land or interest in lands may be acquired by eminent domain only when the Secretary determines (A) that he is unable to make a satisfactory agreement to acquire such land or interest in land, and (B) that such acquisition by eminent domain is necessary in the national interest;

"(2) to make just and reasonable contracts and agreements for the acquisition, processing, transportation, or conservation of helium, helium-bearing natural gas, or helium-gas mixtures upon such terms and conditions, and for such periods, not exceeding twenty-five years, as may be necessary to accomplish the purposes of the Act, except that the Secretary shall not make such contracts and agreements which shall require payments by the Government in any one fiscal year aggregating more than the amount which shall be established initially in an appropriation Act and which may be increased from time to time in appropriation Acts, or if the Secretary—

"(A) determines that the national interests require the conservation of certain helium or require certain helium-bearing natural gas or certain helium-gas mixture for the production or conservation of helium, and

"(B) determines that he is unable to acquire such helium, helium-bearing natural gas, or helium-gas mixture upon reasonable terms and at the fair market value,

he is authorized to acquire by eminent domain such helium and so much of such helium-bearing natural gas or helium-gas mixture as is necessarily consumed in the extraction of such helium after removal from its place of deposit in nature and wherever found, or the temporary use of such helium-bearing natural gas or helium-gas mixture for the purpose of extracting helium, together with the appropriate interest in pipelines, equipment, installations, facilities, personal or real property, including reserves, easements or other rights necessary or incident to the acquisition of such helium, natural gas, or mixture, but the condemnation of any such helium, helium-bearing natural gas, or helium-gas mixture, shall be effected in the same manner and following the procedures established in section 8(a) of this Act, the just compensation for such condemnation to be measured by terms and prices determined to be commensurate with the fair market value, and in the temporary use of any helium-bearing natural gas or helium-gas mixture for the purpose of extracting helium the Secretary shall cause no delay in the delivery of natural gas to the owner, purchaser, or purchasers thereof, except that required by the extractive processes;

"(3) to construct or acquire by purchase, lease, exchange, gift or eminent domain, plants, wells, pipelines, compressor stations, camp buildings, and other facilities, for the production, storage, purification, transportation, purchase, and sale of helium, helium-bearing natural gas, and helium-gas mixtures: and to acquire patents or rights therein and reports of experimentation and research used in connection with the properties acquired or useful in the Government's helium operations;

"(4) to dispose of, by lease or sale, property, including wells, lands, or interests therein, not valuable for helium production, and oil, gas, and byproducts, of helium operations not needed for Government use, except that property determined by the Secretary to be 'excess' within the meaning of section 3(e) of the Federal Property and Administrative Services Act of June 30, 1949 (60 Stat. 378; 40 U.S.C. 472(e)), as amended, shall be disposed of in accordance with the provisions of that Act; and to issue leases to the surface of lands or structures thereon for grazing or other purposes when the same may be done without interfering with the production of helium; and

"(5) to accept equipment, money, and other contributions from public and private sources and to prosecute projects in cooperation with other agencies, Federal, States, or private.

"(b) Any known helium-gas-bearing land on the public domain not covered at the time by leases or permits under the Mineral Lands Leasing Act of February 25, 1920, as amended, may be reserved for the purposes of this Act, and any reservation of the ownership of helium may include the right to extract, or have extracted, such helium, under such rules and regulations as may be prescribed by the Secretary, from all gas produced from lands so permitted, leased, or otherwise granted for development, except that in the extraction of helium from gas produced from such lands, it shall be extracted so as to cause no delay, except that required by the extraction process, in the delivery of gas produced from the well to the purchaser or purchasers thereof at the point of delivery specified in contracts for the purchase of such gas. If any reserved rights of ownership and extraction of helium are not exercised before production of any helium-bearing natural gas or any helium-gas mixture, the Secretary is authorized to acquire such helium in accordance with section 3 (a)(2) of this Act.

"(c) All contracts and agreements made by the Secretary for the acquisition of helium from a private plant shall contain a provision precluding the plant owner from selling any helium to any purchaser other than the Secretary at a price lower than the lowest price paid by any Government agency for helium acquired from any private plant under any contract entered into pursuant to this section and outstanding at the time of such sale.

"SEC. 4. The Secretary is authorized to maintain and operate helium production and purification plants together with facilities and accessories thereto; to acquire, store, transport, sell, and conserve helium, helium-bearing natural gas, and helium-gas mixtures, to conduct exploration for and production of helium on and from the lands acquired; leased, or reserved; and to conduct or contract with public or private parties for experimentation and research to discover helium supplies and to improve processes and methods of helium production, purification, transportation, liquefaction, storage, and utilization: *Provided, however,* That all research contracted for, sponsored, cosponsored, or authorized under authority of this Act shall be provided for in such a manner that all information, uses, products, processes, patents and other developments resulting from such research developed by Government expenditure will (with such exceptions and limitations, if any, as the Secretary may find to be necessary in the interest of national defense) be available to the general public: *And provided further,* That nothing contained herein shall be construed as to deprive the owner of any background patent relating thereto to such rights as he may have thereunder.

"SEC. 5. (a) Whenever the President determines that the defense, security, and general welfare of the United States requires such action, the Secretary shall issue such regulations as he deems necessary for the licensing of sales and transportation of helium in interstate commerce after extraction from helium-bearing natural gas or helium-gas mixtures. Thereafter it shall be unlawful for any person to sell or transfer helium in interstate commerce except in accordance with such regulations or pursuant to the terms of a license issued by the Secretary, or in accordance with the terms of a contract or agreement with the Secretary entered into pursuant to this Act. For the purpose of this section, the term 'helium' shall mean helium, after extraction from helium-bearing natural gas or helium-gas mixtures, in a refined or semirefined state suitable for use.

"(b) Each license shall be issued for a specified period to be determined by the Secretary, but not exceeding five years, and may be renewed by the Secretary upon the expiration of such period. No such license shall be issued to a person if in the opinion of the Secretary the issuance of a license to such person would be inimical to the defense and security of the United States. No such license shall be assigned or otherwise transferred directly or indirectly except with the consent or approval of the Secretary in writing. Any such license may be revoked for any material false statement in the application for license, or for violation or a failure to comply with the terms and provisions of this Act, the regulations issued by the Secretary pursuant thereto, or the terms of the license.

"(c) In issuing licenses under this section the Secretary shall impose such regulations and terms of licenses as will permit him effectively to promote the common defense and security as well as the general welfare of the United States. The licensing authority herein granted shall be used solely for the purpose of preventing the transportation or sale of helium for end uses determined by the Secretary to be nonessential or wasteful, and any determination that any end use is nonessential or wasteful shall be published in the form of general regulations applicable to all transportation or sales of helium.

"(d) Whenever Congress or the President declares that a war or national emergency exists, the Secretary is authorized to suspend any license granted under this Act if in his judgment such suspension is necessary to the defense and security of the United States, and he is further authorized to take such steps as may be necessary to recapture or reacquire supplies of helium.

"SEC. 6. (a) The Department of Defense, the Atomic Energy Commission, and other agencies of the Federal Government, to the extent that supplies are readily available, shall purchase all major requirements of helium from the Secretary.

"(b) The Secretary is authorized to sell helium for Federal, medical, scientific, and commercial uses in such quantities and under such terms and conditions as he determines.

"(c) Sales of helium by the Secretary shall be at prices established by him which shall be adequate to cover all costs incurred in carrying out the provisions of this Act and to repay to the United States by deposit in the Treasury, together with interest as provided in subsection (d) of this section, the following:

"(1) Within twenty-five years from the date of enactment of the Helium Act Amendments of 1960, the net capital and retained earnings of the helium production fund (established under section 3 of this Act prior to amendment by the Helium Act Amendments of 1960), determined by the Secretary as of such date of enactment, plus any moneys expended thereafter by the Department of the Interior from funds provided in the Supplemental Appropriation Act, 1959, for construction of a helium plant at Keyes, Oklahoma;

"(2) Within twenty-five years from the date of borrowing, all funds borrowed, as provided in section 12 of this Act, to acquire and construct helium plants and facilities; and

"(3) Within twenty-five years from the date of enactment of the Helium Act Amendments of 1960, unless the Secretary determines that said period should be extended for not more than ten years, all funds borrowed, as provided in section 12 of this Act, for all purposes other than those specified in clause (2) above.

"(d) Compound interest on the amounts specified in clauses (1), (2), and (3) of subsection (c) which have not been paid to the Treasury shall be calculated annually at rates determined by the Secretary of the Treasury taking into consideration the current average market yields of outstanding marketable obligations of the United States having maturities comparable to the investments authorized by this Act, except that the interest rate on the amounts specified in clause (1) of subsection (c) shall be determined as of the date of enactment of the Helium Act Amendments of 1960, and the interest rate on the obligations specified in clauses (2) and (3) of subsection (c) as of the time of each borrowing.

"(e) Helium shall be sold for medical purposes at prices which will permit its general use therefor; and all sales of helium to non-Federal purchasers shall be upon condition that the Federal Government shall have a right to repurchase helium so sold that has not been lost or dissipated, when needed for Government use, under terms and at prices established by regulations.

"(f) All moneys received under this Act, including moneys from sale of helium or other products resulting from helium operations and from the sale of excess property shall be credited to the helium production fund, which shall be available without fiscal year limitation, for carrying out the provisions of this Act, including any research relating to helium carried out by the Department of the Interior. Amounts accumulating in said fund in excess of amounts the Secretary deems necessary to carry out this Act and contracts negotiated hereunder shall be paid to the Treasury and credited against the amounts required to be repaid to the Treasury under subsection (c) of this section.

"SEC. 7. The Secretary of Defense and the Chairman of the Atomic Energy Commission may each designate representatives to cooperate with the Secretary in carrying out the purposes of this Act, and shall have complete right of access to plants, data, and accounts.

"SEC. 8. (a) Proceedings for the condemnation of any property under section 3 of this Act shall be instituted and maintained pursuant to the provisions of the Act of August 1, 1888 (25 Stat. 357; 40 U.S.C. 257), as amended, and sections 1358 and 1403 of title 28 of the United States Code, or any other Federal statute applicable to the acquisition of real property by eminent domain. The Acts of February 26, 1931 (46 Stat. 1421; 40 U.S.C. 258a–258e), and October 21, 1942 (56 Stat. 797; 40 U.S.C. 258f), shall be applicable to any such proceedings. Wherever the words 'real property', 'realty', 'land', 'easement', 'right-of-way', or words of similar meaning, are used in such code provisions or Acts relating to procedure, jurisdiction, and venue, they shall be deemed, for the purpose of this Act, to include any personal property authorized to be acquired hereunder.

"(b) In the event of disposal under section 3(a)(4) of this Act of any property acquired by eminent domain pursuant to this Act, the former owner or successor in interest of the rights therein shall have the preferential right to reacquire such property on terms as favorable as those terms whereby disposition may be made under such section.

"SEC. 9. The Secretary is hereby authorized to establish and promulgate such rules and regulations, as are consistent with the directions of this Act and are necessary to carry out the provisions hereof.

"SEC. 10. (a) The provisions of the Administrative Procedure Act of June 11, 1946 (60 Stat. 637; 5 U.S.C. 1001–1011), as amended, shall apply to any agency proceeding and any agency action taken under this Act, including the issuance of rules and regulations, and the terms 'agency proceeding' and 'agency action' shall have the meaning specified in the Administrative Procedure Act.

"(b) In any proceeding under this Act for the granting, suspending, revoking, or amending of any license, or application to transfer control thereof, and in any proceeding for the issuance or modification of rules and regulations dealing with the activities of licensees, the Secretary shall grant a hearing upon the request of any person whose interest may be affected by the proceeding, and shall admit any such person as a party to such proceeding. Any final order entered in any such proceedings shall be subject to judicial review in the manner prescribed in the Act of December 29, 1950 (64 Stat. 1129; 5 U.S.C. 1031–1042), as amended, and to the provisions of section 10 of the Administration Procedure Act.

"SEC. 11. The provisions of the Natural Gas Act of June 21, 1938 (52 Stat. 821; 15 U.S.C. 717–717w), as amended, shall not be applicable to the sale, extraction, processing, transportation, or storage of helium either prior to or subsequent to the separation of such helium from the natural gas with which it is commingled, whether or not the provisions of such Act apply to such natural gas, and in determining the rates of a natural gas company under sections 4 and 5 of the Natural Gas Act, as amended, whenever helium is extracted from helium-bearing natural gas, there shall be excluded (1) all income received from the sale of helium; (2) all direct costs incurred in the extraction, processing, compression, transportation or storage of helium; and (3) that portion of joint costs of exploration, production, gathering, extraction, processing, compression, transportation or storage divided and allocated to helium on a volumetric basis.

"SEC. 12. (a) The Secretary is authorized to borrow annually from the Treasury and credit to the fund established under section 6(f) of this Act such amounts as may be authorized in the initial appropriation Act and which may be increased from time to time in appropriation Acts and as are necessary to carry out the provisions of this Act and contractual obligations hereunder.

"(b) For the purpose of this section the Secretary may issue to the Secretary of the Treasury notes, debentures, bonds, or other obligations to be redeemable at the option of the Secretary before maturity in such manner as may be stipulated in such obligations. The Secretary of the Treasury is authorized and directed to purchase any obligations issued by the Secretary under authority of this section and for such purpose the Secretary of the Treasury is authorized to use as a public debt transaction the proceeds from the sale of any securities issued under the Second Liberty Bond Act, as amended, and the purposes for which securities may be issued under the Second Liberty Bond Act, as amended, are extended to include any purchases of obligations of the Secretary hereunder.

"SEC. 13. Whoever willfully violates, attempts to violate, or conspires to violate, any provision of this Act or any regulation or order issued or any terms of a license granted thereunder shall, upon conviction thereof, be punished by a fine of not more than $5,000 or by imprisonment for not more than two years, or both, except that whoever commits such an offense with intent to injure the United States or with intent to secure an advantage to any foreign nation, shall upon conviction thereof, be punished by a fine of not more than $20,000 or by imprisonment for not more than twenty years, or both.

"SEC. 14. Whenever in the judgment of the Secretary any person has engaged or is about to engage in any act or practice which constitutes or will constitute a violation of any provision of this Act, or any regulation or order issued or any term of a license granted thereunder, any such act or practice may be enjoined by any district court having jurisdiction of such person, and proper proceedings to this end may be instituted under the direction of the Attorney General of the United States.

"SEC. 15. It is the sense of the Congress that it is in the national interest to foster and encourage individual enterprise in the development and distribution of supplies of helium, and at the same time provide, within economic limits, through the administration of this Act, a sustained supply of helium which, together with supplies available or expected to become available otherwise, will be sufficient to provide for essential Government activities.

"SEC. 16. The Secretary of the Interior is directed to report annually to the Congress on the matters contained in this Act.

"SEC. 17. If any provision of this Act, or the application of such provision to any person or circumstance, is held invalid, the remainder of this Act or the application of such provision to persons or circumstances other than those as to which it is held invalid, shall not be affected thereby."

SEC. 3. The amendment made by this Act shall become effective on March 1, 1961.

Approved September 13, 1960.

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

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

Mr. VANIK. Will the distinguished chairman or the subcommittee chairman advise the Committee why these contracts that have been entered into could not be placed in the RECORD at this point so that the membership of this body could determine whether or not the contracts are cancelable or terminable without any further negotiation?

Mr. MAHON. I think to do so would too greatly encumber the RECORD.

Mr. VANIK. If it would save millions of dollars, it would be worth putting them in the RECORD at this point.

Mr. MAHON. I think it would probably be too cumbersome to put these technical, lengthy contracts in the RECORD at this point. They can be made available in the committee room or by the Department of the Interior.

Mrs. HANSEN of Washington. Mr. Chairman, will the gentleman yield?

Mr. MAHON. I yield to the gentlewoman from Washington.

Mrs. HANSEN of Washington. Mr. Chairman, the copies of the contracts are on file in our committee room. We did not put them in our hearing record, as the distinguished gentleman from Texas has stated, due to their being cumbersome. On page 53 of the hearings on this bill is a summary of procurement action under these contracts.

Mr. VANIK. Mr. Chairman, will the gentleman yield for just one more question?

Mr. MAHON. For a very brief question I yield.

Mr. VANIK. I would like to know from the distinguished chairman of the committee and the distinguished chairman of the subcommittee whether in their opinion these contracts are not cancelable or terminable.

Mr. MAHON. In my opinion, all contracts can, more or less, be terminated or canceled or breached, and, of course, then the Government could be liable for damages as determined by the courts.

Mr. VANIK. I did not mean to say "breached." I meant legally.

The CHAIRMAN. The Chair recognizes the gentleman from North Carolina (Mr. JONAS).

Mr. JONAS. Mr. Chairman, I do not intend to take much time on this bill. The ranking minority members of the subcommittees are here, and the chairmen of the subcommittees are here. Much of the time has been consumed in general discussion. I think I have plenty of time, and I will be glad to yield to any subcommittee chairman or ranking member if time is needed to discuss individual chapters of the bill.

As we are considering the last supplemental appropriation bill for this session, I think it might be well to point to a development I have called attention to on previous occasions in the committee and in this chamber, which is the disposition on the part of legislative committees and approval by the House to run end runs around the Appropriations Committee. This disposition and this habit is clearly pointed up by what has transpired this year.

The distinguished gentleman from Texas has already informed those here today that at the conclusion of our work this year, in considering bills referred to the Appropriations Committee, we will have reduced the budget by around $1 billion. But it would be very misleading for members to go out of here and report to their constituents that Congress has cut the President's budget by $1 billion, because that is not true. The fact of the matter is that although the Appropriations Committee has in toto achieved a reduction of around $1 billion in bills referred to us—while we were doing this, the House in its wisdom has been increasing the budget authority over and above that requested by the President through mandatory provisions for expenditures and outlays, through backdoor spending, and through other tactics that have bypassed the appropriation process and taken the control of that part of the spending program out from under the Appropriations Committee.

There is a need for all of us to understand that, while the Appropriations Committee has been struggling to achieve a cut in the budget of $1 billion this year, Congress as a whole has increased budget authority over that requested by $5.7 billion. This is brought about by legislative actions other than on Appropriation bills—actions involving the granting of authority for backdoor spending and legislative bills with mandatory spending authorizations—all completely outside the appropriation process.

Nearly a billion dollars of the $5.7 billion just mentioned involves mandatory spending authorizations, which leaves the executive branch no discretion. This is one of the reasons why spending is getting out of control.

We had two examples of this within the past 10 days. We had a housing bill on the floor last week that had a number of provisions in it for backdoor spending. Amendments were offered on the floor, and were agreed to in the Committee of the Whole, to close the backdoor in those instances and to require future funding to go through the regular appropriations process. A similar provision was in a bill considered just a day or so ago, this week, out of the Committee on Agriculture, which set up a revolving fund and permitted the Secretary to use the money created by that revolving fund to defray operating expenses. That takes that program out from under the control of the

Appropriations Committee and out of control of Congress.

As a member of this committee who has fought from the beginning of the session until the end for economy in the committee, I can point with some pride to the fact that we did achieve cuts amounting to about a billion dollars. But I do not want the membership to make the mistake of going out and saying that Congress cut the budget by a billion dollars. That was only the appropriations budget. While we were doing that Congress in other actions was increasing the budget authority to spend money by about $5 billion.

I wish to say that the figures I am citing come from the 1971 Budget Scorekeeping Report prepared by the Joint Committee on Reduction of Federal Expenditures, chaired by my able friend from Texas, the very distinguished chairman of the Committee on Appropriations. These figures cited are not my figures. They are figures taken from the report of the Joint Committee on Reduction of Federal Expenditures. I mention the origin of the figures lest someone might think I have dreamed them up.

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

Mr. JONAS. I am glad to yield to the gentleman from Illinois.

Mr. MICHEL. I appreciate the gentleman's yielding, and I commend him for bringing this matter to the attention of the House.

I might go on a little further on a subject closely akin to that, with respect to an amendment I offered to the health and welfare appropriation bill which was defeated, which would in effect have limited public assistance grants to the States to 110 percent of what we doled out this year. Defeat of that amendment is going to cost us an additional expenditure of $217 million in this fiscal year as of last week, and with the last half of the fiscal year and a little more to go we can expect that figure to go possibly as high as $400 million as we get to the end of the fiscal year. This is another one of these locked-in kinds of expenditures over which we have no control, but for which we simply have to ante up Federal money to match local funds.

Mr. JONAS. I will say only one thing further in connection with this particular point. This has reference to outlays. We have to distinguish between new budget authority which is granted by the Appropriations Committee and the outlays which are required to be made by the executive branch of the Government as a result of legislation action.

Reading from this 1971 Budget Scorekeeping Report to which I have referred, which covers the period January 1, 1970, down to December 1, 1970, it is shown that for fiscal year 1971 congressional actions have increased budget outlays—that means spending—by $2,198,169,000 above outlays proposed in the budget of the President. So it would not be accurate for anybody to go out of here and claim that Congress has reduced the budget even though the Committee on Appropriations has made cuts amounting to $1 billion.

Mr. Chairman, I would be glad to yield some of my time to the gentleman from Texas if he needs additional time.

I have no further requests for time.

Mr. EDMONDSON. Mr. Chairman, I support the bill and commend the Committee on Appropriations for bringing it to the floor.

I have many Indian constituents who will appreciate the committee's action in promptly reporting the administration's request for funds to pay awards of the Indian Claims Commission.

These awards, totaling $37,642,821.60 in this bill, include several major judgments in favor of Oklahoma tribes:

Docket No. 253, the award to the Miami Tribe of Oklahoma, for $1,062,000.

Docket No. 314–D, the award to the Peoria Tribe of Indians of Oklahoma and Amos Robinson Skye on behalf of the Wea, nation, for $1,209,000.

Docket Nos. 105, 106, 107, and 108, the award to the Osage Nation, for $13,250,000.

An additional award, in Docket No. 131 in favor of the Miami Indian tribe and nation and others, for $2,764,660.20, will also benefit some constitutents.

These awards represent long-standing claims of our American Indians on which litigation was pending for many years. It is gratifying to see the funds being appropriated to pay what has long been due to our first Americans.

Mr. COHELAN. Mr. Chairman, I will vote for the supplemental appropriations bill but I do so with some serious reservations.

First, as each of my colleagues is aware, this bill covers more than military assistance although that is the largest single item. As a member of the Foreign Operations Subcommittee, I had the opportunity to investigate in detail each of the programs in the military assistance portion of this bill.

I was convinced by the justification and the statement of Under Secretary Johnson and Secretary Laird on the need for the supplemental assistance for Israel. I am convinced that the best hope for peace in the Middle East lies in serious negotiations, but I know that negotiations will not take place if one side feels that it has a military advantage over the other. I am hopeful that this additional appropriation will be administered in such a way to insure the opportunities for negotiations which will lead to a lasting peace in this troubled area of the world. My central concern about this supplemental is the provision for military assistance for Cambodia. As the Members know, I voted against the authorization for these funds yesterday. Prior to the final vote I supported the amendment offered by my colleague, Congressman BINGHAM, which made clear that the funds for Cambodia were not to be construed as a new commitment to Cambodia. This amendment, unfortunately, was defeated, as were other needed clarifying amendments.

My concern over the possibility of new U.S. military commitments is demonstrated in my questioning of the witnesses before the Foreign Operations Subcommittee. I would not be candid if I did not say that I am a bit skeptical about some of the responses that I received to my questions. For example, I asked Under Secretary Johnson on page 1259 of these hearings if this assistance implied a new commitment to Cambodia. Mr. Johnson replied:

> I would be very firmly to say that it is not a new commitment.

But then later in an exchange with Secretary Laird and Admiral Moorer on page 1319, some doubts were raised:

> Mr. COHELAN. This is a supplemental appropriation, Mr. Secretary and gentleman. I take it there is going to be a follow-on in the next year's budget request.
>
> Secretary LAIRD. That is correct.
>
> Mr. COHELAN. So it will be an extension based upon the needs and the military situation that exists at the time..
>
> Can I have your assurance, Mr. Secretary, that our support of Cambodia in no way involves a commitment of American manpower?
>
> Secretary LAIRD. That is correct.
>
> Mr. COHELAN. In a combat sense.
>
> Secretary LAIRD. That is correct.
>
> Admiral MOORER. That is exactly what we are trying to avoid, sir.

I find little objection to aiding countries in their own self-defense, but I do feel that the United States should not fall into commitments to other nations without the explicit consent of the Congress. Our tragic experience in Southeast Asia has been that a military assistance program can lead to wider U.S. commitments. For this reason, I have some reservations about programs and hope that they may be cleared up in conference.

It should be noted that the administration had little difficulty in securing $100 million for ammunition for Cambodia. I am convinced that these funds are adequate for the present time and can be used until the next Congress takes up the consideration of a new authorization and appropriations bill.

Mr. BROOMFIELD. Mr. Chairman, if there is ever to be peace in the Mideast, we must maintain the tenuous balance of military power that now exists between Israel and the Arab coalition. The $500 million in aid to Israel which this bill appropriates is essential to the continuation of that balance of power.

There can be no military resolution of this conflict; our only hope is for a political settlement of the territorial dispute, agreed upon in negotiations between both parties. I can assure you, Mr. Speaker, that the Arab nations will be quite willing to seek a diplomatic solution if they realize that they will never be able to wipe out our ally in a single attack. We must insure that Israel is supplied with weapons to defend herself and that her enemy is fully aware of that capability. Only then will the Jarring talks have a chance of succeeding.

We cannot allow outside parties—whether the U.N. or the Big Four—to impose a settlement on Israel nor can we expect her to negotiate from a position of weakness. In the face of constant Arab violations of the cease-fire, in the face of the unending influx of Russian arms to Egypt, the Israelis must not be abandoned. The financial aid we give her will allow her to return to the negotiations with renewed confidence. And it will warn the Soviets that they will not be permitted to determine the future course of events in the Mideast area.

The Arabs have proven as unpredictable as they have been irresponsible. One thing is sure, however: no Arab nation is going to risk another 6-day war with Israel unless it has a commanding superiority in arms. We can deny them that superiority with the assistance of this measure. In so doing, we will be taking a long step toward eventual peace in the Mideast and we will be guaranteeing the security of our most democratic, most stalwart ally—the State of Israel.

Mr. HALPERN. Mr. Chairman, I rise in support of the supplemental appropriations bill before us today, because it represents a major bulwark in the survival of a nation.

As we all know, the Middle East is currently experiencing what can be termed, at best, a most uncertain cease-fire period. It is uncertain because Nasser's untimely death has resulted in a power vacuum in Egypt—a power vacuum which, we can be sure, the Soviet Union is using with consumate skill to their own advantage. We hear almost daily reports of a hardening of the Egyptian negotiating positions.

At the same time, I think we can fairly assume that the Arab nations are working feverishly to strengthen their military posture during this cease-fire period. And we can also be certain that the Communist bloc is the major supplier of military arms which are upsetting this balance.

Thus, while we are not in the midst of a "hot war" in the Middle East—and I am sure we all would want to avoid this eventually—we are facing an unsettling and uncertain cease-fire. I wish to compliment my colleagues on the Appropriations Committee for their foresight in meeting the President's request for the full budget estimate of $500 million for credit sales to Israel.

This credit, which will permit the Israelis to obtain whatever vitally needed supplies or training deemed necessary by them, is extremely important, as President Nixon pointed out in his message to the Congress, to help prevent a shift in the military balance of the Middle East. Such a shift would undermine the chances of any peace negotiations there, and a failure to reach a peaceful accord in the Middle East could embroil the entire world in armed conflict.

The Middle East, sacred to three major religions, also has great political significance. Historically, the Middle East has been a frontier, a buffer between great powers, at the intersection of three continents—Europe, Asia, and Africa. As such, nations have fought to control this land: Egypt and Mesopotamia, Greece and Persia, Rome and Parthia, Britain and the Ottoman Turks. Today, the Soviet Union continues on a road first trodden by its czarist predecessors of extending Russian influence into this vital area.

We can view Israel in the coldest terms of power politics or in the deepest terms of human significance. Either way, Israel is of vital significance to the world and to the United States.

Should Soviet adventurism triumph in the Middle East, should Israel be destroyed, and should aggressive communism be allied with the most aggressive forces in the Arab world, the balance of world power would be upset. Western Europe would be outflanked, and Africa would be threatened with a new colonialism.

Such radical upsetting of world balance poses the threat of major war which the human race in the nuclear age cannot endure. It is, therefore, a matter of the most urgent national interest to the United States that the independence of Israel be maintained.

There are some who argue that the American posture of neutrality would be destroyed if we granted this $500 million credit to Israel. I say, where our own safety is concerned, we must take such a chance. It is obvious to all that the Soviet Union is putting much more than this amount into Egypt and the other Arab nations. I note in the news this week that the Soviet Union has again increased its military appropriation, and we can be sure that a large portion of the increase is going right into the Middle East to upset the military balance there and to jeopardize any chance of peaceful negotiations.

Before I close, I would like to caution my colleagues that the price of stability in the Middle East may be considerably more than $500 million we are today considering. This amount has been estimated by the administration on the basis of the current situation in the Middle East. That situation is relatively peaceful. The ever-antagonistic terrorist organizations have not been as active in recent weeks, and the period has been marked more by diplomatic maneuvering than by military movements. However, this situation could change overnight. A terrorist strike, a retaliation, and a roused citizenry could again throw the Middle East into a very hot conflict. You can be sure that the Soviet Union will not abide by another short war with Israel the victor. You can be sure that Soviet planes, missiles, bombs, pilots, and technicians will be inundating the Arab nations. At that time, my friends, we may have to reconsider our commitment. The price of stability in the world scene does not come cheap.

As a stopgap measure and as an amount of credit indicative of the present situation in the Middle East, I, therefore, support this supplemental appropriation and I urge my colleagues to join me.

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

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

The Clerk read as follows:

CHAPTER I

DEPARTMENT OF AGRICULTURE

AGRICULTURAL STABILIZATION AND CONSERVATION SERVICE

INDEMNITY PAYMENTS TO DAIRY FARMERS

For an additional amount for "Indemnity Payments to Dairy Farmers", in accordance with subsections (a) and (b) of section 204 of the Agriculture Act of 1970, which qualifies processors for indemnity payments under certain conditions, $300,000.

AMENDMENT OFFERED BY MR. FINDLEY

Mr. FINDLEY. Mr. Chairman, the ef- an amendment.

The Clerk read as follows:

Amendment offered by Mr. FINDLEY: On page 2, strike lines 1 through 10.

Mr. FINDLEY. Mr. Chairman, I offer fect of this amendment would be to strike chapter I, which would remove the provision of an advance fund of $300,000 for indemnity payments.

I think this is a very important moment in the unfolding of the history of indemnity payments at the Federal level. This is likely to become a giant field. We have authorized indemnity payments for dairy producers, for beekeepers, and pressing claims are now before the Government on the part of cyclamates manufacturers. The only way that I see we can possibly hold the line and keep it within reason is if the Committee on Appropriations operates under policies that very carefully screen every claim and require that every claim be established before the money is appropriated for that claim. If instead of that we lay out a sum of money and say, "Well, here it is, here is the money for these indemnity payments," then we are going to have a flood of applicants and we are going to have trouble spelled out in capital letters.

The administration did not ask for this sum of money. No hearings were held to establish the need for $300,000 for that purpose. The claims that have been filed up to this date fall far short of the sum provided here. I can think of no valid reason at this juncture dealing with a supplemental appropriation bill in the closing days of the calendar year, with the certainty that the Committee on Appropriations will be very soon coming out with another appropriation bill for agriculture, for us to provide this money and set this sum as an invitation to claimants.

I understand there was opposition within the committee on this point.

Mr. DEL CLAWSON. Will the gentleman yield to me?

Mr. FINDLEY. I am glad to yield to the gentleman from California.

Mr. DEL CLAWSON. I wish to say to the gentleman that this was not adopted on a unanimous vote, even though it was taken by a voice vote. There are some who feel that this does open up a wide field for claims against the Government. I think that it should be done on an ad hoc basis when the claim is made. Then the appropriation can be made and set up for that claim. I am happy to share the gentleman's opinion on this.

Mr. FINDLEY. I thank the gentleman very much.

I do not deny that there are valid claims for indemnity payments under dairy and bees and in many other fields, but let each claim be established and then money appropriated instead of laying out a sum of money first and thus inviting the public to rush in to get some.

Mr. Chairman, I urge support for my amendment.

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

Mr. Chairman, I rise in opposition to the amendment which has been offered by the gentleman from Illinois. I would think the gentleman would want to be more considerate of the hard-pressed people in rural America. They are not clamoring to get their hands in the public Treasury. They only want some recompense for injury that occurs to them through pesticides which are approved by the Federal Government itself. When the Federal Government approves a pesticide and by the action of the wind or some other factor outside of the control of the dairy farmer's, contaminating their product, they think that the Government should compensate them for the loss that they sustained.

Mr. Chairman, I have a small cheese factory in my district. There were certain pesticides that got into the milk of one of the farmers. Before the dairy operator discovered it, he had lost nearly $200,000 worth of cheese because the cheese was contaminated by this pesticide and was not discovered until the cheese was ready to go on the market.

Mr. Chairman, in this case the dairy farmer received the sum of $16,000 for the milk he lost but the processor who was absolutely blameless is losing almost $200,000 worth of valuable product.

Now, he made application for indemnity but, of course, he was not covered. This was one of the cases that induced the Congress to authorize the payment of indemnities to processors as well as to the producers.

Mr. Chairman, if the gentleman from Illinois (Mr. FINDLEY) does not think that is a good thing to do, he should have opposed it when the Congress acted on that bill.

Mr. Chairman, I do not believe that the dairy farmers or the dairy processors or the beekeepers or the honey salesmen are going to raid the Treasury of this Government. I have confidence that the claims they present will be carefully inspected, fully audited, and that the information upon which a claim is based is entirely justified before any money goes out of the Treasury.

Mr. Chairman, I commend the committee for putting this into the bill and making possible the prompt payment of these claims as they are presented, because if anyone needs their money promptly, it is a farmer or dairy processor or beekeeper. I do not want them to have to wait for the money out of the Federal Treasury.

Mr. Chairman, I hope this amendment will be soundly defeated.

Mr. STEIGER of Wisconsin. Mr. Chairman, will the gentleman yield?

Mr. THOMSON of Wisconsin. I yield to the gentleman from Wisconsin.

Mr. STEIGER of Wisconsin. Mr. Chairman, I commend the gentleman for his eloquent statement in opposition to this amendment. I think it would be a serious mistake if we were to impose upon either the producer or the processor a time period in which to get an indemnity payment to which he is entitled.

Mr. Chairman, I salute the gentleman from Wisconsin (Mr. THOMSON) for his leadership on the authorization legislation as well as his support for the Appropriation Act.

Mr. THOMSON of Wisconsin. I thank the gentleman for his contribution.

Mr. ANDREWS of North Dakota. Mr. Chairman, will the gentleman yield?

Mr. THOMSON of Wisconsin. I yield to the gentleman from North Dakota.

Mr. ANDREWS of North Dakota. Mr. Chairman, I would like to join with the gentleman from Wisconsin in his remarks and I would like to point out one additional thing that might have escaped the attention of the Members of the House and that is this: Money is not going to be disbursed helter skelter. It is not, of course, going to be paid unless there is a legitimate and adjudicated claim. Defeat of this amendment will represent good faith with and a service to these farmers and processors in the fact that the money will be immediately available, when this bill is enacted.

Mr. Chairman, I urge the defeat of the amendment which, if passed, would add insult to the injury our hard-pressed farmers and processors are suffering.

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

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

Mr. Chairman, I think it is important to keep in mind exactly what we are doing by this committee action.

The facts are very simple. The agriculture bill which we passed just a few weeks ago in this House continued an old tradition which has been in the law since 1964 which provides indemnity payments to farmers who are required by the Government to dump their milk because of residues of pesticides contained therein. That bill extended that program for this year to dairy manufacturers as well.

I think the justification for that has been amply taken care of in the preparation of the original bill, and I think it is easy to understand that if this kind of program should be in existence at all for farmers, it certainly ought to be in existence for dairy manufacturers, because they through no fault of their own can suffer damages of hundreds of thousands of dollars if just one milk producer happens to ship to a dairy plant and that dairy plant winds up contaminating its whole milk supply. And that has happened in at least two instances, as the gentleman from Wisconsin (Mr. THOMSON) has indicated.

I think I have made it clear here in the year and a half that I have been here, that I do not think much of a good many hard pesticides. I have in fact offered legislation to ban the use of DDT. It seems to me, however, that as long as this Government does not outlaw that kind of compound, it has an obligation to protect innocent individuals who become the victims of the use of that kind of compound. That is what this provision provides.

It seems to me that the gentleman from Wisconsin (Mr. THOMSON) has spelled out very clearly what the reasoning was for the passige of the original bill, and while the gentleman from Illinois (Mr. FINDLEY) might have a case, the point is I believe that the gentleman would have been much, much wiser to address himself to that point at the time of the original authorization bill rather than bring it up at this time. Once we have committed ourselves to this kind of compensation program I think we have the obligation to fund it.

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

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

Mr. FINDLEY. Mr. Chairman, I would like to point out to the gentleman from Wisconsin that chapter 12 of this same supplemental bill provides $41 million to satisfy claims or judgments of various sorts from various agencies. That is where this indemnity item ought to be handled.

Mr. OBEY. I might say to the gentleman from Illinois that that is not what was done in the original agricultural authorization bill. The fact is that we do not do it that way for dairy farmers, and there is no reason to treat dairy producers any differently than we treat dairy manufacturers.

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

Mr. Chairman, in view of the statements that have been made, I think it well, as chairman of the Appropriations Subcommittee on Agriculture, to try to clear up some of the facts that may exist in this case, which I do not believe have been made clear.

Let us keep it in mind that I do not agree with many of the things, and neither do many members of our committee, about the necessity for any of these condemnations, simply because our ultra-sensitive detection equipment which can locate a trace, but be that as it may, condemnations have been made.

Keep in mind that for years Congress has provided funds in each annual appropriation bill to pay dairy farmers for milk or dairy products that may be confiscated when properly shown it was not the producer's fault. So we have had that system. It has been the practice, the law, and it has been determined by Congress as an essential program. Subsequent to the time the executive department sent this year's appropriations bill down to us for appropriations for the Department of Agriculture for this fiscal year, subsequent to that the Congress changed the law, and gave the processors the same rights that dairy producers had, but the language in the appropriation bill, which we just got through this House finally some time this week, the language was not broad enough to make existing funds available to cover processors which have been included by the Congress. So we were left where we were in the situation of treating dairy producers one way, but the dairy processors who had been added to those eligible for the same type of claims, were left without any means of obtaining payment even when they had established their right to such payment.

So I say that since we have treated the dairy producers in this way that now that we have added qualified processors, such processors are entitled to the same treatment as the dairy producers have had all the time.

I might say that for some 7 or 8 years we have carried funds in our appropriation bills to pay legitimate, proven, adjudicated claims of dairy farmers, and we have not paid out very much money, and I think that the same thing will hold true here because the processor as the producer will have to prove the confiscation was without fault on his part.

So I say if Congress is going to broaden the field on those eligible it depends on us as a Congress to broaden the availability of money in the bill to take care of the larger group.

Now, I would say that when the time comes we should include bees.

Under the law, if beekeepers can prove that they meet the requirements of the statute, then those who lose their bees will be entitled to pay, and will get it by action of the Congress.

Again I say it is not here, because we have had no programs heretofore. And in this case we are broadening a program to meet the broadening definition of who may make a legitimate claim. Both will be treated alike in the long run.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Illinois (Mr. FINDLEY).

The amendment was rejected.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

MILITARY CREDIT SALES TO ISRAEL

For expenses, not otherwise provided for, necessary to enable the President to finance sales of defense articles and defense services to Israel, as authorized by law, $500,000,000.

Mr. GROSS. Mr. Chairman, I move to strike out the appropriate number of words.

Mr. Chairman, I wonder if we could have some assurance, if it is within the realm of possibility, from someone handling this bill, since these are credit sales, that the money will ever be repaid?

Is it the conviction of members of the Appropriations Committee that this $500 million will ever be paid back to the United States?

Mr. PASSMAN. The gentleman is referring to the $500 million for military credit sales to Israel?

Mr. GROSS. Yes. I am referring to the $500 million for the purchase of jet military planes for Israel. I am wondering whether, in extending this line of credit of a half billion dollars, we are going to recover this huge outlay of the American taxpayers' money.

Mr. PASSMAN. Mr. Chairman, will the distinguished gentleman yield?

Mr. GROSS. Yes, of course; I yield.

Mr. PASSMAN. Israel has a very excellent repayment record on its loans and we believe these loans will be promptly repaid. I might just state for the record that the first $150 million of these credit sales are repayable in 10 years at the going rate of interest and the remaining $350 million of credit sales have a 5-year grace period, then they are repayable in 20 years at 3-percent interest.

Mr. GROSS. Then the gentleman does think that the money will be repaid?

Mr. PASSMAN. Yes, I believe it will be repaid.

Mr. GROSS. With interest?

Mr. PASSMAN. Certainly.

Mr. GROSS. Of course, that will not be true with the other two items to follow—military assistance and economic assistance to other countries.

Mr. PASSMAN. No, that is grant aid under the military and economic assistance programs.

Mr. GROSS. Those who vote for this bill must accept the fact of life that this foreign handout will be gone where the woodbine twineth and the whangdoodle whangeth. We will never recapture it.

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

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

Mr. PASSMAN. I am sure the gentleman well knows that the Foreign Affairs Committee bill yesterday provided $195 million for the supporting assistance program. This committee found that it could reduce it by $45 million. So the bill contains only $150 million of the $195 million authorized yesterday.

Mr. GROSS. That would have been my next remark, to commend the committee for the cuts that have been made, and also to point out that apparently the foreign giveaway program has been overfunded so that the committee could cut, with the approval of the foreign giveaway outfit downtown, could cut those funds by the millions of dollars that it did cut.

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

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

Mr. PASSMAN. We never attempt to make cuts until the gentleman's distinguished committee has had the opportunity to do so. When they do not take the opportunity, we feel we are rendering a service when we find places to make reductions. I thank the gentleman for commending the committee for making this reduction.

Mr. GROSS. I only wish I could commend the committee on which I serve for making sizable cuts in the foreign giveaway program.

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

Mr. Chairman, I am pleased to support the provisions of this bill which provide for $500,000,000 for military credit sales to Israel. This appropriation is necessary and critical to insure a security balance in the Middle East.

During the course of discussion on this bill, reference has been made to those who are critical of support to extend the conflict in Southeast Asia while increasing our own involvement in the Middle East by urging support for the State of Israel.

There is something different in the aid which this bill provides from the American people to the State of Israel.

First of all, when we support Israel, we are supporting a free people, a sister democracy which clearly insures the dignity of its citizens in a free, political process.

Second, we are supporting a government which has the support of its own people.

Third, we are supporting a government which has fully utilized its own resources in defending and protecting its own integrity. It needs our help to provide materiel and items of self-defense it cannot presently produce.

Finally, we are supporting a government and a people who express gratitude for what we do. We are helping an ally who shares our own best hopes for freedom and seeks to insure the dignity of the individual man in society.

If our aid and our alliances to other nations would meet these tests, the foreign policy of the United States would be firmly established on moral considerations which would have the vigorous and constant support of all of our citizens and be better understood by our neighbors in the world community.

Mr. CONTE. Mr. Chairman, as a member of the Subcommittee on Foreign Operations for 12 years, I have consistently supported needed foreign assistance programs that are designed to promote peace in our increasingly unstable world.

President Nixon is aware of this need for a responsible program. In his message to Congress last month, he stressed that:

Economic and military assistance to free nations willing to defend themselves is central to our new conception of American leadership for the 1970's and is crucial to America's hope of working with other nations to bring about the preconditions for peace in the world.

The President has rightfully recognized that the United States cannot be the policeman of the world. It cannot continue to carry the main burden for the defense or economic progress of all our allies throughout the globe.

As they become increasingly ready, willing, and able to assume a greater share of the burden for their own defense, we must provide the assistance these countries need to help them along the road to total self-reliance. As we withdraw our military support, we must still continue our moral, psychological, and—when needed—our economic support.

We already have concrete manifestations of the new directions that President Nixon has charted for our foreign policy in the 1970's. Since the beginning of 1969, 68 military installations overseas have been shut down, and 44 more have been reduced in their scope of operation. In addition, present plans call for the total number of our American military men overseas to be at least 300,000 below the number that were there in January of 1969. Progress is definitely being made. We have a duty to the American people to insure that it continues to be made.

To achieve these twin goals of greater responsibility of foreign countries for their own defense and a lessened possibility that our men will have to risk their lives in future conflicts, the Appropriations Committee recommends that a total of $990 million for economic and military assistance be appropriated in the bill we are considering today. I support that recommendation.

Mr. Chairman, I will not dwell at length over every detail of the supplemental program. But I do feel that a brief overview is in order.

MILITARY ASSISTANCE

MILITARY CREDIT SALES TO ISRAEL

Five hundred million dollars is requested for military credit sales to Israel. This aid is vital for this beleaguered nation to survive.

As Secretary Laird pointed out in our hearings, Israel's economy is in a precarious situation. Her current foreign exchange reserves now stand at about $450 million. Her total trade in exports and imports approximates $4 billion a year and requires the maintenance of a reasonably high reserve level. Thus, if U.S. credits are not provided, Israel would have little or no flexibility in drawing down reserves to meet growing financial obligations—many of which are due by the end of 1970.

Our ultimate goal must be a stop of all military assistance deliveries to all potential belligerents in the area by all the nations in the world. However, we cannot ignore the fact that the Soviet Union continues to upset the military balance of power by pouring arms into the Middle East.

Our failure to provide this aid will have a drastic, even a fatal, effect upon the security and freedom of this nation. Her very survival depends upon our granting the administration's request for this aid. I may add that this request for Israel, falls far short of what is really needed and we must again appropriate additional funds in the near future.

MILITARY ASSISTANCE PROGRAM

Three hundred forty million dollars is requested for military assistance to Korea, Cambodia, Jordan, and Indonesia. This figure includes $67 million which represents restoration of military assistance funds that were cut out of the originally proposed program.

The stated goal of the administration in requesting these funds is to provide for the security of the United States with a minimum cost in American money and manpower. I applaud that goal and will continue to work for its implementation.

The task of defending Cambodia must rest with the Cambodian people themselves. I firmly believe that our aid to Cambodia must be directed toward that aim.

The administration is requesting $85 million in additional military assistance for that country. Seventy percent of these funds are earmarked for ammunition. This effort to help the Cambodians help themselves should be supported.

One hundred fifty million dollars is requested for South Korea as part of our program to aid that country's military modernization program. Our announced goal is to reduce by 20,000 the authorized level of U.S. forces while strengthening the capabilities of the South Korean forces for assuming greater responsibility for the defense of their homeland.

The benefits of such a program are two-fold.

First, it is estimated that total net savings—that is, U.S. withdrawal and deactivation savings minus incremental Korean modernization costs—will be about $450 million over a 5-year period. Second and more important, the number of American boys in Korea will be reduced significantly. In elemental human and economic terms, this program makes good sense and should be supported.

Thirty million dollars in military assistance is requested for Jordan. The efforts of King Hussein to maintain the existence of a moderate, stable government in Jordan is vital to our hopes for a peaceful settlement of the Middle East crisis. His pleas for support should be heeded. Likewise, the $5 milllon earmarked for Lebanon is vital for stability in that troubled area of the world. I would like to stress the fact that these funds are strictly for defensive, not offensive, purposes.

ECONOMIC ASSISTANCE PROGRAM

Turning to the economic assistance program, the Committee has recommended that $150 million be appropriated for supporting assistance. This is $45 million below the administration's request.

Fifteen million dollars of the reduction was earmarked for the Vietnamese land reform program.

But this program, in the committee's view, is not sufficiently related to the aims of the supplemental aid request: continued prudent troop withdrawals and success of the Vietnamization program. In addition, the Agency for International Development has indicated it can absorb a reduction in new budget authority of $30 million in light of the fact that certain deobligations could be utilized in the supporting assistance account. We believe that $45 million cut in an economically sound move that does not imperil the administration goal of continued Vietnamization and American withdrawals.

I think one aspect of the supplemental request for economic assistance to Vietnam is worth exploring for a few moments. An announced goal of this program is to support the Vietnam Government's efforts to stabilize prices and wages and to finance a level of imports adequate to reduce hoarding and commodity speculation. This is a problem that I have long been concerned about. Hopefully these new funds will help to reduce the rate of inflation and provide favorable conditions for economic development.

AID is currently acting to restrict inventory buildups by reviewing individual license applications to assure that importers maintain stocks no greater than 1-year's supply of any individual item. In addition, import licensing has been liberalized to assure an adequate level of imports and thus discourage speculation and hoarding.

To summarize and conclude, it is of utmost importance that we disengage ourselves from the military conflict in Southeast Asia as soon as possible. The supplemental appropriations we are considering we hope will help us to achieve that end. I urge that the funds be approved.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

HELIUM

The Secretary is authorized to borrow from the Treasury for payment to the helium production fund pursuant to section 12(a) of the Helium Act to carry out the provisions of the Act and contractual obligations thereunder, including helium purchases, to remain available without fiscal year limitation, $50,000,000, in addition to amounts heretofore authorized to be borrowed.

AMENDMENT OFFERED BY MR. VANIK

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

The Clerk read as follows:

Amendment offered by Mr. VANIK: On page 8, strike out lines 9 through 16.

The CHAIRMAN. The gentleman from Ohio is recognized.

Mr. VANIK. Mr. Chairman, in the course of the discussion on the helium acquisition program, I find that this program, which allocates $50 million for the purchase of helium, does not appear to have much justification except as a bonanza payout to four producers: Northern Helox. Inc., Cities Service. Helox, Inc., the National Helium Corp., and the Phillips Petroleum Co. This is no small program. According to the General Accounting Office, an estimated $486 million will be required to purchase helium surplus to our needs for the period between fiscal 1970 through 1983, when all of these contracts expire.

At the present time we have a 37-year supply of helium. Knowing how this usually works, by the time the present schedule of purchases is completed we will probably have a 300-year supply.

It is absolutely unnecessary that we act in urgency on this issue when we can carefully review the appropriation and act in the next session to halt the unnecessary accumulation of helium for which we have no use.

Mr. Chairman, I urge the adoption of the amendment.

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

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

Mr. HOSMER. Mr. Chairman, I think the gentleman has done a public service in bringing this matter before us at this point. The House Interior Committee made an investigation into the helium problem, and essentially got no reasonable answer from the people in the industry and the people in the Interior Department as to what their program is, and particularly how it should be redirected to meet the new circumstances.

There certainly is no reason at this time to go ahead on an emergency basis. As the gentleman from Ohio properly points out, there is plenty of time in connection with this problem for us to get the facts in and act at an early date.

I support the amendment offered by the gentleman from Ohio and urge the other Members of the House to do likewise.

Mr. VANIK. Mr. Chairman, I thank the gentleman for his contribution.

I might point out the only effect of my amendment is to strike this section from the bill, so that we can consider it in due course next year and review the entire program.

Mrs. HANSEN of Washington. Mr. Chairman, I rise in opposition to the amendment.

I have listened to the discussion, and I only wish the distinguished gentlemen who have participated could have listened to the discussions in our subcommittee when we held the hearings on this item. The contracts are in effect and in force until there is a cancellation or renegotiation. Until such action, we are legally obligated to pay for the helium delivered. We can pay it now or wait.

We have urged that the Department keep the feet of the various contractors to the fire to obtain the best possible terms for the people of the United States. But at the present time, I am sure that the counsel downtown, that is the GAO counsel and the rest, will agree that as of this date we have a contractual obligation to pay for helium produced under the contracts.

The subcommittee for the past 4 years has had critical hearings on this program. If the gentleman will refer to the hearings on this item, he will note we placed in the RECORD the GAO report, and the reply of the Department. We placed in the hearing all of the facts we could.

The committee has been unhappy with this program and has so stated on several occasions recently.

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

Mrs. HANSEN of Washington. I yield to the gentleman from Oklahoma.

Mr. EDMONDSON. Mr. Chairman, is it not a fact that every dollar that was provided in this bill for helium purposes is a contractual obligation of the United States?

Mrs. HANSEN of Washington. The gentleman is absolutely correct.

Mr. EDMONDSON. And owed by the people of the United States for the helium provided?

Mrs. HANSEN of Washington. This is money that is owed. It is a question of when we pay it. We did not pay it in July. It is still due now.

Mr. EDMONDSON. Is it not a fact that it is overdue now?

Mrs. HANSEN of Washington. It is overdue and it is drawing interest.

Mr. HOSMER. Mr. Chairman, will the gentlewoman yield?

Mrs. HANSEN of Washington. I yield to the gentleman from California.

Mr. HOSMER. Mr. Chairman, the gentlewoman said earlier hearings were held in order to put some people's feet to the fire and reduce the amount. To pay it now will take their feet from the fire, and if payment is made they will not renegotiate. They can well wait for their money. I would urge that the pressures be kept on and their feet be kept to the fire, and this amendment be adopted.

Mrs. HANSEN of Washington. May I say to the distinguished gentleman, the interest charges will continue to accrue. That is what it is all about.

Mr. HOSMER. If the gentlewoman will yield further, the interest we have to pay out on this sum will be at a lesser rate than the interest we would have to pay.

Mrs. HANSEN of Washington. There is quite a bit of interest.

Mr. BELCHER. Mr. Chairman, will the gentlewoman yield?

Mrs. HANSEN of Washington. I yield to the gentleman from Oklahoma.

Mr. BELCHER. These contracts were entered into in good faith between the Government and these four companies.

Mrs. HANSEN of Washington. That is right.

Mr. BELCHER. I will not defend what the contracts should have been, but the money has been owed for at least 18 months. There has been no settlement made to any one of these four companies in the past 18 months.

Mrs. HANSEN of Washington. That is essentially correct.

Mr. BELCHER. The Federal Government is now negotiating on future contracts. They can do whatever they want about the future contracts. These two gentlemen are opposing the payment of a just debt by the Federal Government, when they should look to the renegotiation of future contracts. Payment of this $50 million is a just debt of the U.S. Government, I do not believe it is any smarter for the Government to beat on companies than it is for an individual.

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

I should like to point out two things which I believe have not been brought forward.

We are all talking about the fact that Uncle Sam owes for this and has to pay for it. The subject of helium and natural gas is one about which it can be said, when it is gone it is all gone. It reminds me of the old admonition:

This is my story, alas and alack; when you have squeezed out all the toothpaste you can't put it back.

We have a growing problem which cannot be ignored. When the helium is gone it will be all gone.

The Stanford Research Center conducted a survey for the Helium Conservation Society that projected a significant increase in helium utilization in the future due to space, defense, and undersea exploration.

I should like to point this out, because it is very important to keep that in mind, as well as the fact that the money is owed and should be paid.

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

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

Mr. HOSMER. I thank the gentleman for yielding.

I wish to point out that the Stanford study which was made was carefully examined. It was determined under examination in the Committee on Interior and Insular Affairs that the Stanford study was full of errors about the helium supply and the helium requirements. It was sent back to them to be corrected and brought up to date and made accurate. So far as I know it has never been returned, so we are in suspense here and should stay in suspense.

Mr. SEBELIUS. My main point is we get it from natural gas. Natural gas is being depleted at a very fast rate. I certainly would not want the United States to come up short in this commodity.

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

Mr. SEBELIUS. I am glad to yield to the gentleman from Oklahoma.

Mr. EDMONDSON. The gentleman from California just commented on the Stanford study. He is correct in his statement that some inaccuracies were found in it, but I have never heard any authority on the subject of helium contend that we do not have a very limited supply of it or that it is not a very precious commodity which should be preserved to the limit of our ability to preserve it.

As the gentleman from Oklahoma (Mr. BELCHER) indicated a moment ago, there have been some differences of opinion about whether or not the contracts for the preservation of this helium should be renegotiated, but I have heard no debate about the question, by any authority, as to whether or not it is in the national interest of the Government to preserve these precious supplies.

Mr. SEBELIUS. I thank the gentleman from Oklahoma.

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

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

Mr. BELCHER. While the gentleman from California said there were a lot of errors in the report, perhaps there were, but there are no errors as to the amount of money the Govenment owes to these four companies.

Why on earth should we delay paying a just debt of the United States just because we want to get back at some of the bureaucrats in the Interior Department? I do not know.

Mr. HECHLER of West Virginia. Mr. Chairman, I rise in support of the amendment. The so-called helium conservation program has been a gigantic giveaway which has enriched a few producers in one section of the country, and I think it is about time we put a stop to this nonsense of buying something we neither need nor can get rid of.

Mr. Chairman, with reference to the remark of the gentleman from Oklahoma concerning bureaucrats in the Interior Department, I would like to point out that it is fortunate we have outspoken officials in charge of this program. Look at page 81 of the printed hearings. Look at the testimony of Harold W. Lipper, who is the chief of the division of helium in the Department of the Interior. Mr. Lipper indicated specifically "these contracts have been favorable contracts for the companies," and he added that "there are some one-sided features there which favor the companies." These were favorable contracts for the companies and not for the taxpayers and not for the Government.

Furthermore, the committee report very clearly indicates that we have a 37-year supply of helium. I could hardly see how we could be short of this precious commodity if we have a 37-year supply and 27 billion cubic feet in reserve.

Mr. Chairman, I would certainly urge that this amendment be adopted.

Mr. VANIK. Mr. Chairman, will the gentleman from West Virginia yield?

Mr. HECHLER of West Virginia. I gladly yield to the gentleman from Ohio.

Mr. VANIK. I would like to point out that I certainly agree that we have an obligation to pay on any contract that is a lawful debt of the United States. I did not suggest otherwise. The only issue before us right now is whether this matter is of such dire importance that it should be considered in the supplemental appropriation bill. Why not consider this next year when we can review the entire program and perhaps effect savings that will be many times greater than any cost to the Government in paying interest because we defer this payment until next year?

Wisdom and good sense would indicate that this issue can certainly be put over until we consider appropriations next year, giving us a chance to carefully review the program.

I think the Government bureaucracy is less likely to work out a solution if this Congress simply appropriates $50 million more to spend for helium that we do not need. It seems to me good business sense, and prudent in every respect if we put this issue over until next year when we can carefully review the continuation of the helium acquisition program.

Mr. HECHLER of West Virginia. Mr. Chairman, I realize that helium is used and will be used in the space program, and also by the Defense Department. But even the wildest stretch of imagination could not contemplate the use of as much helium as is now being bought and stored. It is a misnomer to call this a "conservation" program, when in fact we are wasting precious money which belongs to the taxpayer to buy up and store what we really don't need. I commend the gentlewoman from Washington for the questions she has raised about this program, and the progress her committee has made in bringing the facts to light. But I feel that this mess has been so compounded by continuing to buy, buy, buy helium we don't need that maybe the most forceful way to put a stop to this wasteful practice is to adopt the amendment of the gentleman from Ohio.

Mrs. HANSEN of Washington. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, may I say to the distinguished gentleman from Ohio that this appropriation does not involve the question of what we are going to do about a future program. This is for helium which has been delivered. We are simply paying a debt.

The Interior and related agencies appropriation bill was presented earlier this year. We did not fund the helium program at that time but decided to bring it before the House at the time the supplemental was considered. The reason was that we were trying to give the Department of the Interior a chance to conduct negotiations on these contracts. We were trying in the interests of this Government and its taxpayers to do a better job for them.

Interest is accruing on these unpaid amounts. I refer you to page 81 of the hearings on this bill. This interest is accruing on purchases under three contracts. I will simply read this from the hearings, if I may:

Mrs. HANSEN. $1,755,000 is listed in your justification as interest cost. Give us the details on this, please.

Mr. LIPPER. That would be the interest on these unpaid bills, on the bills to the contractors. Three of the contractors have provisions in them that after a stipulated number of days, if the bills are not paid, they do draw interest at the prime rate.

A summary of delivered helium and accrued interest charges follow:

Bureau of Mines, helium program

	Thousands
Fiscal year 1970 unpaid bills	$32,873
Interest to contractors for fiscal year 1970	418
Total owed for fiscal year 1970	33,291
Obligation for deliveries July to November 1970	16,534
Additional interest to November 30, 1970, on fiscal year 1970 and fiscal year 1971 deliveries	855
Total to date fiscal year 1971	17,389

The contract with Northern Helex has no provision for interest payments. The contracts with National Helium Corporation, Cities Service Helox, Inc., and Phillips Petroleum Company provide that past due payments to contractors shall bear interest at a rate of interest equal to the New York bank prime rate.

Mr. EDMONDSON. Mr. Chairman, would the distinguished gentlewoman from Washington yield to me at this point?

Mrs. HANSEN of Washington. I am happy to yield to the gentleman from Oklahoma.

Mr. EDMONDSON. The point that needs to be made crystal clear about this, if I understand it correctly, is that the negotiations that are going forward are not negotiations about what is owed.

Mrs. HANSEN of Washington. The gentleman is correct.

Mr. EDMONDSON. That is a separate matter. It is a matter on which interest is now being accumulated; is that not correct?

Mrs. HANSEN of Washington. That is completely correct.

Mr. EDMONDSON. And the only thing now being negotiated is the future terms for delivery in the future; is that correct?

Mrs. HANSEN of Washington. That is right; for the remaining years of the contract.

Mr. EDMONDSON. The gentleman from Ohio advances the unique argument that if we do not pay them what we owe them, they will be easier to negotiate with. I have never heard an argument like that as being a valid reason for enhancing one's position in negotiations. Refusing to pay a creditor what is clearly owed to him would be unconscionable for an individual and it should be equally unacceptable for government.

Mrs. HANSEN of Washington. I think this debt is owed and it ought to be paid.

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

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

Mr. Chairman, it seems to me that when we have a legitimate claim against the Government of the United States, it is our responsibility to pay it.

Now, today, we have already appropriated money in this bill for claims that may be made in the future. If we are going to start paying bills that have yet to be presented, then the House should certainly pay the legitimate obligation that is now before it. Mr. Chairman, it should be pointed out that in chapter XII of this bill we are going to appropriate $41,747,738 to pay other claims against the Government. This obligation is just as legitimate.

I also wish to point out that this particular payment we are making today will reduce some of the interest on this obligation which we are now required to pay.

It seems to me that when we owe a sum of money and must pay interest on it, we ought to make the payment and at least reduce our obligation.

Mr. Chairman, the distinguished gentleman from Alabama (Mr. ANDREWS), I believe, only yesterday pointed out that the interest this Government is now paying is costing us almost $40,000 every minute—just interest.

Mr. Chairman, this is an opportunity to pay a legitimate obligation and reduce some interest payments. It seems to me that this is in the best interests of fiscal responsibility. We have a legitimate claim before us where the Government owes money, and if we believe in the integrity of our Government, we ought to pay it.

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

I rise in opposition to this amendment. The only way to liquidate a valid debt is to pay it.

This is not a matter of a claim as such. This involves contracts that the Government has made with the companies who were induced to go into this business and they have delivered the helium, or are in the process of doing so.

Of course, we have to pay them what is properly due them.

Mr. Chairman, somebody said that these contracts were favorable to the companies. Well, a good contract is somewhat favorable to both the parties. But it was a contract that this Government made and it was made with private industry, and to welch on it would seem to me to be indefensible.

So I would suggest that we settle the contractual obligation. And I would suggest that we not lose sight of the fact that helium is one of the very important substances on earth.

Somebody has said we have enough helium for a certain number of years. Who knows the future and, in the world of rapidly moving technology, what the requirements may be?

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

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

Mr. HOSMER. Mr. Chairman, I want to correct one misapprehension. Back in the days of zeppelins and dirigibles helium was a very, very precious substance. Those days are gone. Helium users are few, although some of the uses are connected with space. But today it is different also in another respect. Formerly, in the days of zeppelins, you had to depend upon the natural supply of helium being discovered, and brought forth from the earth in order to use it. Today it is too expensive to do that. We do not drill for helium, it is extracted from the users of natural gases that are coming up that are developing within the utility industry. And also with the advent of the liquid natural gas industry, and the increase of cryogenics in that industry, the cost of extracting helium has gone down and down, so that it is practically nothing now.

So any argument that is based on shortage or based on preciousness or nonavailability of this particular substance is simply no argument that should sway this House.

Mr. MAHON. Mr. Chairman, I renew my request that we provide the funds, that we pay this contractural obligation, and stop the interest on the payment which must be made in the future.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Ohio (Mr. VANIK).

The question was taken; and on a division (demanded by Mr. VANIK) there were—ayes 16, noes 59.

So the amendment was rejected.

The Clerk read as follows:

BUREAU OF LABOR STATISTICS

SALARIES AND EXPENSES

For an additional amount for "Salaries and expenses", $500,000.

AMENDMENT OFFERED BY MR. MEEDS

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

The Clerk read as follows:

Amendment offered by Mr. MEEDS: Page 11, after line 9, insert the following:

"DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

"OFFICE OF EDUCATION

"DRUG ABUSE EDUCATION ACTIVITIES

"For drug abuse education activities under section 3 of the Drug Abuse Education Act of 1970 (Public Law 91-527), $3,000,000; and for community education activities under section 4 of such Act, $3,000,000."

Mr. MEEDS. Mr. Chairman, I would like to begin by apologizing to the Committee on Appropriations for bringing up this amendment at the last minute and not having had an opportunity to discuss it with them.

I do not like to do it this way, but, unfortunately, I did not know this bill was coming to the floor today and, indeed, I could not even get a copy of the committee print until we contacted legislative counsel today. So, had I been able to do this, I would have discussed this matter with the committee much earlier and certainly it would not have been any surprise.

Mr. Chairman, the amendment I am proposing proposes to add $3 million for drug abuse education programs and $3 million for community-based educational programs under section 3 and section 4 of the Drug Abuse Education Act of 1970, which passed this House by a vote of 294 to 0 and which passed the other body by a vote of 79 to 0.

I am not asking for the full appropriation of those funds that are authorized under section 3 and section 4. Section 3 actually authorizes $5 million and section 4 actually authorizes $5 million.

We realize that part of the year is past, but we simply must get going with these educational programs in drug abuse if we are going to get at this problem.

Under section 3 of this act, $3 million is authorized and under this amendment would be appropriated for the development of curriculums, the administration of projects developed under that funding of worthwhile projects which are in existence presently, and the dissemination of that information down to the local school districts that want to be helped with validated curriculums and programs.

Another section of it would provide what I think is really the touchstone here, and that is teacher training.

We have to have drug abuse programs and we have to have well educated educators to teach this subject.

I know that we are presently providing a very minimal sum for drug abuse education. But, unfortunately, Mr. Chairman, most of these programs are TV spots and they are little pamphlets or they are one-half hour programs dealing with the danger of drugs. And I am not knocking those things. They are very valuable. But if we think we are going to get at the problems of educating children with TV spots and 5-minute commercials or little pamphlets, we make a very sad, sad mistake—because we are not.

We simply have to get inside of the classroom with validated curricula and with programs and teachers who are capable of teaching about drug abuse. And we have to start at a very low grade. We have to start in the fourth and fifth grades and develop curriculums which will follow the situation all the way into high school.

In effect, Mr. Chairman, we have to start a dialog with young people rather than a monolog. A TV commercial speaks to them, but they cannot speak back and ask questions. They cannot talk to a TV commercial like they can talk to a good teacher.

We need this program which will develop educational programs in the schools. NIMH is doing some very good things in drug abuse research and in educating experts, but we simply have got to get away from educating experts and get down to the kids. We have to start teaching young people about what is happening in the drug field. We have to reestablish our credibility with them, and only through adequate programs are we going to do this.

I know that this is a serious problem in our Nation. I know we are asking for this money in a supplemental appropriation. But, Mr. Chairman, I think there is a great deal of emergency about this problem. Probably in the time it is taking me to say what I have today, many young people have become hooked on hard drugs. I think this is one of the problems besetting America which simply has to be undertaken in the field of education and there, cooperating with law enforcement, cooperating with rehabilitation and treatment, we can make some giant strides.

In all the hearings before our committee the evidence was clear that the most fertile field in which we ought to be plowing today is the field of education, that a dollar spent in the field of drug abuse education will return manifold what it will in law enforcement and what it will in rehabilitation. I am for those programs, too, but we simply must get about educating young people in our schools on the dangers of drugs, and here is how we can do it.

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

The CHAIRMAN. The gentleman from Pennsylvania is recognized.

Mr. FLOOD. Mr. Chairman, I asked the gentleman from Washington not to offer his amendment. The amendment will be defeated. He knows that I am as friendly to this program as is he, and longer, and I am in a much better position to do something about it.

Earlier today the gentleman from New York (Mr. KOCH) came to me with a similar amendment. I pointed out to him what day this was in December, that this was a supplemental appropriation bill, and I urged that he not present this because he knows that I favor this program.

We will go to conference on this bill, and after this amendment has been defeated in the House, I must speak for the House, and I want to assure the gentleman from Washington I shall, period.

This amendment is ill advised. We are familiar with the narcotics problem. HEW will spend over $55 million on narcotic addiction and drug abuse activities in fiscal year 1971. The Office of Economic Opportunity is very active in this field. So is the Department of Justice.

Our subcommittee has heard a great deal of testimony about this evil. This is not the time, not the place, not the hour, and not the amendment. Mere dollars will not solve this problem. The gentleman from New York had the good judgment to inquire, and I spoke at length in answering him, and I propose to insert in the RECORD, for his benefit and for the benefit of the gentleman from Washington, a table showing what HEW is doing about this problem at the present time.

Let me assure you that when we start hearings next year, as I invited the gentleman from New York and his mayor, I also invite the gentleman from Washington to appear. This must be done properly.

I am no amateur at playing to the galleries, and I suggest the defeat of the amendment.

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

Mr. FLOOD. I refuse to yield.

The CHAIRMAN. The gentleman declines to yield.

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

The amendment was rejected.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

ADMINISTRATIVE PROVISIONS

The provisions of House Resolutions 1270 and 1276, relating to certain official allowances; House Resolution 1241, relating to compensation of the clerks to the Official Reporters of Debates; and House Resolution 1264, relating to the limitation on the number of employees who may be paid from clerk hire allowances, all of the Ninety-first Congress, shall be the permanent law with respect thereto.

POINT OF ORDER

Mr. GROSS. Mr. Chairman, I rise to make a point of order against the language beginning on line 23 of page 12 and running through line 4 of page 13 as being legislation on an appropriation bill and not a retrenchment.

Mr. MAHON. Mr. Chairman, the gentleman's point of order would be appropriate except, of course, for the fact that we do have a rule waiving points of order against the bill.

The CHAIRMAN. The Chair is prepared to rule. Does the gentleman from Iowa care to be heard further?

Mr. GROSS. No, sir.

The CHAIRMAN. Under the resolution the House adopted, points of order against the bill are waived. The point of order is not sustained.

The Clerk will read.

The Clerk read as follows:

CAPITOL BUILDINGS

For an additional amount for "Capitol buildings", $30,000.

AMENDMENT OFFERED BY MR. BROYHILL OF VIRGINIA

Mr. BROYHILL of Virginia. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. BROYHILL of Virginia: On page 13 after line 14 insert the following:

"ACQUISITION OF PROPERTY, CONSTRUCTION, AND EQUIPMENT, ADDITIONAL HOUSE OFFICE BUILDING

"For an amount, additional to amounts heretofore appropriated, for acquisition of property pursuant to section 1202 of Public Law 24, Eighty-fourth Congress, approved April 22, 1955, as approved by the House Office Building Commission, $1,250,000."

(By unanimous consent, Mr. BROYHILL of Virginia was allowed to proceed for an additional 5 minutes.)

Mr. BROYHILL of Virginia. Mr. Chairman, the purpose of this amendment is to provide for the appropriation of $1,250,000 for the purchase of square 764, known as the old Providence Hospital site for expansion of the Capitol buildings complex. This site is located approximately two blocks from our existing buildings and is bound by Second Street, D Street, Third Street, and E Street, Southeast.

The purchase of this property was recommended and requested by the House Office Buildings Commission. The Commission stated that the property was needed in order to carry out its necessary expansion program. The requested amount was included in the budget of the administration and was discussed in detail during the hearings by the Legislative Subcommittee.

I regret therefore that the Legislative Subcommittee rejected the request for these funds even though they provided $50,000 to study the construction of a new page school for which a site will be needed and for which undoubtedly the Providence Hospital site is to be used.

I am not offering this amendment in an effort to settle a disagreement between the Legislative Subcommittee and the House Office Buildings Commission, although the expansion of our Capitol buildings and facilities is inevitable and delay will be even more costly. The mere fact that the $50,000 was appropriated for the study of the Page school is an acknowledgement by the Legislative Subcommittee that additional land acquisition is inevitable. I also recognize the difficulty in asking the House to override a decision of the Legislative Subcommittee of the powerful Committee on Appropriations, and more particularly its most distinguished and able chairman, the gentleman from Alabama (Mr. ANDREWS). But my amendment represents an appeal to the fairness of the Congress; an appeal to correct an inequity, an act of injury, unfair treatment, and irresponsible procedures, all committed by the Congress of the United States through its agent, namely the Architect of the Capitol, against the present owners of the property I am discussing.

This unfair and injurious treatment has occurred over a period of 8 years, and would never to tolerated by the Congress if it were committed by the executive branch of our Government. Nor would such actions be permitted by law between individual citizens.

In order for my colleagues to understand how unfair and inexcusable these actions have been, I would like to briefly outline the history of this case.

The property; square 764, was purchased by the present owners in 1962. Prior to that time it had been used for over 100 years as a hospital. The owners obviously purchased it as an investment and immediately leased it to the General Services Administration to be used as offices for the Weather Bureau. However, at the insistence of the Architect of the Capitol, the District of Columbia Government instituted condemnation proceedings against the property. This harassment on the part of the architect of the Capitol resulted in the Weather Bureau and GSA vacating the buildings and the owners, at their own expense, had to demolish them. This, of course, resulted in a loss of rent as well as the expense of tearing the buildings down.

The owners did not complain about the condemnation action because they were willing to redevelop the property. So they proceeded in 1964 to attempt to obtain rezoning to permit them to construct a new building in similar proportion to the one they were required to tear down. Their zoning request was vigorously opposed by the architect of the Capitol whose position entitled him to one of the five seats on the Zoning Commission. The other four members were sympathetic to the rezoning but they always yield to the view of the architect of the Capitol on any zoning matter in the area of the Capitol buildings.

In 1965 the owners again tried to obtain necessary zoning which would permit them to redevelop this property and again the rezoning was opposed by the architect of the Capitol. Every action on the part of the owners to do anything to utilize this property was opposed by the architect of the Capitol.

I have in my hand a copy of a letter dated May 19, 1969, signed by the Architect of the Capitol and addressed to the Honorable STEPHEN M. YOUNG, a Member of the other body, which is one of many pieces of evidence of the Architect's efforts to prevent development of this property. The letter reads in part, and I quote:

> The House Office Buildings Commission has had this matter under consideration for the last five to six years. During that time the Commission has consistently opposed the re-zoning of the property due principally to the undesirable aspects of "high-rise" buildings near the Capitol and the future need of the property by the House of Representatives or as a part of the Capitol grounds. End quote.

These actions on the part of the Architect, as the agent of the Congress of the United States, have caused a stigma to be placed against the property that has made it worthless. The buildings have been torn down so bring no income; the owners could not get it zoned; the owners could not build on the property; the owners could not sell the property because no one would buy it under these conditions, therefore all they could do was pay taxes on the property and wait.

In 1968, after 6 years had passed, the owners made a plea to the House Office Buildings Commission for relief. They asked that the property either be released from the stigma or that the Commission acquire it. The owners were willing to accept either decision.

The House Office Buildings Commission then formalized its decision to acquire the property and instructed the Architect of the Capitol to notify the owners by letter of October 10, 1968, a copy of which I have in my hand. This letter is signed by the Architect and advises the owners of the decision of the House Office Buildings Commission and that he had been instructed by the Commission to request the funds for this purchase in his regular budget estimates for fiscal year 1970. In the closing sentence of his letter, he said, and I quote:

> We expect to present this request before the Appropriations Committee next spring when hearings are held on our annual budget.

The owners felt that this had finally resolved the dilemma and uncertainty, and were, therefore, fully willing to accept the decision of the Commission. The following year, however—this was the year 1969—after 7 years had passed—the Appropriations Committee rejected the request for appropriations in spite of a personal appeal by the Speaker of the House, who happens to be chairman of the House Office Buildings Commission. I repeat, this was in 1969, after 7 years had passed with no action by the Congress.

The next year, 1970, after 8 years had passed, I introduced a bill which would exclude this property from the House Office Buildings Act of 1955 in order that the stigma could be removed once and for all so the owners could proceed with their redevelopment program. This was 2 years after the House Office Buildings Commission had formally stated their intention to acquire the property. In order to expedite passage of the bill through the other body, I included it as a part of the District of Columbia Police and Firemen's Salary Act which was approved by the Committee on the District of Columbia. When the bill came to the floor, however, the language of my amendment was vigorously opposed by the Speaker of the House, who, as I stated before, is the chairman of the House Office Buildings Commission. The distinguished Speaker reaffirmed the fact that this property was needed and that the House Office Buildings Commission wanted to acquire it. Of course, the language of my amendment would have prevented it from being acquired. The distinguished Speaker was joined by the minority leader the gentleman from Michigan (Mr. GERALD R. FORD) in asking that my amendment be deleted from the bill and that the property be acquired by the Congress. The gentleman from Michigan (Mr. GERALD R. FORD) mentioned at the time that even though the legislative appropriations for the year had been passed, the funds to acquire this property could be included in the supplemental appropriations bill which we now have under consideration.

With such emphasis and persuasiveness regarding the desire of the leaders of the House to acquire the property, I had no choice other than agree that my amendment be deleted. The effect of this action, however, was a confirmation on the part of the House of Representatives that they wanted to acquire the property and wanted to prevent the owners from using the property for any other purposes. There is no other way this action can be interpreted.

As I stated earlier, these funds were requested by the Office of Budget and Management and the House Office Buildings Commission, and I appeared before the Legislative Subcommittee to explain this problem and urged the subcommittee to consider favorably the appropriations of these funds. The subcommittee, however, once again refused to appropriate the money to fulfill the commitments that had been made over a period of years.

I do not question the right of the subcommittee to deny these funds or their wisdom in doing so. I do want to point out, however, that there has been 8 years of abuse on the part of the Congress; 8 years of unfairness on the part of the Congress; 8 years of punishment on the part of the Congress; and 8 years of procrastination on the part of the Congress, and we should stop it.

The CHAIRMAN. The time of the gentleman has expired.

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

Mr. BROYHILL of Virginia. I think these actions for the past 8 years are a reflection on this great body and the Congress of the United States. This is America. We ought to treat these owners as citizens of the United States should be treated.

We had a debate here a few moments ago on an amendment to take $50 million out of this bill for helium. That amendment was vigorously opposed by members of the Appropriations Committee as being an obligation, a contractual obligation, on the part of the U.S. Government.

The gentleman from Ohio (Mr. BOW) referred to the fact that there was $41 million in this bill for claims against the U.S. Government. That is what I am talking about here right now, a moral obligation on the part of the Congress of the United States to these property owners.

I do not think there is any question as to whether we can afford to spend the $1,250,000 or not. I do not think there is any question as to whether you agree with the House Office Building Commission or not. We have here these people who have been held up long enough and we ought to put up the money or shut up.

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

Mr. BROYHILL of Virginia. I yield to the distinguished minority leader.

Mr. GERALD R. FORD. Last May, in fact May 11, 1970, there was a colloquy on the floor between the gentleman from Virginia and several other gentlemen on this matter. At that time comments were made by me and by the distinguished Speaker concerning this matter.

It is perfectly obvious to me that the owners of this property are faced with a perplexing dilemma. They are precluded from getting a zoning variation or a zoning change on the one hand, and on the other hand they are not able to convince the Congress to purchase the property. So, they are faced with no solution, except the fact that they own the land and they cannot do anything with it.

It seems to me—and I have gone into this at some length with the gentleman from Virginia—that in all honesty, in all good faith, we ought to either act today and put the money in or if we refuse, we ought to cooperate and get the acquiescence of the Zoning Board for a variation or a change in the zoning. The Congress should act one way or another.

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

(Mr. ANDREWS of Alabama asked and was given permission to revise and extend his remarks.)

Mr. ANDREWS of Alabama. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, no one could agree with my friend from Virginia more than I do to the effect that his friends who own that property have been mistreated. Let me tell you who they are. We list them on page 418 of the hearings, as follows:

General partners:
D. F. Antonelli, Jr.
Kingdom Gould, Jr.
Max A. Bassin
Morton W. Noble
Limited partners:
Mary T. Gould
Sylvia Noble
D. F. Antonelli, Jr.
Max A. Bassin

Mr. Chairman, I think I agree with my friend from Virginia in his statement that they have been mistreated. By whom I do not know. But years ago, maybe 10 years ago, they bought some property and I think it is about three blocks, maybe four blocks, from the Capitol complex, the old Providence Hospital. I am sure you are all familiar with the property about which we are talking. They bought it for an investment. I do not know what they planned at that time; perhaps, a high-rise apartment, but the regulations on the part of the Commission were in effect at that time and they should have known then that they could not build a high-rise apartment. They rented the property for a number of years at $65,000 a year, which is pretty good rent. Then there was vandalism in the area and it got so bad that the windows were knocked out, the doors were broken into and the tenant who happened to be the good old U.S. Government, was forced to move out.

So they are left with a vacant building. When the building was vacated the vandalism increased. I do not know whether the owners tore it down, or whether the vandals tore the building down, but it is not there today.

Now, if they have been mistreated there are plenty of places to rectify the mistreatment. And I told my friend that when he was before the committee, and I talked to his friend when he came to my office, and I assured both of them that as long as I chaired the committee there would not be a vote from me to bail them out on a bad business deal. That is what it amounts to. And I want to say to you that this is no forum to bail out bad business deals. The Court of Claims, the Buildings Commission could change those rules; I am sure that a good lawyer could get remedy somewhere other than passing the hat in this House Chamber.

When the Architect was before us I asked him a question. It is on page 416:

Mr. ANDREWS. You know of no present plans to use that land for any purpose?

Mr. CAMPIOLI. No, sir; we have had none indicated to us.

Now, do you want to go and buy a piece of property that is not needed, and for which there are no plans, just to help a man who made a bad business deal? If you establish this precedent here you will open the floodgates, and I guarantee to you that some bad business deals from my district will be brought down here to be rectified.

Now, they say we might need it in the future. Well, if you do you can get it, any property needed by this Congress for official purposes can be condemned anywhere on this Hill. I think you could get some better property near the Capitol property complex than the old Providence Hospital site, which is three or four blocks from the complex.

Now, listen, there is more involved than money in this amendment. You will set a precedent here if you adopt this amendment that you will live to regret because every one of you will have a constituent urging you to come down here and bail them out on a bad business deal. You had better stop, look, and listen carefully before you vote for this amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Virginia (Mr. BROYHILL).

The amendment was rejected.

The CHAIRMAN. The Clerk will read.

The Clerk concluded the reading of the bill.

Mr. MAHON. Mr. Chairman, I move that the Committee do now rise and report the bill back to the House, with the recommendation that the bill do pass.

The motion was agreed to.

Accordingly the Committee rose; and the Speaker having resumed the chair (Mr. PEPPER), 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. 19928), making supplemental appropriations for the fiscal year ending June 30, 1971, and for other purposes, had directed him to report the bill back to the House with the recommendation that the bill do pass.

Mr. MAHON. Mr. Speaker, I move the previous question on the bill to final passage.

The previous question was ordered.

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

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

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

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

Mr. HALL. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make a 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 344, nays 21, answered "present" 1, not voting 67, as follows:

[Roll No. 400]

YEAS—344

Adair
Adams
Addabbo
Albert
Alexander
Anderson, Calif.
Anderson, Ill.
Anderson, Tenn.
Andrews, Ala.
Andrews, N. Dak.
Annunzio
Arends
Ashley
Ayres
Baring
Barrett
Beall, Md.
Belcher
Bell, Calif.
Bennett
Berry
Betts
Bevill
Biaggi
Biester
Bingham
Blanton
Blatnik
Boggs
Boland
Bow
Brademas
Brasco
Bray
Brinkley
Brock
Brooks
Broomfield
Brotzman
Brown, Ohio
Broyhill, N.C.
Broyhill, Va.
Buchanan
Burke, Fla.
Burke, Mass.
Burleson, Tex.
Burlison, Mo.
Burton, Calif.
Bush
Byrne, Pa.
Byrnes, Wis.
Cabell
Camp
Carney
Carter
Casey
Cederberg
Chamberlain
Chappell
Clark
Clausen, Don H.
Clawson, Del
Clay
Cleveland
Cohelan
Collins, Ill.
Collins, Tex.
Colmer
Conable
Conte
Corbett
Corman
Coughlin
Cowger
Cramer
Crane
Culver
Daniel, Va.
Daniels, N.J.
Davis, Ga.
Davis, Wis.
de la Garza
Delaney
Dellenback
Dennis
Derwinski
Devine
Dickinson
Diggs
Dingell
Donohue
Dorn
Downing
Dulski
Duncan
Dwyer
Eckhardt
Edmondson
Edwards, Ala.
Eilberg
Erlenborn
Esch
Eshleman
Evins, Tenn.
Fascell
Feighan
Findley
Fish
Fisher
Flood
Flowers
Flynt
Foley
Ford, Gerald R.
Ford, William D.
Foreman
Forsythe
Fountain
Fraser
Frelinghuysen
Frey
Friedel
Fulton, Pa.
Fulton, Tenn.
Fuqua
Gallagher
Garmatz
Gaydos
Gettys
Giaimo
Gibbons
Goldwater
Gonzalez
Goodling
Green, Oreg.
Green, Pa.
Griffin
Griffiths
Grover
Gubser
Gude
Halpern
Hamilton
Hammerschmidt
Hanley
Hanna
Hansen, Wash.
Harrington
Harsha
Harvey
Hastings
Hathaway
Hawkins
Heckler, Mass.
Helstoski
Henderson
Hicks
Hogan
Holifield
Horton
Hosmer
Howard
Hull
Hunt
Hutchinson
Jacobs
Jarman
Johnson, Calif.
Johnson, Pa.
Jonas
Jones, Ala.
Jones, N.C.
Jones, Tenn.
Karth
Kazen
Keith
Kleppe
Kluczynski
Koch
Kyl
Kyros
Latta
Leggett
Lennon
Lloyd
Long, Md.
Lowenstein
Lukens
McCloskey
McClure
McDade
McDonald, Mich.
McEwen
McFall
McMillan
Macdonald, Mass.
MacGregor
Madden
Mahon
Mailliard
Marsh
Martin
Mathias
Matsunaga
Mayne
Meeds
Melcher
Michel
Mikva
Miller, Calif.
Mills
Minish
Mink
Minshall
Mizell
Mollohan
Monagan
Montgomery
Moorhead
Morgan
Morse
Murphy, Ill.
Myers
Natcher
Nedzi
Nelsen
Nichols
Nix
Obey
O'Hara
O'Neal, Ga.
O'Neill, Mass.
Ottinger
Passman
Patman
Patten
Pelly
Pepper
Perkins
Pettis
Philbin
Pickle
Pike
Pirnie
Poage
Podell
Poff
Price, Ill.
Price, Tex.
Pryor, Ark.
Pucinski
Quie
Quillen
Railsback
Randall
Rees
Reid, Ill.
Reid, N.Y.
Rhodes
Riegle
Robison
Rodino
Roe
Rogers, Colo.
Rogers, Fla.
Rooney, N.Y.
Rooney, Pa.
Rosenthal
Rostenkowski
Roth
Rousselot
Roybal
Ruth
Ryan
St Germain
Sandman
Satterfield
Saylor
Schadeberg
Scherle
Scheuer
Schneebeli
Schwengel
Scott
Sebelius
Shipley
Shriver
Sikes
Sisk
Skubitz
Slack
Smith, Calif.
Smith, Iowa
Smith, N.Y.
Snyder
Springer
Stafford
Staggers
Stanton
Steed
Steele
Steiger, Wis.
Stratton
Stubblefield
Stuckey
Sullivan
Symington
Taft
Talcott
Taylor
Teague, Calif.
Teague, Tex.
Thompson, Ga.
Thompson, N.J.
Thomson, Wis.
Tiernan
Tunney
Udall
Ullman
Van Deerlin
Vanik
Waldie
Wampler
Ware
Watts
Whalen
Whalley
White
Whitten
Widnall
Williams
Wilson, Bob
Winn
Wold
Wright
Wyatt
Wydler
Wyman
Yates
Yatron
Young
Zablocki
Zion
Zwach

NAYS—21

Ashbrook
Brown, Calif.
Brown, Mich.
Conyers
Edwards, Calif.
Gross
Haley
Hall
Hechler, W. Va.
Kastenmeier
Landgrebe
Miller, Ohio
Mosher
Olsen
Rarick
Ruppe
Schmitz
Steiger, Ariz.
Vander Jagt
Vigorito
Wylie

ANSWERED "PRESENT"—1

Denney

NOT VOTING—67

Abbitt
Abernethy
Aspinall
Blackburn
Bolling
Burton, Utah
Button
Caffery
Carey
Celler
Chisholm
Clancy
Collier
Cunningham
Daddario
Dent
Dowdy
Edwards, La.
Evans, Colo.
Fallon
Farbstein
Galifianakis
Gilbert
Gray
Hagan
Hansen, Idaho
Hays
Hébert
Hungate
Ichord
Kee
King
Kuykendall
Landrum
Langen
Long, La.
Lujan
McCarthy
McClory
McCulloch
McKneally
Mann
May
Meskill
Mize
Morton
Moss
Murphy, N.Y.
O'Konski
Pollock
Powell
Preyer, N.C.
Purcell
Reifel
Reuss
Rivers
Roberts
Roudebush
Stephens
Stokes
Waggonner
Watson
Weicker
Whitehurst
Wiggins
Wilson, Charles H.
Wolff

So, the bill was passed.

The Clerk announced the following pairs:

Mr. Hays with Mr. Collier.
Mr. Waggonner with Mr. Watson.
Mr. Hébert with Mr. Cunningham.
Mr. Dent with Mr. McClory.
Mr. Mann with Mr. Clancy.
Mr. Long of Louisiana with Mr. O'Konski.
Mr. Wolff with Mr. Button.
Mr. Charles H. Wilson with Mr. Wiggins.
Mr. Moss with Mr. Powell.
Mr. Preyer of North Carolina with Mr. Mize.
Mr. Purcell with Mr. Burton of Utah.
Mr. Rivers with Mr. Reifel.
Mr. Galifianakis with Mr. McCulloch.
Mr. Edwards of Louisiana with Mr. Blackburn.
Mr. Evans of Colorado with Mrs. May.
Mr. Reuss with Mrs. Chisholm.
Mr. Stephens with Mr. Hansen of Idaho.
Mr. Stokes with Mr. Gilbert.
Mr. Celler with Mr. McKneally.
Mr. Carey with Mr. Meskill.
Mr. Caffery with Mr. Kuykendall.
Mr. Kee with Mr. Pollock.
Mr. Murphy of New York with Mr. King.
Mr. Dowdy with Mr. Roudebush.
Mr. Fallon with Mr. Morton.
Mr. Abbitt with Mr. Whitehurst.
Mr. Abernethy with Mr. Langen.
Mr. Aspinall with Mr. Lujan.
Mr. Hungate with Mr. Weicker.
Mr. Ichord with Mr. Landrum.
Mr. Gray with Mr. Farbstein.
Mr. Hagan with Mr. Daddario.
Mr. Roberts with Mr. McCarthy.

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. MAHON. Mr. Speaker, I ask unanimous consent that I may be permitted to revise and extend my remarks and include certain tables and pertinent extraneous material during consideration of H.R. 19928, and that all Members may have 5 legislative days to revise and extend their remarks and to include pertinent extraneous material and tables.

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

There was no objection.

PERMISSION TO FILE CONFERENCE REPORTS ON H.R. 18515 AND H.R. 17755

Mr. MAHON. I ask unanimous consent that the managers on the part of the House may have until midnight tonight to file conference reports on two general appropriation bills; namely, H.R. 18515 and H.R. 17755.

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

There was no objection.

INCREASE IN AUTHORIZATION FOR APPROPRIATIONS TO THE ATOMIC ENERGY COMMISSION

Mr. HOLIFIELD. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (S. 4557) to amend Public Law 91–273 to increase the authorization for appropriations to the Atomic Energy Commission in accordance with section 261 of the Atomic Energy Act of 1954, as amended, and for other purposes, and ask for immediate consideration of the Senate bill.

The Clerk read the title of the Senate bill.

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

There was no objection.

The Clerk read the Senate bill, as follows:

S. 4557

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 101(b) of Public Law 91–273 is hereby amended by adding at the end thereof:

"(9) Project 71–9, fire safety, and adequacy of operating conditions projects, various locations, $25,500,000."

SEC. 2. Section 102(a) of Public Law 91–273 is amended by striking "and" after "(3)," and by inserting ", and (9)" after "(4)".

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

The SPEAKER. The gentleman from California is recognized.

Mr. HOLIFIELD. Mr. Speaker, the bill S. 4557, which is identical to H.R. 19908, is a supplemental authorization bill amending Public Law 91–273, the fiscal year 1791 authorization of appropriations to the AEC. The Joint Committee on Atomic Energy has carefully considered this measure, held executive session hearings on it, and issued House Report 91-1677. It is a very short report without a great deal of specific information, because the projects involved are classified. Very briefly, this supplemental request for $25.5 million was made by the President in order to initiate promptly title I and title II design, engineering, and critical procurement relative to projects to further enhance fire protection, safety, and operating conditions of the Atomic Energy Commission nuclear weapons production and research facilities.

Following the very serious fire which occurred last year at the Rocky Flats, Colo., weapons plant, the AEC initiated dual investigations of fire protection and safety aspects of all AEC weapons production and research facilities. These investigations were conducted by the AEC and by two independent fire insurance consultants. The reports of these investigations confirmed to the President what had been realized for some time, namely, that it was time to proceed vigorously with a substantial upgrading and in some cases replacement of some of these facilities in the light of several basic factors:

First, the increasing age of a number of the facilities with the normally occurring deterioration; second, changes in production procedures and techniques; third, higher fire standards reflected in current building codes; and fourth, the availability of improved construction materials and techniques. In addition, the Rocky Flats fire experience which was carefully studied by the Joint Committee on Atomic Energy resulted in a modification of basic fire protection concepts relative to plutonium facilities. In the past, the basic philosophy had been that water should not be used as a fire-fighting medium because of the hazard of bringing into existence a mass of plutonium, suspended in the water, which could create a critical mass resulting in a nuclear chain reaction. However, water was used successfully at the Rocky Flats fire with special care taken to avoid any possibility of a critical accident.

In light of that experience, a significant portion of the moneys requested in this supplemental authorization bill would provide for the installation of water sprinkler systems and high-pressure firefighting water mains. In conjunction with their use, special design and construction techniques are employed to prevent the formation of concentration of plutonium in geometries which would support a chain reaction.

I should like to emphasize, and this is a point specifically ascertained by our committee during the hearings on this bill, that none of the AEC facilities to be improved with the moneys authorized by this bill are now operating in a manner which creates a hazard either for the general public or for the employees working within the facilities. The primary reason for the request of supplemental appropriations is to permit prompt initiation of the design and engineering work and procurement of high priority items which would necessarily be delayed by perhaps as much as a year if these moneys were not available until the budget for fiscal year 1972 is submitted and finally approved by the Congress. This is not a crash program, but it is one which we believe should proceed with as little delay as possible. The $25.5 million will fund the initial work on the 10 highest priority items as determined by the AEC and its private insurance consultants. The funding for the remaining items will be requested as part of the fiscal year 1972 budget in the usual manner.

I should also point out that this bill was reported without dissent by the Joint Committee. The committee recommends moving forward expeditiously to maintain our consistent assurance of maximum protection of public health and safety while continuing optimum efficiency in the operation of these AEC facilities. I urge passage of S. 4557.

Mr. HOSMER. Mr. Speaker, I move to strike out the last word.

Mr. Speaker, I wish to associate myself with the remarks of the chairman of the Joint Committee on Atomic Energy and urge passage of S. 4557. As usual he has explained the purpose of legislation reported by the committee clearly and completely. If the explanation is somewhat brief in this case, it is due to the constraints of security classification which surrounds the Nation's weapons production and research facilities.

The moneys authorized by this bill will permit the timely initiation of design and engineering work now agreed to be necessary to assure implementation of the best available safety materials and designs. Some procurement of equipment such as water sprinkler systems, is also included. In some cases, existing facilities will be improved while in others, new facilities will be constructed where such action is more economical.

We, basically, will be doing two things and accomplishing two necessary goals here. First, we will be rectifying deteriorations which have occurred by the passage of time. Second, we will be applying newly available technology in the fire preventing and safety fields of which it is very provident to take advantage.

This bill, at this juncture, will also buy time—as much as a year—in moving forward on these projects without the delay or interruption which might occur if we were to wait for the fiscal year 1972 budget to clear the administrative and legislative processes. I join my distinguished colleague from California in urging passage of S. 4557.

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

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. 19908) was laid on the table.

APPOINTMENT OF CONFEREES ON H.R. 19877, PUBLIC WORKS AUTHORIZATION BILL

Mr. BLATNIK. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 19877), authorizing the construction, repair, and preservation of certain public works on rivers and harbors for navigation, flood control, and for other purposes, with a Senate amendment thereto, disagree to the Senate amendment, and agree to the conference requested by the Senate.

The SPEAKER. Is there objection to the request of the gentleman from Minnesota? The Chair hears none, and appoints the following conferees: Messrs. BLATNIK, JONES of Alabama, JOHNSON of of California, DORN, CRAMER, HARSHA, and DON H. CLAUSEN.

RESIGNATION FROM COMMITTEE

The SPEAKER laid before the House the following resignation from a committee:

DECEMBER 10, 1970.

Hon. JOHN W. MCCORMACK,
The Speaker, U.S. House of Representatives, Washington, D.C.

DEAR MR. SPEAKER: I am tendering my resignation as a member of the House Committee on Merchant Marine and Fisheries.

I am apprising Chairman Garmatz of this action so that you and he may make the appropriate arrangements.

I would like to take this opportunity to express my special appreciation for your kindness and consideration to me since I came to Congress. We all look forward to your continuing guidance to our work here in the Congress.

With warm good wishes, I remain,
Sincerely,
RICHARD T. HANNA.

ELECTION TO COMMITTEE

Mr. MILLS. Mr. Speaker, by direction of the Committee on Committees, I offer a privileged resolution and ask for its immediate consideration.

The Clerk read the resolution as follows:

H. RES. 1305

Resolved, That Glenn M. Anderson, of California, be, and he is hereby, elected to the standing committee of the House of Representatives on Merchant Marine and Fisheries.

The resolution was agreed to.

A motion to reconsider was laid on the table.

CONFERENCE REPORT ON S. 3867, THE EMPLOYMENT AND MANPOWER ACT

Mr. PERKINS. Mr. Speaker, I call up the conference report on the bill (S. 3867) to assure opportunities for employment and training to unemployed and underemployed persons, to assist States and local communities in providing needed public services, and for other purposes, and ask unanimous consent that the statement of the managers on the part of the House be read in lieu of the report.

The Clerk read the title of the bill.

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

There was no objection.

The Clerk read the statement.

(For conference report and statement, see proceedings of the House of December 9, 1970.)

Mr. PERKINS (during the reading). Mr. Speaker, I ask unanimous consent that further reading of the statement of the managers on the part of the House be dispensed with.

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

There was no objection.

The SPEAKER. The gentleman from Kentucky is recognized for 1 hour.

Mr. PERKINS. Mr. Speaker, I yield myself 10 minutes.

Mr. Speaker, on November 17 the House overwhelmingly passed the Comprehensive Manpower Act. The legislation reported by the House Education and Labor Committee had strong bipartisan support.

It had the support of the administration. It had the support of labor organizations. It had the support of the business community. It had the support of educational agencies and private groups and associations concerned with training and employment opportunities.

It had my enthusiastic support and the enthusiastic support of many Members of this body because of one outstanding feature in the legislation which was new to manpower legislation. This was the concept of public service employment opportunities.

Mr. Speaker, as a participant in many sessions of the House Education and Labor Committee and in many floor debates and in many hearings on the subject of manpower over the past decade, I have always been greatly concerned that we were not dealing directly with one of the toughest of all our manpower problems. And that is that we continue to be confronted with the provision of training under a manpower program to fit a person with a skill that our job market data analysis indicates will provide that person with an employment opportunity only to find that in many job market areas at the terminal point of the training program the individual cannot be fitted into employment.

There are no employment opportunities in the area.

If the prospective employee is the head of a family with his life investment in a home or a small farm or with deep roots to the community, he will not and cannot be appropriately relocated for employment, and if he is relocated he is the most likely to become again unemployed when economic conditions in the new locality change.

In addition, employment placement problems are critical with respect to certain age groups in the manpower picture. At the terminal point of a training program those advanced in age are difficult to place in the private sector because of the reluctance and the policies of private business in hiring older workers.

There is evidence of an equal reluctance on the part of the private employer to hire the very young.

Ofttimes this caused the quality of training programs to suffer. Well-designed manpower programs with only a limited number of slots had to accommodate both the unemployed who for various reasons lacked the mobility to find employment wherever it existed in the United States and those who lacked this mobility for the reasons I have outlined previously.

In recognition of this problem the legislation which passed the House on November 17 with the broad support I have mentioned contained a new title designed to provide employment opportunities in public service employment where the unemployed through a simple retraining program could not be directed into the private sector for immediate employment.

This new provision provided our manpower programs with the flexibility to fashion manpower programs to meet more directly the specific needs of an area and the specific needs of unemployed applicants for employment and training.

This provision was applauded by manpower and education experts alike. Many educators have been concerned about strengthening the quality of the training of participants in manpower programs.

The public service employment provision, I think, guarantees that the quality of our training programs will be enhanced.

It also means that in many areas of the country where the unemployed lack mobility and where there is a shortage of job opportunities in the private sector many neglected areas of public service employment can find the manpower for community improvement—in conservation activity, in health services, in recreation programs, in welfare services, and in other governmental-type activities the unemployed can find opportunities for service and the dignity of remunerative employment.

We do not contemplate that such employment will be of the make-work variety.

Both the House-passed bill and the conference report make provision when possible for the training of persons in public service employment to increase the value of their services.

In addition, it is contemplated and in fact written into the conference report that there should be linkages between the public service employment programs, the other manpower training programs and Wagner-Peyser activities so that participants in the public service employment may move into other employment opportunities and skill upgrading in the private sector when such opportunities are or can be developed.

The conference report retains these concepts of the House-passed legislation and in my judgment strengthens them.

The public service employment and training provisions of the conference report are an essential component of a comprehensive manpower bill.

Training alone without appropriate provisions for employment opportunities for all trainees would be a meaningless gesture.

Mr. Speaker, it would be a particularly meaningless gesture in view of the uncertainties presented us by current economic conditions.

Mr. Speaker, unemployment is at the highest level it has been since May 1963. It jumped from 5.6 percent to 5.8 percent in November. There were 4,600,000 persons unemployed in November, an increase of 350,000 from the October report. Since November a year ago there are an additional 1,900,000 people looking for jobs.

I am hopeful that the administration will take new policy directions to assure the elimination of unemployment, but in view of the present unemployment picture the public employment service provisions of this legislation are an essential tool to have at hand to eliminate the hardship and suffering now confronting the families of many areas where adverse economic circumstances have created work shortages.

Mr. Speaker, the conference report that we bring back today contains all of the essential elements of the legislation which passed the House on November 17.

It contains all of the essential features that brought about agreement among majority and minority members of the committee and the administration which resulted in H.R. 19519 coming to the floor of the House on November 17.

In the conference with the Senate we were confronted with the Senate bill which differed materially from the House-passed bill.

But, despite the differences and despite the strong insistence of the Senate Members on features of the Senate legislation, I believe that we have been successful in preserving the essential character of the House bill.

At this point let me review some of the critical points in the House-passed manpower bill which the House managers were able to insist upon and retain against the strong insistence of the Senate conferees.

At the same time let me mention a few of the Senate provisions which were not in the House bill which were accepted in conference, and which I think improved the legislation and will receive the approval of my colleagues.

First, the Senate bill gave a community action agency the right of a direct appeal to the Secretary of Labor when it submitted evidence that the prime sponsor of the manpower programs in an area was not complying with provisions of the act and required the Secretary to withhold financial assistance to the sponsor pending resolution of the controversy. The conference report does not contain this provision although local government agencies are given such authority deleting all references to community action agencies.

Second, the Senate bill did not contain a provision with respect to the submission by a State of an annual statewide comprehensive manpower plan dealing with the participation of State agencies in developing and implementing the manpower plans of local prime sponsors. The conference report contains such a requirement but modifies the participation authorization to require the State plan to outline the extent to which programs funded under the Wagner-Peyser Act will coordinate with programs funded under the manpower act in areas of State prime sponsorship, the extent to which State manpower agencies are assisting in the development and implementation of local prime sponsors plans where requested and the extent of technical and other assistance to be made available by the State to the local manpower program.

Third, both the Senate bill and the House amendment provide for training and related manpower services for servicemen recently separated or who would shortly be separated from the military service. The Senate bill contained, in addition, provisions for employment counseling, placement and related services. In addition, the Senate bill contained stronger language with respect to the provisions of training and manpower services. The provisions of the Senate bill were adopted by the conferees.

Fourth, the conferees adopted provisions of the House bill with respect to the requirement that a county or a combination of units of local government serving a substantial part of a labor market area with a population of 100,000 or above could be an eligible sponsor.

Fifth, the Intergovernmental Advisory Council on Manpower provided for in the Senate bill but not in the House amendment was deleted. Under the Senate provisions the council would have had authority to advise the Secretary of Labor, the Secretary of Health, Education, and Welfare and the Director of the Office of Economic Opportunity in the conduct of programs including assignment of manpower responsibilities among the Federal, State and local agencies, the allocation of funds, the dissemination of prime sponsors. The council would have had its own funds and staff.

Sixth, the House provisions for which there were no comparable Senate provisions requiring the Secretary to use available services and facilities of other Federal agencies calling for the utilization of all possible resources in education institutions, State, Federal and local agencies was retained.

Seventh, the conference substitute strikes the language in the bill referring to community action agencies in describing the authority of the Secretary to act upon the challenge of a prime sponsor's application by a unit of local government.

Eighth, the House bill contained a provision permitting a unit or combination of units of local general government in certain rural areas to qualify as prime sponsors without regard to the population requirement. The Senate did not have a provision of this sort. The House provision was retained.

Ninth, the Senate provision requiring a representative of family planning on local manpower councils was deleted.

Tenth, the Senate receded from its proposal for the establishment of an office of Indian manpower programs and an office of migrant and seasonal farmworkers manpower.

Eleventh, the conference adopted the House provision providing an incentive for cooperation with vocational education of additional funds up to 20 percent rather than accept the Senate add-on of only 10 percent.

Twelfth, to operate public service employment programs, the House provisions limited eligible sponsors to prime sponsors under title I and other public agencies and institutions. The Senate provision would have permitted community action agencies and other nonprofit agencies and institutions to serve as prime sponsors. The House provisions prevailed with the modification that nonprofit hospitals, nursing homes, local service companies and Indian tribes and private nonprofit agencies approved by the prime sponsor could be eligible applicants.

Thirteenth, the Senate bill provided authorizations for the public service employment title of $750 million for 1971, $1 billion for 1972, $1,250,000,000 for 1973, and $1,500,000,000 for 1974. The House bill contained no separate authorization for the public service employment program, it to be a percentage set aside of the overall authorization. The conference report cuts down on the authorizations for public service employment to $200 million for 1971, $400 million for 1972, $600 million for 1973, and $800 million for 1974.

Fourteenth, the provisions of the House amendment contained no State allocation formula for the public service employment program. The Senate bill contained a State allocation formula. The conference substitute apportions the funds in an equitable manner among the States taking into consideration unemployment and low income persons with a set minimum of not less than $1,500,000 and a minimum of $150,000 for outlying areas.

Finally, the House bill required public service programs to have linkages with manpower and upgrading programs. The Senate bill required employment and related training in manpower services in applications. The conference agreement provides for training and manpower services related to public service jobs and the House provisions for linkages with other manpower programs are retained.

The Senate failed to agree and refused to recede on that point. That is the reason some of our distinguished minority friends failed to approve this conference report.

But let me say to my colleagues, they all worked diligently and they are to be complimented for the time they have spent in connection with the conference report, as well as in connection with the work of the committee on the legislation.

Mr. STEIGER of Wisconsin. Mr. Speaker, will the gentleman yield?

Mr. PERKINS. I yield to the gentleman from Wisconsin.

Mr. STEIGER of Wisconsin. Mr. Speaker, I say to my chairman, I think it ought to be made clear that none of the House Republican conferees signed the conference report, and I suspect it would also be fair to say that there were perhaps further reasons than just the one.

Mr. PERKINS. I will accept the statement of the gentleman that none of the conferees on that side of the aisle signed, but I will not accept the statement that there was any issue that divided us further than this one issue on public service employment.

The real issue here appears to be that the Secretary wanted the authority to reduce the Federal funds paid to a community with a public service contract to move enrollees out of the program even when there were no jobs to move them into.

In other words, if he was not satisfied with the public service employment contract he could tell the sponsors the next year, when it came up for review, "We are not going to participate any more than 10, 20, 30, 40, or 50 percent instead the usual 80 percent."

The Senate just would not buy this provision in the bill. And I am convinced that is the only reason my colleagues refused to sign this report.

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

Mr. PERKINS. I yield briefly, yes.

Mr. ERLENBORN. Since the gentleman is assigning reasons for the minority's refusal to sign the report, let me say I do not agree with the gentleman. I believe there are other good and valid reasons.

Mr. PERKINS. I believe we all understand. I will respond by saying that the real reason was because the Secretary did not get the authority to reduce the Federal contribution below 80 percent.

The Senators argued that this would do away with the public service employment contracts in the very areas where they were needed the most. The Senate just would not recede.

Mr. PICKLE. Will the gentleman yield?

Mr. PERKINS. Yes. I yield briefly.

Mr. PICKLE. As he recalls, I offered an amendment when this bill was before the House in an attempt to take out from it any reference to the Wagner-Peyser program participation. I want to ask a question with reference to this particular program. What effect would the bill before us now have on a particular State's program which is operating? Suppose my State was not able to or did not choose to participate at the full level under this program. Would it lose the Wagner-Peyser funds?

Mr. PERKINS. No, it would not. The purpose of this legislation is to shift responsibility to the local level, and the employment service will be involved in ongoing and new programs.

The SPEAKER. The time of the gentleman from Kentucky has again expired.

Mr. PERKINS. Mr. Speaker, I yield myself 2 additional minutes.

Mr. PICKLE. Mr. Speaker, in section 109, since the language of the Wagner-Peyser act was still left in the bill, that requires under the present law the State to file a regular State comprehensive plan under the Wagner-Peyser program. So, since it has to file a State plan, my question to you is this: Under the bill that you have brought before us at this point does the conference report repeal the requirement that the State still has to file—

Mr. PERKINS. It does not.

Mr. PICKLE. It could file a plan under the Wagner-Peyser program and it would then file another plan under a State program? Would not that add up to duplicity and confusion?

Mr. PERKINS. If the gentleman will look at the State plan provision—in section 109 of the conference report, he will find this language:

SEC. 109. (a) Any State seeking assistance under this Act or the Wagner-Peyser Act shall submit an annual State employment and manpower plan to the Secretary for approval in accordance with the requirements of this section.

This to me indicates that only one State plan is necessitated.

Mr. PICKLE. Mr. Speaker, if the gentleman will yield further, I wonder why the law would go to the trouble of making the State then submit a detailed comprehensive manpower plan under section 109 when under section 104 it sets out another approach.

Mr. PERKINS. You presently have to file a plan before you can obtain funds to operate the employment services today.

Mr. PICKLE. That is correct. But under the bill as it exists now, are you going to require a State to fill out a plan under the Wagner-Peyser program and then another one under the State plan? Is it going to be necessary for the State to file a State comprehensive plan and yet you do not require a local sponsor to coordinate or dovetail their program in with the State plans?

Mr. PERKINS. Yes, we require the employment service today in all the manpower programs to coordinate with vocational educators and everyone involved, and it is contemplated in this legislation that the same thing will take place. To my way of thinking the employment service will be busier than they have ever been under this legislation.

Mr. PICKLE. Mr. Speaker, if the gentleman will yield further, the present law does not require the local sponsor to file its plan with the State plan or to dovetail the plan with the State comprehensive plan.

Mr. Speaker, my main concern about this is the employment program in this country which has been carried out almost solely by the employment agencies of the country, financed under the Wagner-Peyser program. Yet you are going to relegate them to a minor role. You are going to put them out of the picture.

Mr. PERKINS. No; that is not what we contemplate. We do not contemplate downgrading to any degree the State employment service offices. It is contemplated on the other hand that we will strengthen the employment service offices.

Mr. ANDERSON of Illinois. Mr. Speaker, will the gentleman yield for a question?

Mr. PERKINS. Yes; I yield to the gentleman from Illinois.

Mr. ANDERSON of Illinois. Mr. Speaker, I thank the gentleman for yielding. The gentleman's remarks have carried the implication that it would be necessary for us to adopt this conference report this afternoon, and I believe the gentleman said, in order to save 1.25 million training slots for America. Is it not true that we would go back to the Manpower Development Training Act of 1961—or was it 1962—even without this consolidation? We are not going to wipe out the manpower training program, are we?

Mr. PERKINS. I would think the distinguished gentleman from Illinois would want the country to be able to take advantage of the improvements in this bill in view of the high rate of unemployment.

Mr. ANDERSON of Illinois. That does not answer the question. We will not wipe out the manpower training program, will we?

Mr. PERKINS. It is true the act does not expire at this time.

Mr. ANDERSON of Illinois. I thank the gentleman for yielding.

Mr. PERKINS. But it would be a tragic mistake to vote down this conference report.

The SPEAKER. The time of the gentleman has expired.

Mr. PERKINS. Mr. Speaker, I yield 15 minutes to the distinguished gentleman from Minnesota (Mr. QUIE).

Mr. QUIE. Mr. Speaker, the gentleman from Kentucky indicated one of the important reasons why the Republican conferees did not sign the conference report. The main, most important one, of course, is the fact that this conference report does not give effective tools to the Secretary of Labor to move people out of public service employment to nonsubsidized private and public employment.

Now, it can be claimed by some that the Secretary of Labor, if he wants to, can refuse to fund a program or defund a program to a prime sponsor if he does not agree they are moving people out of public service employment fast enough. But anybody who has watched the Federal Government operate for some time knows when a project is operating in a district the political pressure that is brought to bear to continue the funding on and on.

We provided in the House bill an effective way to accomplish this basic objective, and one that would not be harmful in any way at all, and that would be for the Secretary to reduce the Federal share if the local prime sponsor wanted to keep people on for an inordinate length of time in public service employment. If they did, then they could go ahead and do it, but they would then have to pay more of the bill themselves. That seems to me to be an effective and wise way of doing it, but we lost this in the conference.

What this does is permit public service employment to mushroom on and on through the years to such a level that it would get the bad name that the old WPA got back in the thirties.

Also we wisely set 1972 fiscal year as the beginning of public service in the House bill, in order to tool up for this, it just would not be possible to get going before the beginning of the next fiscal year. This bill puts in an unbudgeted $200 million for the rest of this fiscal year. So we are following the route we did some time in past years of holding out hopes that cannot be fulfilled.

It also provides for $1.1 billion in the next fiscal year—a pretty big jump for public service employment unless it is intended that the Federal Government shall become the employer of first resort, which many indicated in conference they intended it to be, but which I do not want public service employment to be.

I support public service employment if it is used as a tool to move unemployed people into jobs the way the manpower training programs have done in the past.

However, this adds unemployed to the House bill, which is another unwise feature.

We in the House bill did another thing that was good and that is to provide funding for the program giving latitude to local communities to use the money as they see fit. If their needs are greater in the traditional manpower program, they could expend it there and if their needs are greater for the public service employment they could use it there, but this conference committee bill categorizes programs with one-third for manpower training programs in title I, and one-third for the public service employment money in title III, and then titles II and IV together share another one-third.

So I say to you that these are some of the many reasons why this conference report is not acceptable.

I regret that I cannot support the conference report on S. 3867, but I want to make the point that we have the Manpower Development and Training Act in place. If we vote down this conference report, we shall still have a manpower training program in operation.

The House bill, H.R. 19519, had overwhelming bipartisan support because it successfully embodied the necessary elements for effectively reforming our manpower programs.

It effectively decategorized manpower authorization while consolidating existing authority under a single law.

It decentralized program authority to a well-balanced network of State and local governments serving as prime sponsors.

It provided these prime sponsors with flexible, nonearmarked funds to allow them to shape local programs to fit local needs.

To the array of manpower training programs it added a new tool: Public service employment. Yet, H.R. 19519 carefully provided that, while creating additional public service jobs for unemployed persons, the objective would be that these federally subsidized jobs would provide a transition to nonsubsidized public and private employment for the participants.

Furthermore, as a new program with which we have no experience, the House bill kept the required level of public service employment at an initial level which could be accommodated within realistic budget constraints and current program commitments.

The conference bill does not satisfy these principles. In addition, it contains a staggering authorization of $10.7 billion over 4 years—including $200 million for fiscal 1971 which is not in the President's budget. These amounts exceed the total House authorization by more than $3 billion.

Of overriding importance are the issues of the nature and size of public service employment and providing flexible funds to State and local program sponsors.

In H.R. 19519 the House carefully provided that public employers would be required to use such subsidized positions as opportunities to move most—and, hopefully, all—participants gradually into nonsubsidized regular employment. Moreover, as a new program, the

House kept the required level of public service employment at a large, yet still manageable startup level.

What does the conference report on S. 3867 provide? With flagrant disregard for the realities of effective manpower program operation, the majority of the conferees removed the House's requirements that public service employers seek to move participants into permanent, nonsubsidized job opportunities. Moreover, S. 3867 piles on authorization after authorization for public service employment.

It begins with an unbudgeted $200 million for this fiscal year. In fiscal 1972 the bill calls for spending over $666,000,000 for public service employment and adds a special authorization for $400 million more. Over $1.1 billion authorized for a program which has never been attempted.

The authorization grows year by year reaching $1.8 billion in fiscal year 1974.

Even if such massive funds someday could be justified, S. 3867 distorts public service employment. It transforms it from an integral component of a comprehensive manpower program into a new category of federally subsidized jobs which grows inexorably year by year.

Let us review the public service employment provisions which the House approved in the Comprehensive Manpower Act.

First, H.R. 19519 recognized that State and local governments have pressing needs to provide additional public services which they cannot themselves finance.

So H.R. 19519 provided permanent funding for additional public service jobs, when it can be demonstrated that they are needed services.

Second, H.R. 19519 required that such federally subsidized jobs be equal in every respect—pay, benefits, employee protections, promotional opportunities—with equivalent nonsubsidized jobs.

Third, to emphasize the impact on manpower problems, H.R. 19519 restricted recruitment for these jobs to the unemployed.

And, fourth, out of the conviction that such jobs must serve as opportunities for further advancement for most participants, H.R. 19519 provided that the Labor Department and the State or city employer should agree on "objectives for the movement of persons employed thereunder to public or private employment not supported under this act."

The conference alterted the House's provisions in many respects. It extended eligibility for funds to a range of private, nonprofit employers. It allowed the underemployed as well as the unemployed to be recruited.

But most critically it rejected outright the provision calling for carefully negotiated program objectives to assure that public service employment would lead to suitable nonsubsidized opportunities for most participants.

I felt that this was the one point which we could not surrender and maintain any semblance of the position and philosophy of the House.

Clearly, the conferees could have provided a workable mechanism for assuring that public service employment remains an integral part of the manpower development process and not just a way to finance new public jobs. At the same time, it could have been a very flexible mechanism which could be fine-tuned to meet local conditions. Will the program serve mostly young, upwardly mobile workers? Or older workers, for whom there are less prospects for advancement? Are alternative job opportunities ample? Is the local labor market depressed and unemployment high? The goals set under the House bill could have been adjusted to meet all these considerations and more.

Such objectives could have been met in a variety of ways: Promotion or lateral transfer to non-subsidized employment, absorbing the subsidized job under regular funds—while shifting public service employment funds to new activities—or helping the public service employee find satisfying employment in the private sector.

The system could not have been coercive upon individuals, since public service employees would have had to have all the rights and protections of regular employees. But more important, the objectives would have been focused on the individual employee's welfare and career development. Merely moving such employees off the public payroll could not have met these objectives. The participant would have to move into suitable jobs in the nonsubsidized regular employment system.

Without this mechanism the conference bill provides no incentive for State and local governments to be concerned with preparing most participants for better employment. Public service employment will cease to be part of manpower development. As such, it has no place in this legislation.

A second major failure is that S. 3867 rejects flexible funding of State and local program sponsors.

The conference bill arbitrarily divides appropriations as follows:

One-third for manpower services—title I.

One-third for public service employment—title III.

And one-third for titles II—upgrading—and IV—special Federal responsibilities, including a whole host of special, narrow, categorical programs.

Title I and title III each have their own separate and different apportionment formula. Thus, Federal manpower funds would not flow through one channel into local communities. They come through at least two separate channels, each with an earmarked use.

Throughout months of public hearings local officials and manpower experts have pleaded for flexible funding.

How will the Congress have responded to this compelling testimony if this categorized conference report becomes law?

We will be saying, in effect "Mr. Mayor—or Governor—of every dollar you receive in Federal manpower funds, you must spend 50 cents for public service employment and 50 cents for manpower training and related services."

"Or," the conference report permits in its most generous interpretation, "you might be able to wiggle your percentages one-quarter either way."

In my view, this is a vote of no confidence in our mayors and Governors. The conference report is saying in effect "regardless of your community's training needs, regardless of your level of unemployment, regardless of your public service needs, this is how you must allocate your money—50-50."

Thus, in their desire to impose public service employment on every State and local community the conference majority has denied local officials their right to establish priorities in how they balance manpower training with public service employment.

There are other bad—if less obvious—effects of this arrangement.

In H.R. 19519 the House sought to encourage local governments to combine together to designate a single prime sponsor to plan for and serve an entire labor market area. The House bill authorized up to $75 million in fiscal year 1972 as incentive grants to achieve such areawide coverage.

The conference report cuts that fund by more than half. It increases the possibility that our labor market areas will be balkanized by an uncoordinated patchwork of local prime sponsors.

Second, the House bill also set up an incentive fund to encourage effective linkages between vocational education activities and manpower training activities. This fund also could reach $75 million in fiscal year 1972. It too has been more than cut in half.

Thus, the conference report has reneged on the House's commitment to the Nation's vocational educators that substantial funds would be available to strengthen the integration of manpower programs with our vocational training system.

Finally, next year's appropriations under this bill will not represent new money for all new programs. We have authorized $2 billion for the basic manpower programs for fiscal 1972—not counting an additional $400 million for public service employment. Under current authority—which would be replaced by this act—we will spend this year over $1.6 billion. Yet, this bill requires that one-third of next year's appropriations for the basic program be spent on public service employment.

I have little doubt that to meet this commitment the Labor Department will have to close down or radically convert hundreds of existing manpower training and work experience programs, with which every member should be well familiar, into the new mold for public service employment.

Yet when the letters of protest mail come pouring in next fall, let this be thoroughtly understood right now—the deed was done here in this conference report. So if we approve this conference report we shall have only ourselves to blame—not the Secretary of Labor.

This decision was taken by the conference majority even though we had offered a reasonable compromise based on the House bill.

"Combine all program titles under one umbrella and allocate them 75 percent of appropriations without further earmarking," we offered. "Apportion this flexible fund by a single apportionment formula. Allow State and local officials to determine what mix of activities best suits their communities' needs."

Then to reassure the strongest proponents of public service employment, we offered to fix a national level floor which would guarantee a minimum level for public service employment, as in the House bill. H.R. 19519 set this floor at 18.75 percent.

The Labor Department would have to add up public service employment components of prime sponsors' comprehensive plans. If they didn't "tote up" to the required percentage, the Labor Department would have to fund more public service programs out of national funds.

However, the majority would not accept this concept.

We have sought flexibility. They have adopted rigidity.

We cannot support new manpower legislation which will not extend to State and local officials the opportunity to make fundamental decisions about the basic mix of programs which best suits their community.

This mandatory split between public service employment and manpower training and related services is merely the clearest example of rigid categorization.

Finally, there is the matter of swollen authorization levels. The House-passed bill authorized an enormous $7,500,000,000 over 3 fiscal years. The Senate bill authorized an unbelievable total in excess of $13,000,000,000—beginning with an unbudgeted $750,000,000 in this fiscal year. The bill reported by the conference committee totals nearly $11,000,000,000 beginning with an unbudgeted $200,000,000 in this fiscal year. It is far more than we ought to approve.

Mr. Speaker, I cannot understand why—when compromise solutions were so simple and easily at hand—the majority of the conferees chose not to adopt provisions which would allow all parties to support much needed reform of our manpower programs and the initiation of a new instrument of manpower policy: public service employment.

Mr. STEIGER of Wisconsin. Mr. Speaker, I appreciate the distinguished gentleman from Minnesota yielding.

Mr. Speaker, the Secretary of Labor wrote to the conferees and in his letter he said and I quote him:

Although I pledged Administration support of the Comprehensive Manpower Act, that support was predicated on the acceptance of certain basic concepts embodied in the House bill. H.R. 19519 was developed as a workable compromise between the Administration's proposals for manpower reform and the Senate's Employment and Training Opportunities Act (S. 3867).

He went on to say:

I would like to set forth again these basic concepts of manpower reform and public service employment which I believe to be essential.

First, Federally subsidized public service employment must provide a transition to non-subsidized public and private employment for a majority of participants as expressed in Sec. 302(h), while creating additional permanent public service jobs.

Second, the required level of public service employment should not exceed that which can be accommodated within realistic budget constraints and current program commitments (Sec. 502(b)).

Third, funds must be apportioned in a flexible fashion at the State and local level to permit comprehensive programs designed to meet such community's needs (Sec. 502 (a)).

Quite frankly, Mr. Speaker, none of these basic principles is contained in this conference report.

Mr. Speaker, I will say to the House that I disagree with the distinguished chairman of the Committee on Education and Labor. This bill is not the House bill. This bill is the Senate bill. The conferees on the part of the House in my judgment gave up far too much in terms of that which the House has agreed to by an overwhelming margin. The bill passed the House by a voice vote. There were 80 who opposed it at the time of the recommital motion. Those who supported it were those voting in essence for a number of things, the complete decentralization and decategorization and, second, the public service employment concept based on the idea that this was not the employer of first resort—this was not a permanent ongoing public service employment program and the bill that comes to us today in the form of the conference report is not the House version. It clearly is an acceptance of the Senate version and if the Members will look at page 40305 of the RECORD of December 8 they will see where I try to outline in a short statement in the RECORD at that point the reasons why the Members of the House on the minority side did not sign the report.

There are other provisions which are not as acceptable. The gentleman from Minnesota has outlined some of them. I think it is important to recognize the fact that this bill provides $4.5 billion for public service employment over the life of the bill including $200 million of that which is unbudgeted starting January 1, 1971—and this has not been requested.

Second, I think we have to understand it is over $3 billion above the level of the authorization passed by the House.

And third, we have to understand that the public service employment section of the bill in the House-passed version provided for a minimum of 18.75 percent for public service employment and the conference report provides a minimum of 25 percent for public service employment.

Mr. Speaker, it is for these reasons and for other reasons that I think the conference report is clearly an indication that the conferees did not hold to the House version and that the bill that has been returned in the conference report is an unacceptable bill and that the conference report ought to be voted down.

Mr. Speaker, I thank the gentleman from Minnesota for yielding to me to make it possible to give this kind of a brief explanation as to the reason why this particular conferee who had attempted in working with the gentleman from Michigan, the gentleman from Minnesota, and the gentleman from Kentucky, to fashion a bill that could pass the House and that could be accepted by diverse groups such as the chamber of commerce and the AFL–CIO—and yet I have to stand here today and report to the House that the bill that comes back to the House does not do the work that I had hoped would be done.

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

Mr. QUIE. I yield to the gentleman.

Mr. ERLENBORN. I thank the gentleman for yielding.

Mr. Speaker, let me say I think the gentleman in the well and the gentleman from Wisconsin have made some excellent points in discussing the reasons why the Republican conferees did not sign the conference report and why I, for one, do not support the conference report.

I would like to point out one or two other items. The gentleman from Minnesota referred to the public service employment section as a sort of WPA. I think it is rather that. The House provision would have provided an effective means to assure that the program as a whole was doing the job of moving people out of the public service employment subsidized into either permanent public service unsubsidized or private employment.

I would like to point out that what the conference report will do is to provide for an annual past-fail sort of determination as to each employee as to whether he has become a fit person to move out of subsidized employment, a rather demeaning sort of thing.

Besides that, the House bill would have done away with the many, narrow categorical training programs. What we do in the conference report is not only to severely restrict the operation of comprehensive manpower programs under prime sponsorship by State and local governments but now in title IV we will remandate certain of the categorical programs which cannot, as I interpret this, be carried on by the Secretary through a prime sponsor. So we will find in this same community prime sponsors carrying on so-called comprehensive manpower programs and the Secretary carrying on the mandated categorical programs, which I think is the worst of two worlds rather than the best.

For this reason I did not sign the conference report and I do not support the conference report.

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

Mr. QUIE. I would like to yield to the gentleman from Michigan, and then if the chairman wishes to engage in colloquy afterward, he could do so on additional time. I yield to the gentleman from Michigan.

Mr. ESCH. I appreciate the gentleman yielding.

Mr. Speaker, I rise to oppose the conference report on S. 3867.

While I strongly support the major thrust of this legislation, the bill as it comes back from the conference is in such a form as to cause me to withhold my support and I hope the President will do likewise.

The major weakness of the bill is that it locks in permanently individuals in public service programs without regard to present employees' rights.

I am in receipt of a letter from James Marshall, the national president of the Assembly of Governmental Employees.

The Assembly of Governmental Employees—AGE—is a federation of independent public employee associations representing over 500,000 government employees in 34 States.

The letter states in part:

While we recognize that a public service employment component could be a useful part of a comprehensive manpower program, we are appalled at the size and character of the public service provision in the Conference Report on S. 3867. It poses a direct threat to the integrity of state and local civil service systems, and the millions of regular employees of state and local government.

The bill adopted in the Senate-House Conference is seriously deficient in the following respects:

(1) In sharp contrast with the House passed bill (H.R. 19519) it establishes permanent programs of public employment with not even the objective of moving participants into regular jobs in the public or private sectors;

(2) It would permit (and indeed, in many cases, will assure) discriminatory wage rates between those on the public service program and regular employees [section 308(a)(2)];

(3) It requires special consideration for participants including training and promotion opportunities which may not be available to regular employees; and

(4) It directly requires in section 304(b)(17) that public service employment programs be used to break down civil service requirements which regular employees have been required to meet.

This bill could very well result in the disruption of vital public services in every part of the nation. We don't feel this legislation is in the best interests of the public in its present form.

There are other major reasons for the rejection of this bill. One lies in the area of the impact on private employment agencies. There is a question as just what extent and in what manner private employment agencies will be affected by this legislation.

For these and other reasons I hope the House will reject this report.

Mr. QUIE. I yield to the gentleman from Kentucky.

Mr. PERKINS. Let me say first to my distinguished colleague that the categorical programs can be handled under title I through a prime sponsor and under title IV through a prime sponsor. All of these so-called categorical programs can be handled through a prime sponsor.

Of course, some of them are public service employment programs and the local communities may want to make application for public service employment, and that will be handled there.

The gentleman might be interested to know that this matter passed the Senate today by a vote of 68 to 13, and the Republicans on the Senate side, the ones who attended the conference, vigorously supported the conference report. I did not know any of them who were in the conference who did not support the conference report.

This bill is one of the most important measures ever brought before this Chamber. I am hopeful the Members will not pay attention to the arguments that the facts in this case do not support.

Mr. QUIE. The Senators have a policy to follow the position taken by the Senate, and that is why they signed the conference report, because it was closer to the Senate position.

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

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

Mr. ERLENBORN. Mr. Speaker, I would point out that the chairman of our committee ought to try a bit harder to be accurate. He might recall that at least one of the Senators did not sign the report. Earlier the chairman cited there was only one reason the Republican conferees did not sign the report, which was not true, as I pointed out then.

Mr. PERKINS. I still stand on that statement.

Mr. ERLENBORN. Let me point out to the chairman his interpretation as to categorical programs is wrong. Section 104 does allow the Secretary to carry out under title IV programs authorized under title I, but this is a one-way street. It would allow the Secretary to take the place of the prime sponsors, but it does not in this act, anywhere that I can find it, allow the Secretary to give the prime sponsors the categorical programs.

So he will have the prime sponsors carrying out a comprehensive program in the communities, and he is also going to be mandated concurrently to be carrying out the categorical programs. His only option would be, as I see it, to deny the prime sponsor the right to the comprehensive program, so he can carry out the comprehensive and the mandated categorical programs himself, which puts us right back to where we had them before, and we are not making any progress.

Mr. PERKINS. Let me say to my colleague it was the intent all through the consideration of this legislation in the House bill, and it is even specified in the House report, that these various categorical programs, such as JOBS and the Public Service Careers and the NYC and Mainstream and all the programs under title I would be through prime sponsors.

Mr. Speaker, I yield 15 minutes to my distinguished colleague, the gentleman from Michigan (Mr. O'HARA).

Mr. O'HARA. Mr. Speaker, I regret that some of my friends on the other side of the aisle have found themselves unable to support the conference report. I, myself, suffered a number of disappointments in the conference, as they well know. I did not always agree with what the conference did. We fought some battles side by side in the conference, and we won some and we lost some.

But, Mr. Speaker, let me say to my friends on the Democratic side, in defense of the Republican conferees, that they are not the ones that I think are the root cause of the difficulty that we confront today. I might say there is a third party involved in this, and the third party consists of certain employees of the executive branch of the Government with whom we worked in putting this bill together and with whom we have cooperated as effectively as we could.

My friend, the gentleman from Texas, found himself in disagreement with section 107 of the House bill.

That is the section which provided for State plans submitted by the State employment services.

I believe the gentleman thinks I wrote that provision. That provision as it originally appeared—came, every word of it, from the administration—every single word. And part of the bureaucrat's anger at the conference report is because we improved section 107.

Mr. PICKLE. Mr. Speaker, if the gentleman will yield, I am glad he has made that clear, because around the floor it is known as the O'Hara amendment. This is the so-called Wagner-Peyser provision. The gentleman says it was not his; it was the gentleman over there?

Mr. O'HARA. No. No.

Mr. PICKLE. Who is to blame?

Mr. O'HARA. Every single word of it came from the administration. But I defended that provision as I defended every other provision of this bill when it was before this Chamber. The conference, I think, improved that provision.

Mr. PICKLE. I do not know what a debate on this point will gain, but I wonder if the gentlemen on the other side of the aisle would confirm or deny that statement.

Mr. O'HARA. I might say to the gentleman, I do not believe he will have any problem getting confirmation.

The problem today, I say to you, is one over administrative arrangements—yes, administrative arrangements. It is the people in the executive branch who are concerned about these administrative arrangements.

The public service employment parts of this conference report contain many provisions that say we ought to have public service employment programs that give the people who work in them the opportunity to move up and out into private employment.

On the committee table on the majority side we have a full page of mimeographed extracts from the conference report, every one of which directs itself to the question of public service employment of the kind that will permit the employees to move upward and out into regular employment. And, Mr. Speaker, I insert that list right here in the RECORD:

PROVISIONS OF MANPOWER CONFERENCE REPORT ON NATURE AND DURATION OF PUBLIC SERVICE JOBS

SEC. 304(b) An application for financial assistance for a public service employment program under this title shall include provisions setting forth—

* * * * *

(3) assurances that special consideration will be given to the filling of *jobs which provide sufficient prospects for advancement or suitable continued employment* by providing complementary training and manpower services designed to (A) promote the advancement of participants to employment or training opportunities suitable to the individuals involved, *whether in the public or the private sector of the economy*, (B) provide participants with skills for which there is an anticipated high demand, or, (C) provide participants with self-development skills, but nothing contained in this paragraph shall be construed to preclude persons or applications for whom the foregoing goals are not feasible or appropriate;

(4) assurances that due considerations be given to persons who have participated in

manpower training programs for whom employment opportunities would not be otherwise *immediately* available;

* * * * *

(11) a description of *career opportunities and job advancement potentialities* for participants;

(12) procedures for an *annual review* by an appropriate agency of the status of *each person employed in a public service job* under this title; and procedures pursuant to which, in the event that any such participant and the reviewing agency find that the participant's current employment situation will not provide sufficient prospects for advancement or suitable continued employment, *maximum efforts shall be made to locate employment or training opportunities providing such prospects*, and the participant shall be offered appropriate assistance in securing placement in the opportunity which he chooses after appropriate counseling;

* * * * *

(14) assurances that the applicant shall, where appropriate, maintain or provide *linkages with upgrading and other programs under this Act*, and other Federal or federally-supported manpower programs for the purpose of:

(A) providing those persons employed under the agreement who want to pursue work with the employer, or in the same or similar work as that performed under the agreement with opportunities to do so and to find *permanent upwardly mobile* careers in that field; and

(B) providing those persons so employed who do not wish to pursue *permanent careers in such field*, with opportunities to seek, prepare themselves for, and obtain work in other fields;

* * * * *

SEC. 308 (a) The Secretary *shall not provide financial assistance for any program* under this title unless he determines, *in accordance with such regulations as he shall prescribe*, that—

* * * * *

(5) the program will, to the maximum extent feasible, contribute to the occupational development or upward mobility of individual participants.

But let us forget bureaucratic concerns and look at substance. This bill contains a reorganization of the existing manpower services which, while it is not everything the administration wanted and those of us on the committee wanted, moves in that direction.

There is a brand new upgrading program which we believe will give more hope and more expectation than we have ever had in our manpower programs to someone who is in a dead end job and who wants to have an opportunity to get some training from his employer and to move up to more responsibility and a better paying job, thereby opening an entry-level job.

And there is more involved than administrative prerogatives in the public service employment title. Today there are 1,140,000 married men out of work.

Today there are 2,000,000 blue-collar workers out of work.

Today there are 1,370,000 white-collar workers out of work.

This program provides an opportunity. It provides an opportunity that we cannot miss to put people to work doing useful jobs in their communities, working for the city, for the school district or the county, doing things that need to be done.

My friends, do not let any quarrel, any bureaucratic quarrel over administrative arrangements, sidetrack you from adopting the important concepts that are contained in this bill.

I hope the conference report will be adopted, Mr. Speaker, and I want to compliment all those members—Democrats and Republicans—who have worked on it, because we have come up with the best conference report we possibly could have obtained.

Mr. SCHEUER. Will the gentleman yield?

Mr. O'HARA. Yes. I yield to the gentleman.

Mr. SCHEUER. The question has been raised as to whether this bill does contain adequate provisions and reasonable safeguards for making it possible for public service employees to move up and also laterally into the private sector. Can the gentleman give us some assurance that there are opportunities and there is a definite goal-oriented philosophy in this bill that the private sector will be available for public service employees?

Mr. O'HARA. Section 304 directs itself to that question in five different paragraphs and section 308 also moves in that direction. There is ample provision in this bill to move public service employees on to better jobs, career jobs in the public sector and jobs in the private economy.

Mr. PERKINS. Mr. Speaker, I yield 4 minutes to the gentlewoman from Oregon.

Mrs. GREEN of Oregon. Mr. Speaker, I thank the chairman for yielding this time to me. Unfortunately, I was not able to participate in the conference committee because of a trip to Bethesda and foot surgery which kept me away from Congress for several days. But, Mr. Speaker, I oppose this conference report for several reasons. I opposed both the substance and the procedures when it was first on the floor. One of the things I said at that time was I thought the Senate bill was even worse and this bill had no place to go but down in conference. I think it has gone down. It does not coordinate existing manpower programs. It downgrades the Governor's office. It downgrades the State director of employment services. It downgrades the State department of education and the vocational education department.

The gentleman from Texas raised a question of Wagner-Peyser funds. He is absolutely right. The Wagner-Peyser funds will have to be shared with the cities, and if a city does not want to sponsor a comprehensive manpower program and the community action agency wants to be the prime sponsor, then the Wagner-Peyser Act will be shared with the community action agency. They can use State facilities or they can set up separate ones—duplicating unnecessarily, and probably having less expertise.

The explanation has been made that this was written by the executive department. I do not know where it was written, because it was written in the middle of the night. That is a fact, and nobody disputes it. Whether it was written downtown or not seems entirely irrelevant to the argument. Since when is Congress obligated to take a bill which has a bad provision because the executive branch wrote it? I never heard that argument used before on this side of the aisle. When the executive branch sent something up that my Democratic colleagues did not like, they just voted against it. The gentleman from Texas (Mr. PICKLE) accurately reports that the provision requiring the Wagner-Peyser funds to be shared with cities or community action agencies is a bad provision. In terms of the public employment section, I agree with those who have spoken against it because it creates a public employment program which could be far more attractive than private employment. There is not the incentive to ever get off the public employment rolls. WPA would look miserly compared to this.

When this bill was on the floor at the beginning I asked the gentleman from Michigan and the gentleman from Wisconsin if it would not be possible for an engineer who was unemployed for 5 weeks to be employed by the city of Seattle or the city of Portland at the going rate that they pay to engineers in those cities, if its $15,000 or $20,000 or $25,000, and the Federal Government picks up 80 percent of the tab. The answer was "Yes." In addition to no ceiling on salaries paid, there is no limitation on the time that a person can be on the public employment rolls. In addition, there is a guarantee of unemployment compensation and a guarantee of workmen's compensation and a guarantee of health insurance and retirement benefits and promotional benefits. With this kind of a program there is simply no incentive for a person to ever leave. In Federal civil service, there are certain safeguards. There are none here even for qualifications and grade levels.

I am in favor of a guaranteed job program where the Federal Government is the employer of last resort, The sad and deplorable statistics about high unemployment have been noted. There is nobody in the House who thinks it is more tragic than I do. But it does not seem to me that the vote today ought to be made on the basis of a plea that this is a bill that will settle the problem of the unemployed. The vote ought to be on whether or not this is the best bill that the Congress of the United States can devise to take care of this tragic unemployment situation.

I maintain it is not the best bill that this Congress is capable of writing. Surely we are capable of writing a guaranteed job program that would really take care of a vastly larger number of people if we set our minds to it, but the provisions in this bill are not the provisions which would be or should be, in my judgment, in a guaranteed job program.

It has been argued that the report says, several times, that the goal is to move people back into private employment. The legislative history is that there was one tiny reference to it in the House bill; certain conferees insisted it be deleted; the conference committee agreed to delete it. The arguments were whether the Government should be the employer of first resort or the employer of last resort. If this bill is ever enacted into law, the Government does not just come into the picture as the employer of last resort. It will be the employer first, last, and always.

I think it is the goal of everyone in this House to cut down unemployment. We ought to turn our best energies and our minds and our efforts to doing that: a guaranteed job program that is better than welfare, better than unemployment compensation but not so attractive that it will become a permanent way of life with no incentive to move off it. The question is, do we let the manpower programs continue and in January turn our minds and our efforts to writing a better bill that will eliminate the bad provisions in this one, that will, in fact, coordinate the 22 separate manpower programs, even if it has to be done 6 weeks from now in the next Congress. Six weeks is not very far off—and a workable good program written at that time would be vastly preferable to this in the waning days of the 91st.

Mr. PERKINS. Mr. Speaker, I yield myself 4 minutes.

Mr. Speaker, in my judgment, this is the best conference report that could possibly have been obtained under the circumstances. More than that, it is not only a timely piece of legislation, it is a necessary bill.

Mr. Speaker, under the public service employment provisions, participants will be treated exactly as other public employees are treated in similar situations. They will be paid the prevailing wage. They will not be discriminated against. They will be public service employees performing necessary and valuable work. The legislation is very carefully designed with regard to who will be eligible for the public service employment program. There are specific criteria contained in the bill. To be eligible, a person must be out of work. Also, persons who have already had training but are unable to obtain employment are given preference.

This conference report is specific in its design and it will be effective in its application.

I cannot visualize how anyone can oppose the public service employment provision with the high unemployment rate localities across the Nation are experiencing. The cost of the public service employment program is minor when compared wih the benefits which will be derived.

Some concern has been expressed about the $200 million that has been authorized for this year for public service employment.

Mr. Speaker, in my judgment, it is today not a year from now that we should do something about the unemployment situation in this country. I am confident it is also the view of those who are unemployed. We cannot procrastinate until next year. Manpower programs authorized in the Economic Opportunity Act expire at the end of this fiscal year.

Therefore, this bill must be enacted during this Congress.

Mr. Speaker, we will never be able to enact a better public service employment provision than is before us now. I base that statement on the experience we had in conference with the other body. This is the best that could be obtained.

Mr. Speaker, I am confident that we will not allow this conference report to be defeated because of the one issue that separated us in conference. We cannot afford to turn our backs on the most pressing issue in this Nation.

To do so would be shameful. We cannot vote down a conference report of this magnitude and of this urgency because of a minor disagreement.

Mr. Speaker, I yield back the balance of my time.

The SPEAKER. The time of the gentleman has expired.

Mr. ALBERT. Mr. Speaker, I am very pleased to note that the distinguished conferees have included in the conference report, now under consideration, language adopted in the House of Representatives to amend chapter 41 of title 38, United States Code, concerning job counseling, training, and placement services for veterans. I believe it is important that the Congress reaffirm, through this language, its interest in our American veterans and in the difficulties many of them encounter in finding employment.

Chapter 41, title 38, United States Code, as amended by section 702 of the Comprehensive Manpower Act, provides for certain guarantees to assure an effective job placement and counseling program for veterans. However, these guarantees primarily apply to activities within the State employment service. For example, the State veterans employment representative, a Department of Labor employee, is "administratively responsible to the Secretary of Labor for the execution of the Secretary's veterans counseling and placement policies through the Public Employment Service and in cooperation with manpower and training programs administered by the Secretary in the State." The guarantees also include the requirement for one or more local office veterans employment representatives in each job employment office. In cases where job placement and counseling are performed by an agency other than the employment service but funded by the Secretary of Labor the situation is less clear. However, in such circumstances I would hope the Secretary of Labor will issue regulations providing for maximum service to veterans similar to that required of the public employment offices

Mr. PERKINS. Mr. Speaker, I move the previous question on the conference report.

The previous question was ordered.

The SPEAKER. The question is on the conference report.

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

Mr. 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 177, nays 159, not voting 97, as follows:

[Roll No. 401]

YEAS—177

Adams
Albert
Alexander
Anderson, Calif.
Annunzio
Ashley
Barrett
Bennett
Biaggi
Biester
Bingham
Blanton
Blatnik
Boggs
Boland
Brademas
Brooks
Brown, Calif.
Burke, Mass.
Burlison, Mo.
Burton, Calif.
Byrne, Pa.
Carey
Carney
Clark
Clay
Collins, Ill.
Conte
Conyers
Corbett
Corman
Coughlin
Culver
Daniels, N.J.
de la Garza
Delaney
Diggs
Dingell
Donohue
Dulski
Eckhardt
Edmondson
Edwards, Calif.
Eilberg
Fascell
Feighan
Flood
Foley
Ford, William D.
Fraser
Friedel
Fulton, Pa.
Fuqua
Galifianakis
Gallagher
Garmatz
Gaydos
Giaimo
Gibbons
Gonzalez
Green, Pa.
Griffiths
Gude
Halpern
Hamilton
Hammerschmidt
Hanley
Hanna
Hansen, Wash.
Harrington
Hathaway
Hawkins
Hechler, W. Va.
Heckler, Mass.
Helstoski
Hicks
Holifield
Horton
Howard
Jacobs
Johnson, Calif.
Jones, Ala.
Jones, N.C.
Jones, Tenn.
Karth
Kastenmeier
Kazen
Kluczynski
Koch
Kyros
Leggett
Long, Md.
Lowenstein
McCloskey
McDade
McFall
Macdonald, Mass.
Madden
Mailliard
Matsunaga
Meeds
Melcher
Mikva
Miller, Calif.
Minish
Mink
Mollohan
Monagan
Moorhead
Morgan
Morse
Mosher
Murphy, Ill.
Murphy, N.Y.
Natcher
Nedzi
Nix
Obey
O'Hara
Olsen
O'Neill, Mass.
Ottinger
Patten
Pelly
Pepper
Perkins
Philbin
Pike
Pirnie
Podell
Price, Ill.
Pucinski
Randall
Rees
Reid, N.Y.
Riegle
Rodino
Roe
Rogers, Colo.
Rogers, Fla.
Rooney, N.Y.
Rooney, Pa.
Rosenthal
Rostenkowski
Roybal
Ruppe
Ryan
St Germain
Saylor
Scheuer
Sisk
Slack
Smith, Iowa
Stafford
Staggers
Steed
Stratton
Stubblefield
Sullivan
Symington
Taylor
Thompson, N.J.
Thomson, Wis.
Tiernan
Tunney
Udall
Vanik
Vigorito
Waldie
Watts
Whalen
White
Wright
Wydler
Yates
Yatron
Zablocki

NAYS—159

Anderson, Ill.
Andrews, Ala.
Andrews, N. Dak.
Arends
Ashbrook
Ayres
Baring
Beall, Md.
Belcher
Berry
Betts
Bevill
Bow
Bray
Brinkley
Broomfield
Brotzman
Brown, Mich.
Brown, Ohio
Broyhill, N.C.
Broyhill, Va.
Buchanan
Burke, Fla.
Burleson, Tex.
Byrnes, Wis.
Cabell
Camp
Carter
Casey
Cederberg
Chamberlain
Clausen, Don H.
Clawson, Del
Cleveland
Collins, Tex.
Colmer
Conable
Cramer
Crane
Daniel, Va.
Davis, Ga.
Davis, Wis.
Dellenback
Denney
Dennis
Derwinski
Devine
Dickinson
Dorn
Downing
Duncan
Edwards, Ala.
Erlenborn
Esch
Eshleman
Findley
Fisher
Flowers
Ford, Gerald R.
Foreman
Forsythe
Fountain
Frelinghuysen
Frey
Gettys
Goldwater
Goodling
Green, Oreg.
Griffin
Gross
Grover
Haley
Hall
Harsha
Harvey
Hastings
Henderson
Hogan
Hosmer
Hull
Hunt
Hutchinson
Jarman
Johnson, Pa.
Jonas
Keith
Kleppe
Kyl
Landgrebe
Lloyd
Lukens
McDonald, Mich.
McEwen
MacGregor
Mahon
Marsh
Martin
Mathias
Mayne
Michel
Miller, Ohio
Mills
Minshall
Mizell
Montgomery
Myers
Nelsen
Nichols
O'Neal, Ga.
Patman
Pettis
Pickle
Poage
Poff
Price, Tex.
Quie
Quillen

Railsback	Sebelius	Thompson, Ga.
Rarick	Shriver	Ullman
Reid, Ill.	Skubitz	Vander Jagt
Rhodes	Smith, Calif.	Wampler
Robison	Smith, N.Y.	Whalley
Roth	Springer	Widnall
Ruth	Stanton	Williams
Sandman	Steiger, Ariz.	Wilson, Bob
Satterfield	Steiger, Wis.	Winn
Schadeberg	Stuckey	Wold
Scherle	Taft	Wylie
Schmitz	Talcott	Wyman
Schwengel	Teague, Calif.	Young
Scott	Teague, Tex.	Zwach

NOT VOTING—97

Abbitt	Fish	O'Konski
Abernethy	Flynt	Passman
Adair	Fulton, Tenn.	Pollock
Addabbo	Gilbert	Powell
Anderson, Tenn.	Gray	Preyer, N.C.
	Gubser	Pryor, Ark.
Aspinall	Hagan	Purcell
Bell, Calif.	Hansen, Idaho	Reifel
Blackburn	Hays	Reuss
Bolling	Hébert	Rivers
Brasco	Hungate	Roberts
Brock	Ichord	Roudebush
Burton, Utah	Kee	Rousselot
Bush	King	Schneebeli
Button	Kuykendall	Shipley
Caffery	Landrum	Sikes
Celler	Langen	Snyder
Chappell	Latta	Steele
Chisholm	Lennon	Stephens
Clancy	Long, La.	Stokes
Cohelan	Lujan	Van Deerlin
Collier	McCarthy	Waggonner
Cowger	McClory	Ware
Cunningham	McClure	Watson
Daddario	McCulloch	Weicker
Dent	McKneally	Whitehurst
Dowdy	McMillan	Whitten
Dwyer	Mann	Wiggins
Edwards, La.	May	Wilson, Charles H.
Evans, Colo.	Meskill	
Evins, Tenn.	Mize	Wolff
Fallon	Morton	Wyatt
Farbstein	Moss	Zion

So the conference report was agreed to.

The Clerk announced the following pairs:

On this vote:

Mr. Addabbo for, with Mr. Hébert against.

Mr. Hays for, with Mr. Waggonner against.

Mr. Dent for, with Mr. Edwards of South Carolina against.

Mr. Gray for, with Mr. Abernethy against.

Mr. Reuss for, with Mr. Abbitt against.

Mr. Shipley for, with Mr. Caffery against.

Mr. Moss for, with Mr. Chappell against.

Mr. Kee for, with Mr. Dowdy against.

Mr. Wolff for, with Mr. Flynt against.

Mrs. Chisholm for, with Mr. Hagan against.

Mr. Evins of Tennessee for, with Mr. Landrum against.

Mr. Evans of Colorado for, with Mr. Lennon against.

Mr. Van Deerlin for, with Mr. Long of Louisiana against.

Mr. Charles H. Wilson for, with Mr. McMillan against.

Mr. Fallon for, with Mr. Passman against.

Mr. Brasco for, with Mr. Rivers against.

Mr. Anderson of Tennessee for, with Mr. Roberts against.

Mr. Hungate for, with Mr. Sikes against.

Mr. Stokes for, with Mr. Stephens against.

Mr. Celler for, with Mr. Whitten against.

Mr. Preyer of North Carolina for, with Mr. Blackburn against.

Mr. Pryor of Arkansas for, with Mr. King against.

Mr. Gilbert for, with Mr. Rousselot against.

Mr. Daddario for, with Mr. Watson against.

Mr. Farbstein for, with Mr. Wyatt against.

Mr. Cohelan for, with Mr. Latta against.

Until further notice:

Mr. Aspinall with Mr. Bell of California.

Mr. Mann with Mr. Clancy.

Mr. Ichord with Mr. Biester.

Mr. Purcell with Mr. Collier.

Mr. McCarthy with Mrs. Dwyer.

Mr. Fulton of Tennessee with Mr. Fish.

Mr. Gubser with Mr. Steele.

Mr. Reifel with Mr. O'Konski.

Mr. Lujan with Mr. Mize.

Mr. Langen with Mr. Schneebeli.

Mr. Ware with Mr. Snyder.

Mr. Zion with Mr. Wiggins.

Mr. McClure with Mr. Kuykendall.

Mr. Whitehurst with Mr. Hansen of Idaho.

Mr. Brock with Mr. McClory.

Mr. Burton of Utah with Mr. Pollock.

Mr. Morton with Mr. McKneally.

Mr. Adair with Mr. Button.

Mr. Bush with Mr. Weicker.

Mr. Cowger with Mr. Cunningham.

Mrs. May with Mr. Meskill.

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. PERKINS. Mr. Speaker, I ask unanimous consent that all Members who desire to do so may have 5 legislative days in which to revise and extend their remarks and include extraneous material, on the conference report just agreed to.

The SPEAKER pro tempore (Mr. HOLIFIELD). Is there objection to the request of the gentleman from Kentucky?

There was no objection.

LEGISLATIVE PROGRAM

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

Mr. GERALD R. FORD. Mr. Speaker, I have taken this time for the purpose of asking the distinguished majority leader the program for tomorrow.

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

Mr. GERALD R. FORD. I yield to the gentleman from Oklahoma.

Mr. ALBERT. Mr. Speaker, in response to the inquiry of the distinguished minority leader, we will commence the major legislative business with H.R. 19868, which is the Excise, State, and Gift Tax Adjustment Act of 1970 tomorrow, and we will also take up H.R. 13956, to authorize additional appropriations for the Smithsonian Institution.

The Committee on the District of Columbia has advised that they are going to be using District day for the bill which had previously been put down under the general rules of the House. We also expect that the other bill that was eligible for this week will probably be called up on Monday or Tuesday, and that is the Food Stamp Act. However, in any event we do not expect to complete action on the food stamp bill until Tuesday.

Mr. GERALD R. FORD. Would the distinguished majority leader give us any guidance on any conference reports? Are some coming up from the Committee on Appropriations?

Mr. ALBERT. Yes; we expect the HEW conference report from the subcommittee, chaired by the gentleman from Pennsylvania (Mr. FLOOD), to come up on Monday.

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

Mr. GERALD R. FORD. I yield to the gentleman from Iowa.

Mr. GROSS. Mr. Speaker, I thank the minority leader for yielding. I would like to ask the distinguished majority leader if he can help me as to whether there is any credibility to the report being circulated this afternoon that the House may be in session during Christmas week.

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

Mr. GERALD R. FORD. I yield to the gentleman from Oklahoma.

Mr. ALBERT. Of course, that, I assume, is a possibility. I hope the House will stay on the job, and prevent that possibility from becoming a fact. I sincerely believe that we can get through, as far as our side of the Capitol is concerned. I am not exactly sure what the other side will do.

Mr. GROSS. Mr. Speaker, I would hope that that is not being given serious consideration. I would think that there would be quite a shambles in trying to convene the House of Representatives during Christmas week.

Mr. ALBERT. I share the views of the gentleman on that subject.

Mr. GROSS. I thank the gentleman.

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

Mr. GERALD R. FORD. I yield to the gentleman from Missouri.

Mr. HALL. Mr. Speaker, I appreciate the gentleman yielding, and I would like to further this colloquy a little bit about, not only meeting after Christmas and before New Year's, but in getting out of here next weekend at the latest.

It concerns me, Mr. Speaker, when our distinguished majority leader seems to hang everything about whether we go home for Christmas or not from the House of the People's Representatives on what the other body does. There is great precedent for not letting a fellow over there, whose name starts with "M," pull the strings and call our dance. And there is certainly no elegy or blaze of glory in retaining this House in session, waiting for the other to perform its functions, when they filibustered for 13 weeks on a question that was moot and purely academic, about a Cambodian invasion that was long since over, and another 7 weeks on the question of busing—and that question should have been a moot question, and now they fiddle while Rome burns, to wit, last night.

And the very fact, Mr. Speaker, that the other body of this Nation's Congress adjourned before we did last night indicates they are pulling the string. I hope that our leadership will develop enough gumption and enough desire to call the tune, with a blaze of glory, so that we can start the 92d Congress promptly—that they will call the tune and will serve notice that we have completed our job and that it is time to go home and celebrate the Advent.

Mr. ALBERT. I thank the gentleman for his suggestion.

Mr. GERALD R. FORD. I yield to the gentleman from Florida.

Mr. HALEY. I would say to the majority leader that so far as I am concerned I think that in the last several days we have not accomplished very much for the people of this Nation. I think we could have adjourned this Congress immediately after or before the elections in November and I think the American people would have been very gratified if we had done that. I think we are sitting in a wheelchair and we are accomplishing very little. And I think that so far as this Congress is concerned we ought to, just as soon as we can possibly do it, adjourn sine die and let us go home and go back and talk to the people in our congressional districts, because I am sure that they are quite disturbed about the actions of this particular session of the Congress.

WGN EDITORIAL—"OUR SMALL EFFORT"

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

Mr. ROSTENKOWSKI. Mr. Speaker, in view of the nationwide concern for the insidious drug-abuse problem that parents and communities are trying to cope with throughout the United States today, it is extremely worthy of note and special commendation what a nonnetwork broadcast company in the district I represent is doing about it. Most noteworthy is the fact that this is a voluntary effort by a major Midwestern broadcast company.

The response from other broadcasters, newspapers, publishers, and countless businesses throughout the Nation dramatically demonstrates the far-flung concern about this serious problem as well as the willingness and determination by free enterprise to voluntarily do something about it.

Mr. Speaker, I submit for the RECORD the following editorial presented by Mr. Ward L. Quaal, president of WGN Continental Broadcasting Co., in recent broadcasts over WGN radio and WGN television in Chicago:

OUR SMALL EFFORT

In mid-September, WGN Continental Broadcasting Company announced the start of a campaign of education about drugs and drug abuse. As we said at that time . . . "The tumultuous drug problems affect our youth more than any of us cares to admit."

We offered a packet of information in that editorial, and re-stated the offer many times on the air and in a series of newspaper advertisements. In addition to offering this pocket of information to our own viewers and listeners, we arranged to make these packets available for distribution through broadcasters and over other media in communities throughout the country.

The response has been most gratifying. When this project was undertaken, we estimated that media in about one hundred other communities might be interested in conducting similar campaigns. To our great surprise, we received inquiries from more than 1,000 radio and television stations and newspapers. Inquiries came also from 1,500 other business firms, medical, social and youth agencies, educational and religious institutions, fraternal organizations, and concerned community leaders from every one of the fifty states and a dozen foreign countries.

To date, we've received and processed 25,000 requests from our concerned listeners and viewers, and they're still coming in every day.

Late last month, President Nixon signed a new drug control bill into law. At that time he said, and I'd like to quote the President, "In every house in America, in every school in America, in every church in America, this nation faces a major crisis in increasing use of drugs among our young people." The President said, "I hope at the time the federal government is moving, the whole nation is moving with us . . . to save the lives of hundreds of thousands of our young people who otherwise would be hooked on drugs and physically, mentally, and morally destroyed."

We echo the President's message, and conclude this editorial as we concluded our editorial in mid-September by saying . . . "We only hope that our efforts will help a lot of people understand the terrible horrors of drug abuse. We hope we keep a lot of people from finding out about drugs for themselves . . . the hard way."

WE MUST STOP SALE OF ADDITIONAL OIL LEASES

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

Mr. OBEY. Mr. Speaker, I was distressed to hear this weekend that the Department of Interior has evidently decided to go forward with the sale of additional oil leases in the Gulf of Mexico, the first leases to be sold since the massive oil spills at Santa Barbara, Calif., in 1969. This is evidently going to take place in spite of the obvious threat to our environment from oil spills, and from fires such as those now being fought on a Shell Oil rig off the coast of Louisiana.

In the past few years, we have been appalled by the Torry Canyon disaster, by the Santa Barbara spill, and other spills off the coasts of Florida, Nova Scotia, and in the Gulf of Mexico. These spills have blackened beaches and killed thousands of birds and fish. They have harmed marine life and in some cases done significant damage to our own food sources. Above all, these incidents have shown that at this point there is little guarantee that they will not continue to occur.

If nothing else the fire presently burning in the Gulf of Mexico should prove to us that the danger which can occur from oil drilling is real. Our environment has been damaged by oil spills and it is stupid if we do not do everything we can to protect it from such damage in the future.

Now is not the time to sell more oil leases. I, therefore, urge those in the Department of the Interior to halt the sale of any new leases until we know that the resultant oil drilling will pose no danger to our environment.

I have today written to Acting Secretary Fred Russell, of the Department of Interior, concerning this situation, and the contents of my letter follows:

WASHINGTON, D.C.,
December 10, 1970.

Hon. FRED RUSSELL,
Acting Secretary of the Interior,
Department of the Interior,
Washington, D.C.

DEAR MR. SECRETARY: It has come to my attention that the Department of Interior plans to go forward with the sale of additional oil leases in the Gulf of Mexico, the first such leases to be sold since the disastrous oil spill in the Santa Barbara channel in 1969.

Certainly we have all been distressed by such oil spills in the past few years—the Torrey Canyon disaster in 1967, the Santa Barbara spill in 1969, the Chevron spill off the coast of Louisiana a short time later, and others off the coasts of Florida, Nova Scotia and in the Gulf of Mexico.

These spills have blackened beaches and killed thousands of birds and fish. They have harmed marine life and in some cases done significant damage to our own food sources.

I realize that your Department has tried over the past two years to formulate new regulations in an effort to stop such spills and to protect our environment from the harm caused by them. Certainly these requirements—allowing for public hearings, for special stipulations to be imposed in leases to protect the environment, and requiring reports from appropriate federal agencies on the potential environmental effects of drilling operations—are commendable.

The first report of The President's Panel on Oil Spills, however, made two significant statements which I believe are relevant here.

First, that Report says that "the United States has neither the technical nor the operational capability to cope satisfactorily with a large-scale petroleum spill in the marine environment."

Secondly, that report says that "the complete effects on the environment of spilled oil are not sufficiently well known and further detailed studies are badly needed."

These two statements, combined with the massive fires now burning on a Shell oil rig in the Gulf of Mexico, make it clear to me that it would ill serve the environment to allow additional sales of leases in the Gulf of Mexico to be made at this time.

The fire in the Gulf has shown that we have little guarantee now that such disasters will not continue, and even increase, as time goes on. Our environment simply cannot afford that.

The regulations issued by your Department indicate that any drilling operation may be suspended if it threatens the environment. I suggest and urge that the Department go one step further—that you suspend the sale of leases altogether, until we can determine the cause of the present fire and how to prevent such fires in the future and until we have more adequate knowledge of the environmental consequences which may result from continued off-shore drilling operations.

Sincerely yours,

DAVID R. OBEY,
Member of Congress.

PROPOSED NATIONAL HEALTH-CARE ACT

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

Mr. BURLESON of Texas. Mr. Speaker, I am today introducing the National Health-Care Act of 1970. The purpose of the proposal is to make adequate health care for all Americans a reality in the 1970's by strengthening the organization and delivery of health care nationwide and by making comprehensive health-care insurance available to all our people.

The bill I am introducing today represents a sound approach to the solution of an especially complex problem—the provision of good health care to all Americans at a cost their Government can afford. I believe that this bill and other legislative proposals introduced thus far, and others that may yet be introduced, deserve serious, thorough, and open-minded study. It is primarily for this purpose that I have today introduced the National Health-Care Act of 1970.

Few proposals in our Nation's history will have a greater potential for altering—for the better or for the worse—the health and well-being of our citizens and the soundness of our fiscal policy than these proposals for major changes in our health-care system. They must be studied long and carefully before any action is taken.

The principal features of the bill I have introduced today are designed to:

First, increase health manpower facilities and improve their distribution;

Second, promote the development of ambulatory care centers providing preventive as well as therapeutic services in order to make quality health care less expensive and more accessible, particularly in areas where health services are scarce;

Third, strengthen health planning by giving comprehensive health planning agencies greater authority and financial support;

Fourth, improve control over cost and quality of medical care by more effective methods of reimbursement and more effective utilization of professional services and health facilities;

Fifth, create a council of health policy advisers in the Executive Office of the President in order to provide national leadership in the health-care field; and

Sixth, make comprehensive private health insurance available to all Americans through a system of Federal income tax incentives. State pools of private health insurers, including all types of health costs prepayment mechanisms, would insure those unable to pay for or secure health insurance. The State pools would be supported by Federal and State funds and contributions by individuals, scaled to income.

Mr. Speaker, I have introduced this bill at this time so that interested members of the public and health-care industry will have a chance to study its many features. I am particularly impressed with the features of this bill which are aimed at increasing the availability of health manpower in rural and other areas where a scarcity now exists.

Mr. Speaker, I insert in the RECORD at this point a brief statement on the bill and a section-by-section analysis which is intended to facilitate the understanding and study of this measure:

GENERAL STATEMENT ON NATIONAL HEALTHCARE ACT OF 1970

It is agreed that every American should have access to quality health care. There is agreement as well that too many of our citizens now find it difficult to secure quality health care when they need it, where they need it, and at prices they can afford.

A number of bills have been introduced to date aimed at remedying this situation. These proposals range from some which may not go far enough, to those which perhaps would go too far in their efforts to come to grips with this national problem and thereby destroy that which has proven sound and workable.

The National Healthcare Act of 1970 goes to neither extreme. Instead, it attempts to demonstrate that the personal health care needs of all citizens would be served most effectively and at lower cost through full use of the present system's demonstrated strength and capabilities, coupled with significant reforms and additions where the present system, for one reason or another, does not meet the Nation's needs.

The matter of cost is an important factor in any deliberations regarding a national health insurance program for America. It would be possible to spend upwards of $75 billion a year in Federal tax dollars to confront this national problem. However, it is not necessary to tax our citizens so heavily to provide such a health plan.

The National Healthcare Act of 1970 would add less than $4 billion to present spending for health programs at the Federal level in the first year of operation, yet it would lead to assuring all citizens of access to quality health care no matter what their income might be.

This is made possible through a program which combines the flexibility, innovativeness, efficiency and managerial skills of private enterprise, the high scientific and technical competence of the medical and allied health professions, the fiscal and legislative capacities of government, and the talents and energies of the consumer at the community level.

The cooperative endeavor proposed in this bill could create a health care system of unprecedented scale and potential for serving the needs of all citizens on an economically sound basis, with the communities served participating in developing and maintaining the proposed programs.

There has been considerable criticism of our present health care delivery system. Doctors, nurses, hospitals, nursing homes, health insurers, government plans, have all come under attack from one quarter or another. Our present system admittedly has its shortcomings. However, it has much to recommend it. Our system is not a health care system on the wane. It is a growing system and it has growing pains. What must be provided now is the wherewithal to assure that this growth is continued and that the benefits of this system are extended to all men, women, and children regardless of their ability to pay for the health care they require.

The National Healthcare Act of 1970 proposes to lay the groundwork for improving the organization and delivery of health care by:

1. Increasing manpower through student loans for training in the health professions, grants for the planning and establishment of curriculums for training comprehensive ambulatory health care teams and grants to personnel in the health professions, allied health professions and nursing for service in areas of critical needs.

2. Promoting widespread development of comprehensive ambulatory health care centers to provide a broad range of services, including check-ups, diagnosis and treatment of most common ailments, rehabilitation, family planning, mental health care and vision and dental care.

3. Creating a Council of Health Policy Advisors in the Executive Office of the President. The three-member Council, appointed by the President, would formulate and recommend national policies to promote the improvement of health care. Each year, beginning in 1972, the President would be expected to transmit a Health Report to Congress setting forth among other matters, the status of the health care system of the nation and presenting a program for carrying out policy together with recommendations for legislation. The Council of Health Policy Advisors would assist the President in preparing this report.

4. Strengthening health planning in order to conserve scarce manpower and facilities by giving comprehensive community health planning agencies greater authority and financial support.

5. Instituting cost controls through the establishment of State Commissions to review and approve in advance, hospital and nursing home rates and through provisions requiring physicians to justify their services and charges unless these fell within professionally established guidelines.

As you can gather from the foregoing the bill is far more than a financing mechanism for health care. It recognizes that changes in the system must accompany any additional financing made available. Otherwise, the effect would be to inflate already high health costs and make less rather than more health care available to all Americans.

In 1965, we enacted Medicare. Medicare brought health, blessings and assistance to millions of Americans. But it complicated the problem. It provided more dollars—but not more services—so the price went up for all of us. We must not let that happen again.

Recognizing this, the Federal Government should encourage health care insurance benefits for all that will stimulate development of new forms of health care designed to shift the emphasis from high-cost inpatient hospital care to lower-cost types of institutional care and in particular, more easily accessible ambulatory and preventive care.

In addition, comprehensive health care insurance coverage would be made available to all people, building on the broad base of existing voluntary health insurance plans. Costs for most of the population would continue to be met by individuals and employers, and public funds would be used for those who need total or partial support in financing their health care.

To accomplish this, the bill proposes that standards of ambulatory, preventive and institutional health care benefits be established by the Federal Government. Federal income tax incentives would be employed to stimulate the extension of health care benefits to all employer-employee groups and to economically self-sufficient individuals not in such groups. All employer plans would have to meet Federal minimum standards in order to qualify for tax deductions.

The bill would make health care benefits available to persons of low income and to persons previously uninsurable. The latter would contribute on a reasonable basis in relation to their income. Those of low income would be covered regardless of their assets, through State health care benefit programs participated in by all insurers, including Blue Cross/Blue Shield, insurance companies and prepaid group practice plans. These health care benefits will be supported by State and Federal subsidies. These privately insured benefits would immediately reduce the need for Medicaid and would eventually eliminate it as a means of financing medical care.

In recognition of the present limitation of manpower and facilities, the proposed Federal benefit standards have been established on a priority basis. Initial benefits called for in the bill will be increased under a three-phase program as additional manpower and facilities become available.

Phase One of the program for private plans would go into effect in the 1973 tax year. It would cover charges for all physician's services in connection with surgery, radiation therapy and diagnostic tests, whether performed in a hospital, ambulatory care center or doctor's office. Limited coverage would be provided for visits to a physician in his office or in an institution. Well-baby care, including immunizations during the first six months after birth, the first 30-days of semiprivate, general or psychiatric hospital care per illness, the first 60-days of convalescence in a skilled nursing home and the first 90-days in an approved home care program would also be covered.

It is anticipated that Phase Two of the program would take effect in 1976. In that and subsequent tax years, the benefits would be improved and others added, including dental care for children under 19, prescription drugs for all people, rehabilitation services and maternity care.

In recognition of the greater need of low income people, the State health care programs would initially provide a level of benefits equal to that provided under private plans in 1976. When private plans enter the second phase of health care in 1976, State plans would move to Phase Three benefits.

In 1979, when it is assumed that all services will be available in the amounts required to meet demand, Phase Three will go into effect for all people. In this ultimate phase of health care benefits, there would be no maximum limits on ambulatory care and realistic limits on institutional care.

The benefits payable for catastrophic accident or illness could exceed the $50,000 maximum benefit currently provided under the Federal Employees' Government-Wide Indemnity Benefit Plan.

All members of the House should study this bill in detail. Comprehensive health care and the insurance to finance it should be made available to all our citizens. This dual goal can be achieved at lowest cost to the nation by enactment of this bill.

NATIONAL HEALTH CARE ACT 1970: SECTION-BY-SECTION ANALYSIS

TITLE I—FINDS AND DECLARATION OF PURPOSE

Section 101: This section states that: (a) America confronts a critical testing of its capacity to meet for all of its citizens one of the most basic of human needs, that of protecting and maintaining personal health; (b) every citizen of the United States of America should have access to quality health care, but too many Americans find it difficult to secure quality health care when they need it, where they need it, at prices they can afford; (c) the nation needs systems of health care organization, delivery, and financing which combine the high scientific and technical competence of the medical and allied health professions; the flexibility, innovativeness, efficiency, and managerial skills of private enterprise; the legislative and fiscal capacities of government at all levels; and the potentialities of consumer and community participation in developing and maintaining such systems of health care.

Section 102: This section declares the purpose of the Act to be to improve the organization, delivery, and financing of health care for all Americans by increasing health personnel, promoting ambulatory care, strengthening health planning, establishing national standards of health care benefits, encouraging provision of such benefits through comprehensive health care insurance, and by assisting persons of low income or in poor health to secure that insurance.

TITLE II—PROVISIONS TO INCREASE THE SUPPLY AND IMPROVE THE DISTRIBUTION OF HEALTH CARE PERSONNEL

Student loans for training in the health professions and nursing

Section 201: The medical student loan provisions of the Public Health Service Act are amended to allow a medical student to borrow the full cost of tuition, fees, and reasonable amounts for room, board, books, supplies, and other related costs. The loan will be forgiven at the rate of 20 percent a year in return for practice in an area found by the Secretary of HEW and the appropriate State comprehensive planning agency to be in need of physicians, optometrists, or dentists.

The bill authorizes $50 million for FY 1971, $70 million for FY 1972, and $100 million a year for FY 1973, 1974, and 1975 for this purpose.

Loan provisions for student nurses are amended to allow loans covering the full cost of tuition, fees, and reasonable amounts for room, board, books, supplies and other related costs. Up to half of the loan may be forgiven at the rate of 20 percent a year for service in a public or nonprofit private institution or agency. Up to 100 percent of the loan may be forgiven at the rate of 33⅓ percent a year for appropriate service in an area designated as having a substantial shortage of nurses.

The bill authorizes $25 million for FY 1971, $50 million for FY 1972, $75 million a year for FY 1973, 1974, and 1975 for this purpose.

Scholarship grants and student loans for training in the allied health professions

Section 202: Scholarship grants may, in accordance with regulations of the Secretary of HEW, be awarded according to the needs of the individual, up to the full cost of his tuition, fees, books, equipment and living expenses.

The bill authorizes for this purpose $10 million for FY 1971, $30 million for FY 1972, and $50 million a year for FY 1973, 1974, and 1975.

Loan provisions for students in the allied health professions are amended to allow loans covering the full cost of tuition, fees, and reasonable amounts for room, board, books, supplies, and other related costs. Up to half of the loan may be forgiven at the rate of 20 percent a year for service in a public or nonprofit private institution or agency. Up to 100 percent of the loan may be forgiven at the rate of 33⅓ percent a year for appropriate service in an area designs having a substantial shortage of allied health professionals.

The bill authorizes $7.5 million for FY 1971, $15 million for FY 1972, $40 million for FY 1973, $60 million for FY 1974, and $75 million for FY 1975 for this purpose.

Training for personnel needed in comprehensive ambulatory health care centers

Section 203: For purposes of training grants under the Public Health Service Act, this section amends the term "training center for allied health professions" to include junior colleges, colleges and universities which offer training in health care center administration or curriculums providing the allied health professionals needed to operate comprehensive ambulatory health care centers.

It also establishes a new program of special project grants to help education institutions meet the cost of developing curriculums and training programs to develop the skills needed to administer and staff comprehensive ambulatory health care centers.

The bill authorizes $10 million for FY 1971, $25 million for FY 1972, $40 million for FY 1973, and $50 million a year for FY 1974 and 1975 for this purpose.

Grants to personnel in the health professions, allied health professions, and nursing for service in areas of critical need

Section 204: This section establishes a program of Federal grants to medical personnel in return for service in urban and rural areas of critical need to alleviate the maldistribution of health care personnel.

The Secretary of HEW is authorized to contract with individual health professionals, nurses, or allied health professionals who agree to provide health care services for a period of at least two years in an area designated by the Secretary, upon recommendation of the appropriate State comprehensive health planning agency, as having a critical need for those services.

The purpose of the grant is (1) to compensate the individual for providing health care services in an area where his normal compensation for services is less than equivalent health personnel receive elsewhere, and (2) to compensate the individual for his loss of time in getting established in a more lucrative area.

The amount of the grant, therefore, is that amount which, when added to the recipient's income from providing health care services for each contract year, provides a total income equal to 110 percent of the national annual median income for persons of comparable education and training, or 110 percent of his earnings from providing health care services in the previous year, whichever is greater.

In determining the precise amount of the grant, the Secretary may consider such factors as he deems relevant. He must consider, however:

(1) the national median annual income for the applicant's profession;

(2) the cost of living in the area of need;

(3) the background, training, and education of the applicant;

(4) the amount of income the applicant can reasonably expect to receive from service in the area;

(5) the number of persons of the applicant's profession needed in the area; and

(6) where appropriate, cost of equipment, supplies, and facilities.

The bill authorizes $10 million for FY 1971 and $50 million a year thereafter until June 30, 1975, for this purpose.

Effective date

Section 205: Title II becomes effective upon enactment.

TITLE III—COMPREHENSIVE AMBULATORY HEALTH CARE CENTERS

The purpose of this Title is to provide for grants to comprehensive ambulatory health care centers (as defined in amendments made by Section 309). The Public Health Service Act currently provides for grants for the construction or modernization of "out-patient facilities," but no funds are earmarked specifically for such facilities, nor are the facilities required to provide comprehensive ambulatory health care services. This Title would set up a special category of grants to comprehensive ambulatory health care centers which offer a greater range of medical services than current law now specifies for "out-patient facilities" grants.

Amendment of purpose

Section 301: This section amends the declaration of purpose of Title VI of the Public Health Service Act to recognize specifically the concept of a comprehensive ambulatory health care center.

Authorization of appropriations for construction and modernization grants

Section 302: For fiscal years commencing after June 30, 1971, an additional $200 million is provided hereunder in grant authority to be used for the construction of comprehensive ambulatory health care facilities, or the modernization of such existing facilities. This sum is provided through a new allotment category which is separate from existing allotment categories for construction and modernization of hospitals and other medical facilities. It is contemplated that a portion of the funds available for grants hereunder will be used to assist nearly-constructed facilities to pay initial start-up and operation expenses during the first three years of operation of such centers.

State allotments

Section 303: Funds available for the construction and modernization of comprehensive ambulatory health care centers will be allotted to the several states on the same basis as allotments are now made for construction of hospitals and other medical facilities. Transfers from allotments for the construction and modernization of comprehensive ambulatory health care facilities to allotments for the construction of other types of facilities are not authorized. Existing law permitting carryovers of unused allotments from one fiscal year to the other is unchanged.

Priority of projects

Section 304: Priorities for awarding grants to comprehensive ambulatory health care centers would be given to proposed facilities in densely populated areas now lacking such facilities. This is to relieve pressures on general hospitals in such areas, to bring preventive and treatment facilities tc populous areas not now receiving coordinated health care, and to create lower-cost facilities in lieu of expanding high-cost in-patient facilities.

State plans

Section 305: In its evaluation of the health needs of its citizens, the State health planning agency would be required to determine as part of its planning process the number of comprehensive ambulatory health care centers needed in the state and a plan for distribution of such centers. It would also have to adopt a program providing for construction of those comprehensive ambulatory health care centers identified as needed in its State plan, or for modernizing such existing facilities.

Recovery of funds

Section 306: This section would add comprehensive ambulatory health care centers to the list of types of health facilities from which recovery of federal funds may be made by the federal government from facilities which no longer qualify.

Loan guarantees and loans for modernization and construction of comprehensive ambulatory health centers

Section 307: The Public Health Service Act provides for loans, guarantees and interest subsidies for qualified agencies wishing to construct or modernize health facilities. This section adds comprehensive ambulatory health care centers to the list of types of facilities which qualify for such loans, guarantees and interest subsidies.

Definition of comprehensive ambulatory health care center

Section 308: Comprehensive ambulatory health care centers are specifically defined so as to encompass only facilities which provide a wide range of preventive, diagnostic and treatment services for ambulatory patients and thus relieve overutilization of general hospitals and make health care more accessible.

TITLE IV—PROVISIONS TO STRENGTHEN HEALTH CARE PLANNING

Subtitle A—Health Report of the President; Council of Health Policy Advisers Health Report of the President

Section 401: Beginning in 1972, the President shall make a health report to the Congress no later than July 1 of each year on the status of the nation's health needs and health care system with a program for meeting those needs.

Council of health policy advisers

Section 402: This section creates a three-man Council of Health Policy Advisers in the Executive Office of the President, its members appointed by the President with the advice and consent of the Senate.

Employment of officers, employees, experts and consultants

Section 403: The Council is authorized to hire officers, employees and such experts and consultants as may be needed.

Responsibilities of council

Section 404: This section outlines the responsibilities of the Council in assisting the President in the preparation of his Health Report and the setting and coordination of overall health policy.

The Council is required to make an annual health report to the President not later than April 1 of each year, starting in 1972. This report shall be transmitted to the Congress as a supplement to the next Health Report of the President to the Congress. In its first report to the President the Council shall specifically review and advise the President on health programs. The Council shall develop and recommend goals for a national health policy to promote efficiency, eliminate waste and duplication in the utilization of health facilities and resources, and shall recommend specific programs to streamline and consolidate health manpower programs.

Consultation with other advisory bodies and representative groups—cooperative utilization of services, facilities and information

Section 405: The Council shall consult with the National Advisory Health Council, other advisory councils or committees as well as such representatives of the private sector as it deems advisable and shall utilize the services, facilities and information of other public and private organizations to the fullest extent to avoid unnecessary overlapping or duplication of effort.

Compensation of members

Section 406: The Chairman shall be compensated at the rate of Level II and the other members at the rate of Level IV of the Executive Schedule Pay Rates.

Authorization of appropriations

Section 407: Authorizes such sums as are needed to enable the Council to function, not to exceed $1 million in any fiscal year.

Subtitle B—Departmental Recommendations and Reports

Statements regarding effect of departmental proposal on Nation's health care

Section 411: Every agency of the Federal Government is required to include, to the fullest extent possible, in each report on proposals for legislation or other major Federal action significantly affecting health or the health care system, the impact of the proposal on the nation's health care system, adverse effects, alternatives, the relative priority established by the Council of Health Policy Advisers, and any irreversible or irretrievable commitments of resources involved. Prior to making this report the responsible Federal official shall consult with and obtain the comments of any Federal agency which has jurisdiction by law or special expertise relative to the health impact of the proposal. These comments, with comments of appropriate Federal, State and local agencies shall be made available to the President, the Council, and the public, and shall accompany the proposal through the existing agency review process.

Agency obligations under other Federal statutes

Section 412: The preceding section (sec. 411) shall not affect the obligations imposed on Federal agencies by other Federal statutes.

Subtitle C—Comprehensive Health Planning Amendments

Part A—Definition of "appropriate comprehensive health planning agency"

Section 431: Adopts for purposes of the entire Public Health Service Act the definition of "appropriate comprehensive health planning agency" provided in section 444 of this bill.

Part B—State and areawide comprehensive health planning agencies

State agency review and certification

Section 441: In order to qualify for the comprehensive health planning grants currently provided by section 314 of the Public Health Service Act, a State plan for comprehensive State health planning must, in addition to existing requirements, provide for the project certification procedures established by this Part B.

Areawide comprehensive health planning agencies

Section 442: This section increases the funds authorized for project grants for areawide health planning to $25 million for FY 1971, $40 million for FY 1972, and $60 million for FY 1973.

To be eligible for the grants the agency must be prepared to function as the "appropriate comprehensive health planning agency" for the area or region. The agency must be prepared to play a strengthened role in coordinating areawide health affairs, including the determination of health needs, capital expenditure programs, cooperative use of facilities, optimum use of available manpower, and improved management techniques. The agency must provide for consultation with the areawide health planning council and other groups, for the representation of health care facilities and physicians, for enlisting public support, and for educating the public concerning the proper use of facilities and services available.

Comprehensive procedure for review and certification

Section 443: In the case of applications for Federal grants, loans, or other financial aid involving more than $100,000 which require certification by the appropriate comprehensive health planning agency, the application may be approved by the Secretary only after he is satisfied that the review provisions of this section have been met. The section, strengthening the role of the agency, requires that it have reasonable opportunity to review and comment on the application, and has certified to its essential need and high priority. If the "appropriate comprehensive health planning agency" is a metropolitan or other local planning agency, that agency, after reviewing the application, must have communicated its comments to both the applicant and the State agency. The State planning agency must make its own determination that the application fits in with the State's overall needs and priorities as expressed in the State plan. If two or more States are involved, each State agency must make a separate certification as to the need and priority of the project in its State.

Definitions

Section 444: In the case of a project affecting an entire State, the appropriate comprehensive health planning agency is the agency designated in the State plan. In the case of a project affecting a region, metropolitan area, or other local area, the appropriate comprehensive health planning agency is the agency or organization designated under section 442 of this bill or such other public or nonprofit private agency determined in accordance with regulations to be performing the required health planning functions.

TITLE V—PROVISIONS TO MAKE COMPREHENSIVE HEALTH CARE INSURANCE AVAILABLE TO ALL

Title V of the bill contains provisions designed to accomplish three major objectives:

(1) To establish minimum nationwide standards for individual health care benefits;

(2) To establish a system of nationwide health care insurance, utilizing both privately and publicly financed plans, which will assure that every individual requiring medical care will have the funds required to pay the cost of the care when his need for it arises, irrespective of his economic status; and

(3) To control the cost and quality of medical care to the consumer by strengthening controls over the prices charged by institutional and individual providers of medical care that may be exercised by the public and private insurers who pay the providers' charges. Provisions to achieve the first of these objectives appear in Subtitle A, which establishes the Minimum Standard Healthcare Benefits, as well as in provisions of the remaining subtitles which implement these minimum standards by requiring that they be met as a condition to eligibility for the tax and other public financial incentives provided under those other subtitles. Provisions to serve the second of these major objectives appear in Subtitles B and C, which provide federal tax incentives for the establishment

of private health insurance plans by employers and individuals, and in Subtitle D, which supplies public financial assistance, to be shared by federal and state governments, for state health care insurance plans designed to meet the needs of needy and uninsurable individuals. Provisions to accomplish strengthening controls over the cost and quality of medical care to the consumer, although woven into the fabric of all the provisions of Title V, appear mainly in the institutional rate reimbursement provisions of Subtitle D, in those provisions of Subtitle A which permit private insurers to impose limits on the charges for which providers of medical care may be reimbursed, as well as in those provisions of Subtitle A which, through the definition of minimum standard health care benefits, shift emphasis from high-cost in-patient hospital care to lower-cost types of ambulatory and preventive care.

SUBTITLE A

Minimum nationwide standard health care benefits established

Section 501: Minimum national standards for the health care of all individuals are prescribed by section 501 of the bill. The terms of the bill by which these standards are to be put into effect will make them nationwide in their application; will guarantee that the minimum standards of health care required will be at least as high or higher for needy and uninsurable individuals as for others; will assure that the standards prescribed will operate to set a minimum rather than a maximum for health care actually obtainable by an individual; will shift emphasis from the present day concentration of high-cost institutional and specialized health care to lower-cost ambulatory and preventive care which serves the comprehensive health care needs of an individual; and will permit the minimum standards to be phased in over a period of time in accordance with a schedule of priorities that will not give rise to unrealistic expectations for medical care beyond the level of medical facilities and professional talent the Nation is capable of delivering.

Nationwide application of minimum health care standards laid down by section 501 is effected by insertion in federal law, namely the Internal Revenue Code and the Social Security Act, of requirements that benefits paying for not less than the health care required under the minimum standards must be included in private or state established health care plans as a condition of eligibility for the federal tax or other public financial assistance accorded under the bill (see I.R.C. §§ 280 and 213, added by the bill).

To assure that the health care standards prescribed under section 501 will operate only as a minimum and will not discourage an individual's initiatives to secure even higher standards of health care for which he is willing to pay, the bill contains several provisions making it clear that the standards named are only minimums and that provision of benefits for high levels of medical care will not prevent a health care benefit plan from qualifying for advantages accorded under the new law. Such provisions include the one making it clear the standards established are only minimums (I.R.C. § 213 (h)); the ones specifically permitting additional benefits (I.R.C. §§ 280(c) (8) (C) and 213(g) (3) (D)); the ones permitting a qualified private health care plan to provide for a covered individual's payment of medical expenses exceeding established "deductible" and "co-payment" standards (I.R.C. §§ 280 (c) (8) and 213(g) (3)); and the ones permitting qualifying health care plans to include various other "optional" provisions (I.R.C. § 280(c) and 213(g) (3)).

Provisions in the bill to assure that the minimum standards of health care required to be provided needy and uninsurable individuals will be no less than those required for the more fortunately situated appear in the sections that apply the definition of minimum standard health care benefits to private and publicly assisted plans alike (Social Security Act § 2002(a); I.R.C. §§ 280(c) (4) and 213(g) (1)), as well as in the benefit phase-in schedules requiring the timing of benefit implementation to be faster under publicly assisted plans for needy and uninsurable individuals (Social Security Act § 2002(a)) than under private qualified plans (I.R.C. §§ 280(c) (4) and 213(g) (1)).

Provisions in the bill to stimulate a shift in emphasis to the provision of comprehensive health care on an ambulatory and preventive care basis, and away from reliance on higher-cost in-patient institutional care appear throughout the definition of the Minimum Standard Healthcare Benefits generally (see I.R.C. § 213(h)) and particularly in provisions which bar higher co-payments for ambulatory-treatment of a given condition than for institutional treatment of the same condition.

The bill contains provisions to meet the problem of preventing the required minimum standard of health care benefits from outstripping the Nation's health care delivery capabilities. This is accomplished by provisions in the bill which assign one of three "priority designations" to each of the benefits in the Table of Minimum Standard Healthcare Benefits (I.R.C. § 213(h) (1) (A)) and by related provisions which require benefits in the several priority categories to be phased-in in accordance with a schedule prescribed in the law (I.R.C. §§ 280(c) (4) (A) and 213(g) (1) (A)). To permit the flexibility required to deal with unexpected shortfalls in development of the health care facilities and services needed to deliver the care covered by a particular benefit, the President is empowered, under restricted conditions stated in the law, to defer the scheduled time for phase-in of benefits that have not become mandatory at the time he acts.

The initial Minimum Standard Healthcare Benefits for individuals covered under qualified private plans and those for individuals covered under qualified public plans include the following:

(A) For non-occupational accidents and illnesses other than pregnancy:

(1) Diagnosis and non-surgical treatment by a physician in his office or at a hospital on a non-in-patient basis—three visits per year for individuals covered under private plans and six visits per year for individuals covered under public plans. Patient pays $2.00 per visit.

(2) Treatment by surgery or radiation therapy by a physician in his office or at a hospital on a non-in-patient basis—unlimited visits under both private and public plans. Patient pays $2.00 per visit.

(3) X-rays, laboratory tests, electrocardiograms, and other diagnostic tests performed in connection with care provided in (1) or (2) above—unlimited coverage under both private and public plans. No co-payment required.

(4) Birth control counseling by a physician in his office—covered only under public plans. No co-payment required.

(5) Well-baby care during first six months—six examinations covered under both private and public plans. No co-payment required.

(6) Well-baby care during next 18 months—six examinations covered only under public plans. No co-payment required.

(7) Physical therapy rendered or prescribed by a physician—covered only under public plans. Patient pays 20%.

(8) Diagnosis and treatment of any condition by a physician in a hospital or extended care facility—unlimited subject to co-payment of $2.00 per day during the first 30 days of confinement and $5.00 per day thereafter for individuals covered under private plans, and $2.00 per day for the first 120 days of confinement and $5.00 per day thereafter for individuals covered under public plans.

(9) Annual oral examination by a dentist (including prophylaxis)—applicable only to children under age 19 covered under public plans. No co-payment required.

(10) Amalgam fillings, extractions, and dentures—applicable only to children under age 19 covered under public plans. Patient pays 20%.

(11) Drugs requiring a prescription and certain life-preserving non-legend drugs prescribed by a physician—covered only under public plans. Patient pays $1.00 per prescription.

(12) Prosthetic appliances—covered only under public plans. Patient pays 20%.

(13) Hospital services (semi-private accommodations and ancillary services while confined as an in-patient)—the first 30 days of confinement for individuals covered under private plans and the first 120 days of confinement for individuals covered under public plans. Patient pays $10.00 the first day and $5.00 for each additional day of covered confinement.

(14) Extended care facility services (semi-private accommodations and ancillary services while confined as an in-patient)—the first 60 days of confinement for individuals covered under private plans and the first 120 days of confinement for individuals covered under public plans. Patient pays $2.50 per day of covered confinement.

(15) Home health agency services under a prescribed plan—those rendered during the first 90 days of the plan for individuals covered under private plans and during the first 180 days of the plan for individuals covered under public plans. The patient pays $2.50 per day of services rendered.

(B) For pregnancies: Diagnosis, treatment, and institutional confinement for pregnancy and any complications thereof from date of conception until the ninetieth day following termination of the pregnancy—covered only under public plans. Patient pays 20%.

Co-payments by patients have been used as a deterrent to excessive utilization of certain services. However, families have been protected against having these co-payments be a serious financial burden by means of a limit on the total amount of co-payments that may be required in any one year.

In the absence of a Presidential deferral, those Minimum Standard Healthcare Benefits that are initially provided individuals covered under qualified public plans but not private plans will become available to individuals covered under qualified private plans on January 1, 1976. Similarly the proposed 1976 improvements in the Minimum Standard Healthcare Benefits for qualified public plans will become effective for qualified private plans in 1979.

SUBTITLES B AND C

Qualified employee and individual health-care plans

Subtitles B and C of the bill provide significant federal income tax incentives to stimulate the extension of comprehensive health care insurance under qualifying privately financed plans maintained by employers for employees, or by individuals for themselves and their dependents.

Qualified employee healthcare plans

Section 511: The bill amends the Internal Revenue Code to restrict the federal income tax deduction otherwise allowable to an employer for any amount paid or incurred by the employer for medical care of any employee or his dependents. This deduction is restricted to 50 percent of the described expense for medical care of the employee. If the employer establishes and maintains a Qualified Employee Healthcare Plan, the restriction will not apply, and 100 percent of the described expense is deductible. This section is applicable to taxable years commencing after December 31, 1972, except that, in the case of any employer plan providing medical care for employees which was established pursuant to a collectively-bargained agreement, the restrictions on the deduction will not apply until the expiration of the agreement, or December 31, 1975, whichever occurs first.

Each Qualified Employee Healthcare Plan must provide at least the Minimum Standard Healthcare Benefits described in Subtitle A. A qualified plan must be in writing, adopted by the employer, and communicated to his employees. Substantially all active full-time employees must be eligible to be covered, and the coverage must continue upon certain terminations of employment or certain temporary absences of the employee. A coordination of benefits provision must be included in a qualified plan to avoid costly duplication of coverage.

Qualified individual health-care plans

Section 521: The Internal Revenue Code presently restricts an individual's deduction for his expenses paid for insurance which constitutes medical care to an amount (not in excess of $150) equal to 50 percent of the amount actually paid. The portion of the expense not so deductible may be deducted only to the extent that it exceeds 3 percent of adjusted gross income. The bill amends the Internal Revenue Code, for taxable years commencing after December 31, 1972, to remove these restrictions and to allow 100 percent of medical care insurance premiums as a deduction, to the extent such expenses are paid for the cost of a Qualified Individual Healthcare Plan, or as a contribution toward the cost of a Qualified Employee Healthcare Plan or as a contribution toward the cost of a Qualified State Healthcare Plan.

Each Qualified Individual Healthcare Plan must provide at least the Minimum Standard Healthcare Benefits described in Subtitle A. A qualified individual insurance contract must contain provisions which obligate the insurer to renew the policy, and allow covered dependents to continue their coverage under the policy after the death of the insured as if he were still alive.

SUBTITLE D

Grants to States for qualified State health-care plans for the needy and uninsurable

Section 531: The bill adds a new Title XX to the Social Security Act to provide for the establishment of publicly subsidized health care insurance plans on a state by state basis. Each state will have a health insurance pool, which all private entities in that state (both profit and non-profit) which currently indemnify the cost of health care would be required to underwrite. One or more private insurance carriers will be designated by the state to administer the state plan on a retention accounting basis. These state plans will guarantee that Minimum Standard Healthcare Benefits are made available to individuals and families who previously were unable to purchase health care insurance, either because of their low income or their extremely poor health. (secs. 2001; 2002(a); 2002(d); 2003(a); 2003(b); 2010; 2015(a) of Title XX).

In order to encourage a state to establish a plan, federal appropriations otherwise payable to the state pursuant to Titles V and XIX of the Social Security Act are conditioned on the state's having in operation a Qualified State Healthcare Plan. The benefits required to be provided by a state plan are designed to stimulate the nationwide development of improved methods for organizing and delivering health care services. (secs. 2002(a) and 2012(d) of Title XX).

Individuals or families who are eligible to receive public cash assistance under a program financed in whole or in part by federal funds will be enrolled in the state plan automatically, and without cost. Those individuals who are financially capable of procuring health insurance, but who are uninsurable because of poor health, may enroll in the state plan at their own expense; however, these individuals may not be charged more than the established rate for other individuals enrolled in that state plan. Enrollment of other individuals and families who had low incomes the previous year (less than $3,000 for single individuals, less than $4,500 for a family of two, and less than $6,000 for a family of three or more) is voluntary. Such individuals and families would elect to be enrolled once each year and would be required to make modest contributions toward the cost of insuring their own health care, depending on the size of their family and the amount of their income. No assets or other means tests are required. (secs. 2003(a); 2003(b); 2005(a); 2005(c); 2005(e); 2006(a); 2006(b) of Title XX).

The premiums to be charged for each policy year under a state plan will be actuarially determined in each state, and for each family size risk category. The established premiums are subject to annual review by designated federal and state agencies, and if the premiums are found to be unjustifiably high within a particular state, the Secretary of Health, Education, and Welfare may direct a reduction in the federal appropriation for that state's premium cost. Each state has the primary obligation to provide the uncontributed premium cost for its plan; but if the state implements and utilizes controls which are designed to promote the delivery of lower-cost, higher-quality institutional health care services, if it exempts Qualified State Healthcare Plan transactions from state taxation, and if it eliminates discriminatory state tax treatment of health care insurers, then the state will receive federal appropriations reimbursing it for a percentage of its total uncontributed premium cost. This federal percentage reimbursement is greater in poor states than in richer states. The base figure may be between 70 and 90 percent, depending on the state's per capita income, but further adjustments to this percentage may be made if institutional rates charged in any particular state for health care services are unjustifiably high in comparison with other states. States are given the authority to review in advance the rates to be charged by health care institutions for their services, and to refuse to approve these rates for payment under the state plan. The cost and quality of health care services provided by physicians and other medical practitioners will be controlled in each state.

A professional service, otherwise covered by these state plans, shall be reimbursed only if it falls within professionally established utilization guidelines or is found to be necessary health care by a qualified peer review committee. Furthermore, no charge for a necessary service shall be reimbursed to the extent that it exceeds the prevailing charge in a locality for similar services. There is a financial incentive for physicians not to over-utilize hospitals (secs. 2002(e) (2): 2004; 2006(e); 2008; 2009; 2010(c)(3); 2012(a); 2012(c); 2012(e) 2014 of Title XX).

If the premiums collected and other monies received under the state plan are not sufficient to pay the claims incurred and the other costs of operating the state plan, the private underwriters of the plan shall bear the losses to the extent of 3 percent of the premiums collected for that year. The state will bear the excess losses and will receive a federal appropriation reimbursing it for that portion of the excess losses equal to the base federal percentage for that state's premium cost (secs. 2010 and 2012(b) of Title XX).

To avoid costly duplication of coverage, enrollment is not available to those individuals or families covered under a Qualified Employee Healthcare Plan; enrollment is not generally available to classes of individuals or families who will receive substantially all of their medical care under a non-Social Security federal or state program; all eligible state plan enrollees must have Medicare Part B supplementary medical insurance coverage, the material cost of which would be borne by the state and the benefits of which would be coordinated with state plan benefits (secs. 2002(e)(3); 2003(a)(3); 2003(a)(4); 2006(f); 2013 of Title XX).

Specific provision is made in the bill (sec. 2012 of Title XX) to protect the federal government against having to bear such part of the cost of a Qualified State Healthcare Plan as may be attributable to a state's decision to have the plan provide greater benefits than the minimum required for qualification under Title XX.

Applicants for enrollment in the state plan must provide and certify all information required to make an eligibility determination. Any federal or state agency may be required to furnish information deemed by the administering carrier to be necessary to verify eligibility (secs. 2005 and 2011 of Title XX).

Conforming amendments to title V of the Social Security Act

Section 532: The bill amends Title V of the Social Security Act (Maternal and Child Health and Crippled Children's Services) to avoid unnecessary and costly duplication of federally subsidized health care programs. Title V presently pays for the cost of various medical items and services which will be required to be provided under Qualified State Healthcare Plans. On July 1, 1973, or upon a state's establishment of a Qualified State Healthcare Plan, whichever occurs first, payment for items and services now covered under Title V would be excluded, if they also would be covered under a Qualified State Healthcare Plan. Title V will continue to pay for items and services which are not covered by Qualified State Healthcare Plans.

Conforming amendments to title XVIII of the Social Security Act

Section 533: Individuals and families eligible for enrollment in the Medicare Part B supplementary medical insurance program are required to be enrolled in said program as a condition for enrollment in a Qualified State Healthcare Plan. Section 1837 of Title XVIII of the Social Security Act is amended by the bill to remove existing limitations on Medicare Part B enrollment which might prevent otherwise eligible state plan enrollees from qualifying for Qualified State Healthcare Plan coverage. Each state which has a Qualified State Healthcare Plan is required to pay the premium for supplementary medical insurance benefits under Part B of Title XVIII of the Social Security Act for individuals and families who are eligible to enroll in the Part B program and who are also eligible to receive public cash assistance under a federally financed program. Section 1843 of Title XVIII is amended by the bill to allow a state to enter into an agreement with the Secretary of Health, Education, and Welfare pursuant to which all of these indigent state plan enrollees will be enrolled under the program established by Part B of Title XVIII.

Conforming amendments to title XIX of the Social Security Act

Section 534: The bill amends Title XIX of the Social Security Act (Grants to States for Medical Assistance Programs) to avoid unnecessary and costly duplication of federally subsidized health care programs. Title XIX presently pays for the cost of various medical items and services which will be required to be provided under Qualified State Healthcare Plans. On July 1, 1973, or upon a state's establishment of a Qualified State Healthcare Plan, whichever occurs first, payment for items and services now covered under Title XIX would be excluded if they also would be covered under a Qualified State Healthcare Plan. Title XIX will continue to pay for items and services which are not covered by Qualified State Healthcare Plans.

Conforming amendments regarding "reasonable cost"

Section 535: The bill (sec. 531 of the bill and secs. 2002(e)(2); 2008; and 2009 of the new Title XX it adds) establishes standards for strengthening controls over the quality and cost to enrollees for health care services provided by physicians or other medical practitioners and for health care services rendered to state plan enrollees in health care institutions. The bill provides that these standards shall apply to determine "reasonable cost" under the existing federally subsidized health care programs established by Titles V, XVIII, and XIX of the Social Security Act.

Conforming amendments to the Internal Revenue Code

Section 536: The premiums and other monies received pursuant to the operation of a Qualified State Healthcare Plan will, to the extent feasible, be invested by the administering carrier in interest-bearing obligations and other income-yielding securities. The bill amends Section 115 of the Internal Revenue Code to exempt this interest or other income from federal income taxation.

Carrier compliance

Section 537: The bill requires insurance carriers to pool their efforts and resources to insure that all individuals and families will receive higher-quality, lower-cost health care benefits. This section provides that these carriers will not be subject to federal or state antitrust legislation solely as a result of their efforts to comply with the provisions of Title V of the bill.

Effective date

Section 538: Sections 531, 532, 533, 534, 535, 536, and 537 of the bill are to become effective upon enactment, except that Qualified State Healthcare Plans will not provide benefits before July 1, 1972, and the federal tax exemption for investment income derived pursuant to Qualified State Healthcare Plan investments will apply only to taxable years ending after June 30, 1972.

PRESIDENT ACTS TO CURB OIL PRICES

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

Mr. CONTE. Mr. Speaker, there was good news last Friday night for all of us concerned with fair prices for the oil and gasoline consumers of this Nation. In his speech on inflation and the economy before the National Association of Manufacturers, the President announced two important actions which should at least restrain increase in oil and gasoline prices.

First, he announced he will permit the use of overseas import allocations to increase petroleum imports from Canada.

Second, and more important, the President announced that Federal offshore oil lands will no longer voluntarily submit to State production controls which, he said, "are not necessary for national security," and "actually interfere with the freedom of our domestic market system."

Mr. Speaker, as one who has urged such actions for years, this is music to my ears. Only last week 43 of my House colleague joined me in a letter of comment on the pending investigation of recent petroleum price increases, and specifically urged the President to free Federal offshore oil from these arbitrary State controls.

I have sent a letter to the President commending him for his recent action, and pointing out that he now has the responsibility to go further and completely suspend these State controls. I ask unanimous consent to include this letter, together with other relevant material at the close of these remarks. I urge all of my colleagues to join me in trying to insure that this Presidential action becomes only the first step in a series of actions to bring long overdue justice to the consumers of this Nation.

The materials referred to follow:

EXCERPT FROM PRESIDENT NIXON'S SPEECH BEFORE THE NATIONAL ASSOCIATION OF MANUFACTURERS, NEW YORK CITY, DECEMBER 4, 1970

We have also set up procedures to change some government regulations that contribute to higher prices. These are not moves toward controls; on the contrary, these are moves away from the kind of government controls that cause artificial market shortages.

CRUDE OIL PRICE

Take, for example, the recent increase of 25 cents per barrel in the price of crude oil, accompanied by increases in prices of gasoline and, later, jet fuel.

Up to now, state restrictions on production on federal offshore leases have held down the supply of crude oil.

I have been informed by the director of the Office of Emergency Preparedness that these restrictions are not necessary for national security; moreover, they actually interfere with the freedom of our domestic market system.

I have today directed the Interior Department to assume complete regulating responsibility for conservation and production of oil and gas on all federal offshore lands. This means that more oil will be produced on those lands, while maintaining strict environmental standards.

I have also directed that companies importing Canadian oil be permitted to use their overseas allocation for the purchase of more crude oil from Canada.

Taken together, these actions will increase the supply of oil and can be expected to help restrain the increase of oil and gasoline prices.

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, D.C., December 9, 1970.

The PRESIDENT,
The White House,
Washington, D.C.

DEAR MR. PRESIDENT: As one who has long advocated the destruction of the twin pillars of government oil policy that have prevented competitive forces from working in this industry—unduly restrictive oil import quotas, and state market-demand production controls—I want to commend you for your two recent actions, announced December 4, 1970, which are important steps in this direction.

As you correctly noted, these existing regulations actually "contribute to higher prices," and your actions were "not moves toward controls; on the contrary, these are moves away from the kind of government controls that cause artificial market shortages."

I am hopeful that these actions will lead you to thoroughly examine our entire government oil policy, giving serious consideration to the report and recommendations of your Cabinet Task Force on Oil Import Control. I am convinced that a continuation of the kind of action you initiated last week can contribute in a major way to your efforts to combat inflation. And you may be sure that I and many others in the Congress will strongly support such actions.

I do want to bring to your attention one particular proposed action which I believe present circumstances require you to take. It follows logically from your decision to free federal off-shore oil production from state production controls.

As you know, the Connally "Hot Oil" Act provides federal sanction for these state controls by banning the interstate shipment of oil produced in violation of these controls. Were it not for the Connally Act, such state controls would be an unconstitutional infringement on exclusive federal control of interstate commerce.

One provision of that Act, however, [15 U.S.C. Section 715 (c)], vests in you the responsibility to suspend its operation whenever you find that the amount of petroleum supplies is

"so limited as to be the cause, in whole or in part, of a lack of parity between supply (including imports and reasonable withdrawals from storage) and consumptive demand (including exports and reasonable additions to storage) resulting in an undue burden on or restriction of interstate commerce in petroleum and petroleum products."

I am convinced that the present critical shortage compels such a finding. Indeed, your own remarks of last week in explaining your decision regarding federal off-shore lands indicates that you have already reached the same conclusion. In saying that "these restrictions are not necessary for national security; moreover, they actually interfere with our domestic market system," I submit, you have, in effect, stated that these state controls constitute an "undue burden on or restriction of interstate commerce."

Again, I want to thank you for your recent action which will mean so much to petroleum consumers across the nation. And I urge you to give your immediate serious attention to my recommendation to suspend these state production controls.

With my very best wishes, I am
Cordially yours,
SILVIO O. CONTE,
Member of Congress.

[From the Washington Post, Dec. 5, 1970]

PRESIDENT TAKES STEP TO DISMANTLE SACROSANCT CURB ON FREE OIL MARKET

(By Bernard D. Nossiter)

President Nixon has taken the first cautious step towards dismantling 35 years of federal policy that has had the effect of pushing up oil prices.

The two moves Mr. Nixon announced last night could increase the nation's oil supply by as much as 450,000 barrels each day. This, many experts think, is enough to roll back the 25-cent-a-barrel increase just posted by the big companies. And that should wipe out the penny a gallon rise on gasoline with which motorists have just been socked.

To be sure, there is still something considerably less than a free market in oil. The basic props protecting oil prices are still in place. Moreover, the industry and its friends in the governments of Louisiana and Texas could undo what the President has done.

However, Mr. Nixon's moves have important didactic overtones, apart from their practical consequences.

Just as the nation learned there was nothing sacred about a 27.5 per cent depletion allowance, so too it is now discovering that the devices to protect oil need not be as immutable as the laws of the Medes and the Persians.

At least since the passage of the Connally Hot Oil Act of 1935, the federal government has created an elaborate web of controls, curbing the supply of domestic oil and crude imported from abroad.

As a first step, Mr. Nixon has relaxed a little the rein on foreign oil. At present, he licenses imports of 1.3 million barrels a day. But because of peculiar and temporary increase in tanker rates, licenses for 250,000 barrels have been going unused. So, Mr. Nixon has said that these unused licenses—"tickets" in the trade—can be used to bring in oil from Canada above the quota he fixed for that country last March.

Because the capacity of pipelines is limited, the experts think that there will still be unused tickets. But this step is expected to add about 150,00 to 200,000 barrels to the national supply.

The President's second step affects the hitherto untouchable production limits set by the states of Louisiana and Texas.

* * * * *

But because the Interior Department, the government's agent, is so close to the oil industry, the leaseholders have been forced to limit their output to levels set by the two states. Last night, Mr. Nixon told the Interior Department to mend its ways and free the federal wells from state control. His aides have instructed Interior's men to allow federal wells to produce up to their capacity. This is expected to add 100,000 to 300,000 barrels daily to the national supply.

To be sure, Texas, Louisiana and the companies are not helpless. The state bodies might attempt to cut back production by an amount just matching Mr. Nixon's increase in order to push the price back up.

But White House aides say they are ready for this one, too. Mr. Nixon, they predict, would then suspend the Connally Act which sanctions the state system. If the companies continued to abide by the state production curbs, they would be subject to antitrust prosecution.

The spectacle of the federal government staging an attack on collusive oil pricing would be welcomed by some in the administration. But the politically wise oil firms are expected to avoid such a confrontation.

Some observers believe it is appropriate that a Republican administration should let a few whiffs on free enterprise into the oil companies' closed system. Others are astonished that it should be this administration to take the step, an administration that slapped the first quota on Canadian oil, turned its back on recommendations to junk the import quota system and came to the aid of innumerable industries, from aerospace through shipbuilding.

The question now is whether this first, tentative move will become so attractive that more will follow. Or whether it will bring down such wrath from Rockefeller Plaza and Texas that it will be vitiated.

CONGRESS OF THE UNITED STATES.
HOUSE OF REPRESENTATIVES,
Washington, D.C., December 1, 1970.
Hon. GEORGE A. LINCOLN,
Director, Office of Emergency Preparedness, Washington, D.C.

DEAR GENERAL LINCOLN: We, the undersigned members of the House of Representatives, hereby submit comments in response to the Federal Register Notice of November 17, 1970. "Crude Oil and Gasoline, Notice of Investigation of Recently Announced Increases in Prices" (F.R. Doc. 70–15548).

We should like to make some initial general comments, to outline specific factors and questions for consideration in your investigation, and finally to recommend certain courses of action.

General Comments

First, we commend you, Dr. McCracken and others in the Executive Branch for instituting this investigation under the authority of Section 6 (a) of Presidential Proclamation 3279, as amended. We consider a review of petroleum prices to be long overdue; we are pleased that the responsibility imposed on the Office of Emergency Preparedness and Council of Economic Advisers under the Proclamation is being exercised.

Because of the failure of the Executive Branch to act in so many cases of price increases in the past, your responsibility is particularly heavy now.

Second, we urge that you take interim action necessary to roll-back the recent price increases, pending completion of your investigation. As you know, a number of companies, the most significant being Humble Oil, have announced increases since the announcement of the investigation. This arrogant action by the majors is, we believe, a direct challenge to your authority and to the public interest and may render the investigation useless.

Third, we urge that the investigation be thorough and incisive. We are aware that some have expressed concern that there may be only a cursory examination of limited evidence, an innocuous report and no action. These critics have pointed to the tone of the letter sent by OEP last week to the major oil companies, requesting the submission of evidence, and have expressed the fear that this letter may reflect a decision to "go easy" on the companies.

Fourth, we believe that the burden of proof to justify the recent crude oil and gasoline price increases rests with the major oil companies; it is they who must justify maintenance of the rigid import controls on crude oil, which make it possible to institute such price rises. The domestic crude oil market is insulated from the world market and protected from competition.

Those who wish to maintain this deviation from our free enterprise system—and who wish at the same time to raise prices—must bear a heavy burden of proof. They cannot merely provide you with declaratory statements about "national security"; they must provide convincing, factual data.

Fifth, as you are undoubtedly aware, over the past few years crude oil and petroleum product price increases have contributed significantly to the inflationary pressures in our economy. As you will recall the "inflation alert" issued by the Council of Economic Advisers several months ago highlighted the impact of petroleum price increases. And a significant factor in the sharp consumer price increases in October was also higher fuel costs.

The recent price moves, if allowed to stand, will mean nearly $2 billion in added annual costs in our economy. This one-cent per gallon rise in gasoline prices will cost American Consumers nearly $1 billion per year; a one-cent rise in home heating oil will cost consumers along the East Coast nearly $150 million per year and those in the Middle West nearly $50 million. Oil is an essential product; increases in its cost are felt throughout our economy. But the impact is particularly severe for low and middle income consumers.

If we are to fight inflation this must be the place to start, for petroleum imports, and hence prices, are under the direct control of the Executive Branch. This is the only area in our economy where the Government has so much influence over prices—and so much responsibility to act.

Specific Questions

In the interests of an effective investigation we strongly urge you to examine carefully, and seek serious responses and comment from the oil industry to the specific questions and factors set forth in an Appendix to this letter.

As you know, many of us have, over the past several years, urged substantial changes in the Oil Import Program to stabilize petroleum prices, cool the inflationary pressures in our economy and strengthen U.S. security. The evidence of recent months has demonstrated that the present import control system both weakens our security and is a major cause of inflation. We believe that the conclusions reached earlier this year by the Cabinet Task Force on Oil Import Control, supported by the Secretary of State, Secretary of Defense, the Council of Economic Advisers and you, are even more relevant today: "The present import control program is not adequately responsive to present and future security considerations. . . . The present system . . . has imposed high costs and inefficiences on consumers and the economy, and has led to undue government intervention in the market and consequent competitive distortions."

We hope that your investigation will be a thorough, serious one and will help to educate the American people to the facts and the reality of present U.S. oil policies. The Cabinet Task Force Report contains much data relevant to the current investigation; we trust that you and your staff will make full and effective use of that Report.

While we are not privy to all the facts and intro-corporate manipulations of the major oil companies, we do not believe that the recent increase in crude oil and gasoline prices are warranted either from the point of view of national security or from the point of view of our national economic interests. We believe that these increases, as in the case of past increases, will not only lead to higher profits by the big oil companies, but will also sap our nation's strength through more inflation in our economy.

Proposed Actions

We therefore urge that your investigation give careful consideration to the following steps to reverse these price increases:

A. Immediate decontrol of imports of crude oil and other petroleum products from Canada.

B. Substantial relaxation of import controls on crude oil from the Western Hemishere.

C. Immediate decontrol of No. 2 fuel oil imports into the East Coast.

D. Permanent removal of crude oil production on Federal lands from state pro-rationing controls. We understand that this has already been a matter of serious discussion by the Oil Policy Committee.

E. Suspension of the provisions of the Connally "Hot Oil" Act, as authorized by U.S. Code, Title 15, Sections 715 et. seq.

F. Immediate decontrol of residual oil imports into Districts II through IV, and District V.

We also urge that under the authority of Section 6(a) of Presidential Proclamation 3279, as amended, you order an immediate investigation of:

a) The cargo price increases of No. 2 fuel oil for delivery to the East Coast instituted by Esso and Shell in August, 1970 in the Caribbean; we understand that within three weeks these two companies raised the price from 6.5 to 8.5 cents per gallon, more than 30 percent.

b) The cargo price increases of No. 2 fuel oil instituted by Humble and other refiner-suppliers on the East Coast over the past two years.

c) The cargo price increases of No. 6 fuel oil instituted by Humble and other refiner-suppliers throughout the country over the past year; in some instances these increases have been more than 100 percent.

In view of the gravity of the situation and the terrible toll that inflation has taken in our nation, you cannot afford to do nothing. We view the current investigation and the action which will result from it as a test of our nation's commitment in the fight against inflation and a test of the commitment of this Government to serve the interests of all Americans, not just the richest and most powerful of our industries.

In conclusion, we again commend you and the Council of Economic Advisers for your prompt initiation of this investigation. We look forward to your report and your recommendations for action.

Thank you very much for your consideration.

Sincerely,

SILVIO O. CONTE,
Member of Congress.

P.S. The list of all those Representatives joining in this letter is on the following page. We are submitting this letter to you today, in order to meet the announced deadline. If other Representatives wish to join us, we will notify you in a subsequent letter.

LIST OF REPRESENTATIVES JOINING IN THIS LETTER

Rep. Mario Biaggi (N.Y.).
Rep. Edward P. Boland (Mass.).
Rep. James A. Burke (Mass.).
Rep. Hugh L. Carey (N.Y.).
Rep. James C. Cleveland (N.H.).
Rep. John Conyers, Jr. (Mich.).
Rep. Emilio Q. Daddario (Conn.).
Rep. Harold D. Donohue (Mass.).
Rep. Thaddeus J. Dulski (N.Y.).
Rep. Donald M. Fraser (Minn.).
Rep. Robert N. Giaimo (Conn.).
Rep. Sam Gibbons (Fla.).
Rep. James M. Hanley (N.Y.).
Rep. Michael Harrington (Mass.).
Rep. William D. Hathaway (Maine).
Rep. Margaret M. Heckler (Mass.).
Rep. Frank Horton (N.Y.).
Rep. Edward I. Koch (N.Y.).
Rep. Thomas J. Meskill (Conn.).
Rep. William Moorhead (Pa.).
Rep. F. Bradford Morse (Mass.).
Rep. David R. Obey (Wis.).
Rep. Richard L. Ottinger (N.Y.).
Rep. Otis G. Pike (N.Y.).
Rep. Thomas M. Rees (Calif.).
Rep. Ogden R. Reid (N.Y.).
Rep. Howard W. Robison (N.Y.).
Rep. Peter W. Rodino, Jr. (N.J.).
Rep. Benjamin S. Rosenthal (N.Y.).
Rep. William F. Ryan (N.Y.).
Rep. Fernand J. St Germain (R.I.).
Rep. Robert T. Stafford (Vt.).
Rep. Louis Stokes (Ohio).
Rep. Dan Rostenkowski (Ill.).
Rep. Louis C. Wyman (N.H.).
Rep. Peter N. Kyros (Maine).

APPENDIX

1. What has been the relationship between U.S. crude oil and product prices and corresponding world prices since World War II? Have world crude oil prices declined, while U.S. prices have increased?

2. What is the relationship of earnings and costs of the domestic operations of U.S. oil companies, as compared to earnings and costs of their foreign operations? To what extent are the losses and increased costs claimed by the majors due to foreign operations? (The price increase sought relates, of course, to domestic operations).

3. According to the First National City Bank compilation of 37 petroleum producing and refining companies, after-tax (net) income in the third quarter of 1970 is 2 percent higher than in 1969 and 7 percent higher than in the second quarter of 1970, while companies in other industries have experienced corresponding average *declines* of 11 and 13 percent. How do these figures, particularly when coupled with the strong oil earnings predictions for the 4th quarter of 1970, affect the justification for the industry's case?

4. What increased savings, and hence profits, will accrue to each integrated oil company under the depletion allowance as a result of the increase in crude oil prices?

5. What would be the impact on U.S. crude oil prices if Canadian imports were decontrolled? If imports from all Western Hemisphere sources were decontrolled? (The answer must assume, in the case of Western Hemisphere imports, that the oil will be carried on tankers under the lower rates available through long-term charters. As you know 90 percent of the world's oil is carried in tankers owned by or under long term charters to major oil companies).

6. What is the national security justification for maintaining controls on Canadian imports? Western Hemisphere Imports? In view of continued inflationary pressure exerted by oil prices in the U.S., are these justifications sufficient?

7. What are the facts on drilling, exploration and reserves in the United States? Isn't U.S. production higher than ever before? Are the drilling statistics misleading, in that modern technology enables producers to drill fewer wells and still get more oil?

8. Who does most of the drilling and who owns most of the reserves—the majors or the independents? Why, despite record profits over the past decade, have the majors not done more drilling? Have the majors deliberately held back in order to maintain prices at a high level?

9. Will a crude oil increase really lead to an increase in exploration and drilling?

10. What was the impact on exploration of the crude oil price increase in 1969? Since that increase was justified as an incentive for more drilling, why has drilling continued to decline?

11. If there is so much need to encourage domestic production, why has the Texas Railroad Commission ordered a cut-back in December production in Texas?

12. How high must crude oil prices go to provide "sufficient reserves"? Would it not be less expensive and contribute more to U.S. security if existing domestic reserves were preserved for emergencies and imports, particularly those from the Western Hemisphere, were relied on to a greater extent in times of peace?

13. Why has so much drilling and discovery taken place abroad despite substantially lower worldwide crude oil prices?

14. What will be the impact of these recent crude oil price increases on independent refiners? Will these increases make it more difficult for the independent to compete effectively with major oil companies?

15. What will be the impact of these recent crude oil price increases on the petro-chemical industry, in particular on its ability to compete in world markets?

16. On September 29 the OEP justified the residual price increases of recent months, amounting to more than 100 percent in some cases, on the grounds that they would provide incentive for domestic production of the product. Won't the new crude oil price increase result in even higher prices for residual fuel oil? How much more "incentive" will be needed to provide adequate domestic production of residual oil?

17. As long as the import program is continued, state prorationing controls maintained, and competition in U.S. markets stifled, isn't it true that there will be no effective means to prevent an endless series of price increases?

DECEMBER 4, 1970.

Hon. GEORGE A. LINCOLN,
Director, Office of Emergency Preparedness, Washington, D.C.

DEAR GENERAL LINCOLN: The following eight Congressmen have asked me to advise you that they wish to join in the letter of comment on your pending investigation of oil price increases which I and 37 other Members of Congress sent to you on December 1, 1970:

Rep. Joseph P. Addabbo (N.Y.)
Rep. Hastings Keith (Mass.)
Rep. Clarence D. Long (Md.)
Rep. Allard K. Lowenstein (N.Y.)
Rep. Spark M. Matsunaga (Hawaii)
Rep. Lloyd Meeds (Wash.)
Rep. Philip J. Philbin (Mass.)
Rep. Samuel S. Stratton (N.Y.)

These gentlemen fully share the view that this investigation should be thorough and far-reaching.

With best wishes, I am

Cordially yours,

SILVIO O. CONTE,
Member of Congress.

AN EXCERPT FROM THE SECOND INFLATION ALERT, A REPORT BY THE COUNCIL OF ECONOMIC ADVISERS, DECEMBER 1, 1970

Fuel and Energy. Prices of residual fuel oil and bituminous coal have risen further since the first Inflation Alert, although there are signs that the market is reaching equilibrium. The price of residual oil with maximum 1 percent sulfur content was quoted at $4.10 per barrel as of November 12, as against $3.25 the week of August 5, an increase of over 25 percent in three months. The price of bituminous coal rose 10 percent in October alone. Electric power rates at wholesale rose 1.8 percent in October, on top of their 1.7 percent increase in the third quarter, largely because of higher fuel costs. Over the period July to October about one-quarter of the total increase in the Wholesale Price Index was accounted for by the fuel and power component.

On November 11 a major oil company announced an increase in the price of crude oil of 25 cents per barrel, raising its posted price from $3.10 to $3.35. The following day the Director of the Office of Emergency Preparedness announced that there would be a Government investigation of this price increase, as required by existing regulations.

This investigation will ascertain whether the price increase was necessary to meet the national security objectives of the oil import program. Since then numerous firms have followed with similar increases. Gasoline prices at the wholesale level have also been raised. In the week ending November 17 the national average price of major-brand regular gasoline (excluding taxes) was 25.66¢ per gallon, up nearly 16 percent from the previous week. Since the retail gasoline market is highly competitive, this price increase may not hold.

These price increases come when petroleum inventories are at a level higher than is normal for this time of year. On November 6, stocks of crude oil in the region east of the Rockies were 4.7 million barrels, or 1.7 percent, greater than a year ago, and stocks in the State of Texas were about 9.7 million barrels (9.8 percent) higher than a year earlier. Stocks of motor gasoline, jet fuel, kerosene and distillate fuel oil were also higher than a year ago. The normal market tendency is, of course, for these heavy stocks to weaken prices. Through direct actions to curtail production, however, these normal market pressures were not allowed to prevail. Apparently in response to the high level of inventories, the Texas Railroad Commission has cut back the levels of production allowable in the State of Texas for December. This action would have the effect of reducing the supply of crude oil, thus relieving the downward pressure on price that high inventories normally create, and supporting the price increase. The reduction in the allowable reflected the contention by one major oil company that its inventories were too large, yet this company was among those that posted an increase in the price of crude. The Louisiana Department of Conservation maintained its allowable factor for December at 75 percent, which would keep production well below capacity.

LOOK TO OUR OWN

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

Mr. DULSKI. Mr. Speaker, this past Monday marked the anniversary of the attack on Pearl Harbor which plunged our Nation into World War II.

There have been many developments in world affairs since December 7, 1941, and today we find our Nation embroiled in another conflict across the Pacific.

Looking back at our enemies of 29 years ago, they now are prosperous countries—thanks to the rehabilitation efforts and the ever-mounting trade provided by the United States.

My home city of Buffalo, N.Y., remembered Pearl Harbor last Sunday with a parade and mass at St. Gerald's Church, in both of which I was honored to participate.

COMPARISON OF TREATMENT

While talking with several gold star mothers and dependent parents of World War II victims, I was struck by the irony of the treatment which we have accorded these dependents as compared with the hundreds and hundreds of millions of dollars which we have poured into rehabilitation of our enemy countries of 29 years ago.

Dependent parents each receive just $40 a month from the Veterans' Administration, while a lone dependent parent receives $75 a month. This they receive for having lost a son or a daughter in the service of their country.

Let me make it clear that I have compassion, too, for the people of those former enemy countries who saw their lands ravaged and their economies wrecked as their nations went down to defeat. But I think there is a limit.

There are times when we must look to our own. In this case, I am referring in particular to the dependent parents of World War II victims, but it applies to all dependent parents of war dead. They have received but a pittance while our former enemy countries have received a bonanza.

SENIOR CITIZEN AID TOO SLOW

Likewise, I would refer to our senior citizens in general: We have been far too slow and inadequate in helping with their needs.

A proposed social security increase—approved months ago by the House—has only now emerged from Senate committee debate, delayed by protracted consideration of rider issues which threaten a deadlock on social security. Regardless of how important may be these rider issues in and of themselves, they should not be allowed to block action this year on social security increases.

Mr. Speaker, to repeat, there are times when we must look to our own. Now is one of those times. We should be doing more for dependent parents of war dead. We should be doing more—and more promptly—to help our senior citizens to subsist in these times of ever-rising costs of living.

No one suffers more under inflation than those, like our senior citizens, who live on fixed incomes.

THE PRESS AND THE PRESIDENT

(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, within a few minutes, the President will be holding a press conference. My assumption is that he will do his usual superlative job of being direct, concise, articulate, and forthright on the difficult problems which face our Chief Executive and the Nation in these troubled times. However, I have not taken the well to praise him in advance.

My purpose, Mr. Speaker, is to comment on a meeting held last Monday morning by about 25 White House reporters, according to an article in this morning's Washington newspaper. As I understand it, the purpose of that meeting was to do two things: First, to urge the President to hold more press conferences; and second, to combine forces to determine what questions can be asked the President which would be toughest and most embarrassing—in other words to sandbag our President.

Their first purpose has considerable merit. There are many, including me, who would like to see more frequent Presidential press conferences. They would profit from knowing the true concerns of the American people as honestly expressed by individual competing reporters without prompting by any special clique of their colleagues. The people deserve an unrigged view of their chief executive. And the President's popularity following such appearances usually increases—thus enhancing public confidence in the office and the man.

But the second purpose, it seems to me, came close to being unfair to the President and the American people and unethical journalism. The purpose of a press conference should be to seek facts; not to try to "show up" the President by hawking up "when will you stop beating your wife" questions.

The fact that 25 members of the press reportedly conspired toward this end does the press no credit and the country no good. They would better spend the time competing to find legitimate news. I hope most of them will realize this, in retrospect.

OPERATION CORNERSTONE

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

Mr. BLACKBURN. Mr. Speaker, last week I appeared before this body to discuss the operation of a Department of Housing and Urban Development project in my congressional district. In that presentation, I was very critical of this project since it preached revolution and the violent overthrow of our Government.

Since that time, I have gathered additional information regarding the instructors and directors of this program.

During some civil disturbances which occurred in the Atlanta area last summer, members of Operation Cornerstone actively participated and encouraged these disturbances.

For the information of my colleagues, I am hereby inserting into the RECORD a copy of the restraining order which was issued by Superior Court Judge Pye enjoining the Cornerstone staff from continuing its violent demonstrations:

[NO. B- 58,548]

DONALD SIAH AZAR AND A & J LIQUOR STORE, INC., PLAINTIFFS VS. EDWARD MOODY, DEFENDANT

MEMORANDUM, OPINION, AND DECREE ON HEARING OF APPLICATION FOR INTERLOCUTORY INJUNCTION PURSUANT TO RULE AND TEMPORARY RESTRAINING ORDER ISSUED BY JUDGE SHAW AND DATED SEPTEMBER 11, 1970

The Court has before it the pleadings in the case, the evidence, oral and by affidavit, the documentary evidence including the tape recording and motion pictures, as well as prints of photographs by plaintiffs and by defendant. The Court also has before it for consideration on the arguments of counsel and citations of authority by counsel.

Evidence of transactions prior to August 20, 1970, is considered only for the limited purpose of illustrating plaintiffs' contentions as to the acts alleged by plaintiff to have taken place on August 20, 1970, and thereafter. Plaintiffs do not seek any relief as to the acts prior to August 20, 1970, and none is granted.

Evidence as to reports made to plaintiff Donald Siah Azar is not considered as any evidence of the trust of such reports, but only so far as the same may otherwise illustrate issues in the case.

The individual plaintiff D. S. Azar has been in business on the corner of Georgia Avenue and Frazer Street in the City of Atlanta, this County, for about 18 years, during which time he has operated a store under the style of D and J Sundries at 54 Georgia Avenue. For about six years he has also operated another store under license for the sale of liquors, this however being the business of D & J Liquor Store, Inc., he owning all the stock in the plaintiff corporation, the business being located at 48 Georgia Avenue. For the past five years plaintiff D. S. Azar has also operated a beer and wine and other business under the style of D & J Package Store at 646 Frazer Street, S.E.

The defendant Edward Moody operates a business at 43 Georgia Avenue under the style of Moody's Clothing Neighborhood Store and has so conducted business at this location for a number of years.

At the time of the filing of this suit, defendant Edward Moody was carrying a sign in front of said plaintiffs' business which stated on front: "Police kill no more, Azar got to go, go, go"

On its back the sign read: "Don't make a racist rich, Azar must go"

This allegation is made by plaintiffs in paragraph nine of their petition, and admitted by defendant in paragraph seven of his answer.

After the grant of the temporary restraining order in this case by Judge Shaw, defendant left the courtroom, and about the same time Ida M. Wright, Alvin Price, and the daughter of Mrs. Wright left the Courtroom; one of the latter three said in substance "if he can't we can", meaning that if defendant could not picket, the speaker could; and defendant then said in substance to the three, "do your thing", meaning that the three should picket plaintiffs' businesses notwithstanding Judge Shaw's order.

Thereafter, said three persons picketed plaintiffs' businesses, as also did Roger Davis, Cooper Freeman, Willie Gentry and Donald Harris.

On and following said August 20, 1970, plaintiffs' have been subject to unlawful and terroristic acts including the following, to wit:

(a) picketing with the sign referred to and other and similar signs: and on across on referred to after the entry of Judge Shaw's order.

(b) the side glass door of the liquor store has been broken by a wine bottle;

(c) four large plate glass windows have been broken;

(d) two other glass doors have been broken;

(e) bricks have been thrown into said store over the counters and cash registers damaged;

(f) a rifle was fired into the liquor store and the bullet hit the cash register and injured the eye of the security guard;

(g) the store has been fired into by rifle fire ten times;

(h) on one occasion the arm of a security guard was injured by glass;

(i) distribution in and out of plaintiffs' businesses of handbills admitted into evidence as P–2; P–3: and

All of said acts were committed pursuant to a confederation and conspiracy to drive plaintiffs' out of business at said location.

Defendant at all times on and since August 20, 1970, was a party to said combination and conspiracy, and included therein were many others, including the following persons, to wit: Mrs. Louise Wadley, John Shabazz, Roger Davis, Brenda Jordan, Billy Pasmore.

Tommy Brooks, James Tate, Perry Duvall, Patrick Henry, (called Malt Liquor) (above).

Alvin Mark Freeman, Alvin Price, Collins McGahee, Mattie Ansley, Willie Bentley.

Cooper Freeman, Ida Mae Wright, Kelly Kidd, Grady Butler, Donald Harris.

A man called "Barboochee."

As a result of said acts plaintiffs have incurred expenses, including the following:

(a) Ornamental paneling: $2,593.96;

(b) Plate glass: $439.30;

(c) Guard for back window: $30.90.

Additionally, as a result plaintiffs' insurance has been cancelled, covering losses by fire, burglary, hold-up, rioting, malicious mischief, vandalism and damage to plate glass, and public liability insurance.

One of the aforesaid confederates and conspirators, viz: Leon Pasmore, denounced in substance that plaintiffs' pay the sum of $5,000.00 as to call off the pickets and cessation of said unlawful and terroristic acts. Defendant Edward Moody did not know of this demand, or approve of the same, but same was made by Leon Pasmore pursuant to said confederation and conspiracy to drive plaintiffs out of business at said location, and in furtherance of such unlawful purpose.

Plaintiffs did not yield to said demand, and did not make any payment in connection therewith; and in an effort to blunt the force of the combination against the plaintiffs direct the ranks of the conspirators, spread the report that a payment had been made.

As a result of said unlawful and terroristic acts and said combination, the Mayor of the City of Atlanta was required to issue several proclamations of emergency, and cause plaintiffs and others affected by the proclamations aforesaid to suspend the sale of alcoholic beverages for a considerable period of weeks.

The Court is of opinion and finds from the evidence that while matters of race have to some extent entered into the acts of defendants and his said confederates, the primary and controlling motivation of said unlawful and terroristic acts is money and power, viz: to get plaintiffs' out of their businesses, so that same can be taken over and controlled by said confederates, and to demonstrate their power to drive plaintiffs away by force and violence, and that defendant and his confederates and above the law. The damages to plaintiffs all continuous and not capable of ascertainment in damages, and irreparable.

Plaintiffs and defendant, through their respective counsel have separately filed proposed findings, which are directed to be filed as a part of the record in said case.

Plaintiffs are directed to prepare an appropriate petition for rule for contempt in reference to matters heretofore started as to place following Judge Shaw's order of temporary restraint, and present same to Judge Shaw for his consideration.

In reference to the request of counsel for plaintiffs that the undersigned retain jurisdiction of this case, attention is called to the rules of this Court, requiring that such order be entered by the Chief Judge or Presiding Judge.

It is considered ordered, and adjudged by the Court that said defendant Edward Moody, his agents, servants, employees, confederates, and all other persons acting with him or for him, be, and hereby are temporarily enjoined pending the final trial of this case, as follows, to-wit:

(a) From picketing, harrassing or interfering with the businesses of the plaintiffs located at 48 and 54 Georgia Avenue, S.E., and 646 Frazer Street, S.E., Atlanta, Fulton County, Georgia.

(b) From walking up and down in front of either of said busineses with the sign described in paragraph 9 of the petition, or any other sign;

(c) From committing any of the acts referred to in part "E" of this order.

This 5th day of October, 1970.

DURWOOD T. PYE,
Judge, Fulton Superior Court.

FACTS CONCERNING THE CONTEMPT OF COURT EPISODE BY CESAR CHAVEZ

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

Mr. TALCOTT. Mr. Speaker, Cesar Chavez, the titular head of UFWOC—the United Farm Workers Organizing Committee—an affiliate of the AFL–CIO, has been confined to jail in Salinas, Calif., for contempt of court.

I do not pretend to understand the nice legalities of the court order. If Mr. Chavez is dissatisfied with the decision, he can and should appeal. If Mr. Chavez is dissatisfied with the law, he can and should cooperate in trying to amend the law—of the State of California.

There is no Federal farm labor relations law. Agriculture was specifically excluded from the NLRA, which pertains to other industries and businesses.

If Mr. Chavez believes that national farm labor law is needed, as I do, I urge him and his followers to propose Federal farm labor legislation. I have proposed numerous bills in this field and would welcome cosponsors or the introduction of other legislation.

In the meantime, I urge all interested persons to acquaint themselves with the facts and not react simply on the basis of emotion or rumor.

Persons who come to Salinas to demonstrate or protest the confinement of Mr. Chavez for contempt of court are, in effect, joining in an act of contempt of the law. To maintain order, we must have law. To defy the law is to degrade our legal system and to weaken our society. If we do not all support our courts, and comply with their orders, we might as well close them down and permit everyone to conduct themselves as they see fit.

To enable my colleagues to better understand the history and background of the farm labor legal dispute in California, I share the following facts and observations.

Bud Antle, Inc. pioneered a labor agreement with hourly paid agricultural employees in California. A contract was signed originally in 1961 with Local 890, General Teamsters, Warehousemen, and Helpers Union. This agreement has been modified and renewed seven times and remains in continuous effect.

The present Antle contract with Local 890 is effective until July 1973.

Antle farm labor wage rates range from $2.15 to $5.34 hourly. I am advised that the national average during October 1970 was $3.27 hourly for nonfarm labor—38.7 hours worked—and $1.71 hourly—46.2 hours average—for farm labor. Average weekly compensation for private nonfarm employees was $120.31 before taxes.

Antle has never had an industrial accident associated with the use of chemicals, which are applied by a professional licensed source.

Antle employees are not exposed to chemically treated areas until all known safeguards and precautions have been exceeded.

Antle is privately owned and managed and throughout its history has been essentially a family operation.

The Dow Chemical Co. is a supplier of Antle, providing about 15 percent of the chemicals and 40 percent of the plastic wrap requirements of Antle farming operations. Antle leases 3,000 acres of land from Dow, and Dow is represented on the Antle board of directors. Dow is more of a creditor of Antle than a copartner.

UFWOC has failed to achieve Antle's capitulation through demonstrations, picketing and threat of boycott, even though these activities have been duly restrained by a Superior Court in California. UFWOC has now switched tactics to a tertiary boycott and is applying pressure through one of Antle's principal suppliers, Dow Chemical Co.

On August 30, 1970, a collective-bargaining agreement was signed between Inter-Harvest, Inc., a wholly owned vegetable growing subsidiary of United Fruit Co., and the United Farm Workers Organizing Committee, AFL–CIO.

This is not the first bargaining agreement affecting the lettuce industry, but it is significant because the contract enters UFWOC into a second major field crop operation.

Among the existing contractual agreements in the lettuce industry is the one Bud Antle Produce signed in 1961 recognizing local No. 890 of the General Teamsters, Warehousemen, and Helpers Union as the sole and exclusive bargaining agent after it was determined that local No. 890 did represent a majority of the affected employees.

It is generally believed that differences in the two contracts are highly significant and that comparisons should be provided for review of the entire food industry. Legislators and consumers should also know generally the contents of these agreements.

Some observers believe that UFWOC contract contains provisions that would erode management's inherent right to manage its business and would not, at the same time, improve conditions and benefits available to the employees. The following comparison of the terms of the two contracts may be useful:

COMPARISON OF CONTRACT TERMS

MEDICAL PLAN

"UFWOC-Inter Harvest" required the employer to pay $.10 hourly to a "Robert F. Kennedy Farmworkers' Medical Plan." Employee costs are $12 monthly maximum. In nearly all categories, benefits are less than those paid under the existing Antle contract.

The UFWOC document does not recognize any established carrier with statutory reserves for making benefit payments.

The "Local #890-Antle" contract provides protection for all employees (not only union members) through the CNA Insurance Company's Agricultural Industry Plan. The monthly premium, with a maximum rate of $25.75, is paid entirely by the company at an hourly factor of $.15.

UNEMPLOYMENT COMPENSATION

Workers represented by the "UFWOC-Inter Harvest" agreement do not receive unemployment compensation if they are laid off. UFWOC's stated reason for this non-coverage is that those individuals should be added to county welfare rolls, frequently for a substantial period of time at considerable expense to taxpayers.

The "Teamster-Antle" employees are protected under the unemployment insurance programs in California and Arizona and the company is obligated to make this payment averaging 4% of monthly payroll costs. The company also pays the full 1% of Unemployment Compensation Disability insurance for each employee in California.

HIRING HALL

Inter-Harvest must list its requirements for new workers two weeks in advance of hiring with UFWOC, which ensures that the union will use its "best efforts" to furnish qualified persons, also providing that the Union solely determines seniority and good standing in the Union. The company can hire unilaterally only if the union is unable to provide workers.

"Teamster-Antle" agreements allow the company to hire on the basis of merit *after all available employees with seniority have been rehired*. Antle believes that a reliable and capable work force contributes to efficiency and morale and provides significant competitive qualities.

PAY RATES

Product	UFWOC	ANTLE	Average wage of ANTLE workers
Machine wrap lettuce:			
Minimum pay (per hour)	$2.10	$2.15	----------
Piece rate (per carton)	None	.44	$2.67
Naked pack lettuce:			
Minimum pay (per hour)	None	$2.25	----------
Piece rate (per carton)	40.5	.44	4.84
Celery crews:			
Minimum pay (per hour)	None	2.25	----------
Piece rate (per crate)	.61	.64	3.43
Farm labor—Nonharvest	2.00	2.00	2.00

(1) Antle average wages were derived by taking the wages earned by all Antle field workers on one typical day picked at random. Due to piece rates, the crews earned different wages ranging from $2.15 to $3.28 for ten lettuce wrap crews, from $4.30 to $5.34 for six lettuce naked crews and from $3.22 to $3.85 for three celery crews.

(2) The minimum pay and piece rate varies with different functions in the UFWOC contract. Bud Antle, Inc., believes in rewarding all of its workers equally for equal performance and piece rates are divided equally among the crews.

OVERTIME

UFWOC's agreement calls for $.25 per hour after nine hours or 54 hours per week; no provision for overtime on Sundays or holidays if 54 hours is not exceeded.

Antle pays time-and-one-half (1½) on Sundays and holidays for all job categories.

USE OF PESTICIDES

The agreement between UFWOC and Inter Harvest specifically forbids the use of several pesticides, including 2.4–D, 2.4–5T, DDT, DDD, Aldrin, Dieldrin and Endrin. The contract has several restrictions on the use of pesticides and insecticides, particularly as these relate to elapsed time between handling.

Such restrictive covenants are not included in the Local No. 890 Antle agreement and management does not believe they are needed. Antle management does not use many of the toxic chemicals mentioned and the use of chemicals and the exposure factors are most closely regulated. Antle operates on the firm conviction that use of pesticides demands professional direction and that only by such procedure can the producer be assured that it will not send an adulterated product to market and that the employees' welfare is adequately safeguarded. Antle has not had an industrial accident involving commercial pesticides or insecticides in a quarter century of operations, nor has the company ever been cited for excessive residual deposits on its produce.

FOREMEN

"UFWOC-Inter Harvest" foremen are required to be members of UFWOC and as such are subject to popularity and political selection. They also supervise under directives of the union.

Foremen under the "Teamster-Antle" agreement are employees of the management group and are not union members.

NON-PURPOSE FUNDS

UFWOC and Inter Harvest maintain a "Farm Worker Fund of the National Farm Workers' Service Center, Inc." The Company is required to pay $.05 per man hour to the fund. Objectively and use of this fund are not defined in the contract. It is alleged that the fund provides a "war chest" for payments to UFWOC attorneys for legal aid programs and other activities which are not intended to benefit the workers, but to harass "target" companies in UFWOC's organizing campaigns.

The "Teamster-Antle" contract has no provision for such a fund.

SUMMARY

More than 95% of Antle's 1500 field workers are members of Local No. 890. The Antle management considers that it has a valid and binding contract with the Teamster local, effective until July, 1973. This is the successor of contracts for field labor which have been in effect continuously since 1961. The Antle employees are treated fairly and they are ably represented by an established, capable and responsible labor organization which has, since 1961, negotiated wage rates and benefits 10–20% higher than those paid by other growers.

The UFWOC agreement is a complicated document of 22 pages, difficult to administer, which vitally weakens management's direction of its own enterprise. It does not provide the employee safeguards and benefits currently available under Antle's existing contract.

BOTTLED WATER STANDARDS

The SPEAKER pro tempore (Mr. HOLIFIELD). Under previous order of the House, the gentleman from Connecticut (Mr. MONAGAN) is recognized for 20 minutes.

Mr. MONAGAN. Mr. Speaker, the American bottled drinking water industry has grown explosively in the last decade. Increased affluence, pollution scares, the varying quality of available supplies, and the taste of chlorinated water have all created additional customers for bottled water companies. People wary of the quality of municipal water supplies or tired of the taste of tap water have turned to privately processed and bottled products. The American Bottled Water Association, which represents 90 percent of the bottlers of still water, estimates that 1969 sales reached $80 million and are growing at a rate of 15 to 20 percent a year. Many supermarkets now stock jugs of water for their customers, and in some localities, bottled water is delivered each day in the same fashion as milk or orange juice.

In light of this sudden and substantial growth, it is alarming that no specific and uniform Federal standards exist to control the quality of bottled water. Varied State regulations exist, though some States have no regulations at all. In addition, most States have no regular system for checking the safety of bottled drinking water products. To remedy this deficiency, I have introduced legislation in this session that would empower the Secretary of Health, Education, and Welfare to prescribe minimum health and safety standards for bottled water if after scientific investigation he determines that such standards are necessary. The bill would then outlaw the interstate transportation of those bottled water products which failed to meet these standards. Producers or distributors who violated the statute would be subject to a restraining order and a penalty of not more than $1,000.

The sudden growth of the bottled drinking water industry has revealed the shortage of public information on this subject. Because of this I was pleased to note a recent article by Nancy L. Ross in the Washington Post on the growth and the nature of the American bottled water industry. I recommend this excellent article, "How Americans Quench Their Thirst for Unpolluted Water," to all my colleagues, and include it in the extension of remarks for their information and consideration. I should also like to include a New York Times article of August 23 by Robert A. Wright, which is equally enlightening and which provides valuable information in this growing field.

The items follow:

QUENCHING A THIRST FOR GOOD WATER

(By Nancy L. Ross)

A few years ago a suburban Bostonian entertaining a foreign visitor was surprised to hear her guest ask if the tap water was safe. Remembering her own experience abroad, she suppressed her reply, "Of course, where do you think you are?" Instead she assured him he could drink it with confidence.

Recalling the incident recently, she wondered if her answer would be the same today. In the back of her mind lay doubts raised by reports of the ban on detergents imposed by Suffolk County, New York, because their foamy effluence made the water supply unfit for consumption. She thought of last summer's survey by the U.S. Bureau of Water Hygiene which concluded that one of 20 Americans—even in "safe" areas like rural Vermont—might be drinking hazardous or potentially dangerous water.

Similar reports, plus growing ecological awareness, have prompted millions of Americans to stop waiting for government to do something about water pollution and to start doing something themselves where it affects them the most—in the home. Generally speaking, the solutions fall into four categories:

For the extremists there is abstinence, which is pretty arduous unless one happens to like neat whiskey, milk baths and brushing the teeth with champagne.

For the wealthy and those nearby, the spa. At famous resorts like Evian, Vichy and Baden-Baden, countless Europeans periodically take the "cure" or "dry out" by taking the water, internally as well as externally.

In this country, while people can be seen lining up at Saratoga Springs, N.Y., glass in hand, for their daily dose of nature's bubbly. Americans today seem more concerned with involuntary, rather than voluntary pollution. To the extent they drink mineral waters it is more as a way to avoid the mercury someone else has dumped into the public water supply than to correct the effects of booze they have dumped into their own systems.

For the ambitious, do-it-yourself distillation. Barring the old-fashioned tea kettle and still, there are various home appliances now on the market. The Aquaspring, manufactured by New Medical Techniques, Inc., of Stamford, Conn., is a compact, seven-pound, $80 electric unit which distills two gallons overnight. (There is also a $160 size which makes six gallons.) The great advantage lies in the cost: 6 cents a gallon as compared to 50 cents to $1.50 a gallon for domestic bottled waters and up to $4 for imported. The disadvantage lies in the taste: distilled water lacks all the flavor-producing minerals as well as fluoride.

The Sunwater Company of San Diego, Calif., includes a limestone trough in its solar-powered distiller to give its product a taste like that of mountain snow water. The 15-square-foot unit costs $150. It is usually placed on the roof with a pipe running to a third faucet added to the kitchen sink. It produces two gallons a day; a smaller $85 model, half that much. Installation charges are extra, but the power is free.

Both companies report booming sales in the past year largely due to the ecology craze. (Other methods of purification include chlorination, electrodialysis, reverse osmosis, ultra-violent rays and filtering. Except for the last, these are not considered practical for home use.)

For the majority, bottled waters. There was a time when the inverted green jug of the water cooler was such a familiar office fixture it inspired a raft of jokes about what went on around it. Maybe it was the sociability associated with group sipping from paper cups. Who could imagine a romance starting over one of our stainless steel monsters as she watches him craning his neck to put his mouth in line with the liquid trajectile? Maybe it was the memory of that cool, clear spring water.

Be that as it may, bottled water is making a big splash. The American Bottled Water Association, which represents 90 per cent of the bottlers of still waters, or 192 firms, reports that 1969 sales reached $80 million and are growing at the rate of 15–20 per cent a year. This figure includes neither sparkling waters, whose bottlers do not belong to ABWA, nor imported waters, which are as yet a figurative drop in the bucket.

Within the past year Coca-Cola Co., Borden, Inc., and Nestle Co. have entered the field. Canada Dry Corp. is test-marketing a distilled water in Berkeley, Calif. Nearly half of the industry's sales are concentrated in that state, where one in six people drink bottled water as compared with one in 200 across the country. There are even vending machines in shopping centers where a dime will get you a half gallon squirt. It's BYOB though.

Whereas San Diego city water contains 700 dissolved parts of foreign matter per million (1,000 is the maximum set by the U.S. Public Health Service), Washington's water contains 200. Nevertheless, at Safeway International, bottled water sales have spurted 20 per cent this year; the chain now carries 10 brands. James Beard of Hyattsville, one of the area's largest mineral water distributors, reports 100 new customers a month (double last year's rate), most of them in home deliveries.

"Our customers used to be either wealthy or lower-class, over 45 with medical troubles. But now we're getting a lot of young, middle-class people," Beard said.

His firm sells Mountain Valley Water from Hot Springs, Ark., where Indians drank it before Hernando de Soto re-discovered it, as well as various imported waters like Evian, Perrier and Vichy from France, Fiuggi from Italy and Apollinaris from Germany. He estimates that Americans prefer still water over sparkling 10 to one.

Evian, a lightly mineralized, low-salt water, is a leading favorite in 100 countries around the world. Great Bear, a demineralized and purified water from a Ridgefield, N.J., spring, claims to have the largest market in the Northeastern United States.

In France, Evian's pink label symbolically predicts for its imbibers a rosy future free of kidney and urinary ailments, gout, arthritis and obesity. In the good old patent medicine days before U.S. Food and Drug Administration regulations, Saratoga waters were hailed as cures for jaundice, dyspepsia, failing appetite, rheumatism, gout and types of dropsy, scrofula and paralysis.

No such medical miracles are claimed today. Yet the rapidly rising number of bathers and drinkers at the Adirondack spa attest to the belief the waters relieve something—if only a hangover—despite the American Medical Association's position that there is no convincing evidence to support any therapeutic claims.

But what about general good health and combating the ills of pollution? Bottlers today often follow that tack. "The inspiring French Alps protect Evian water from pollution of any kind," reads one ad. "Even before tap water sources were polluted, Mountain Valley Water was established as one of the world's great health waters," says another.

Pure H2O—two parts hydrogen to one part oxygen—does not exist in nature. Bacteriological and mineralogical contaminants are always present to some degree. So "purity" of water becomes in practical terms a euphemism for "safety," which in turn is often confused with "goodness." Defenders of tap, distilled and bottled waters argue these points heatedly.

Distilled water comes closest to "pure" water, although its detractors point out that if the distilling equipment picks up germs, the value is diminished. It is thus "safe" to drink, even though its lack of fluorides might cause some to argue it is "unsafe" for teeth. By these standards it is "good" water, yet it doesn't taste good to people who want an identifiable taste.

The Navy uses distilled sea water on its ships, undoubtedly as much for convenience as for safety sake. On the other hand, Washington hospitals feel it is all right to give patients water from the tap, except in special cases. A U.S. Public Health official, who declined to be identified, said chlorination is the only way to guarantee freedom from pathogenes (viruses) which may survive the deionizing process or recontaminate water after distillation by unsterile equipment.

Yet everyone knows chlorine is a poison gas. And some object to pouring even minute amounts of it into their systems; one half part chlorine per million is the average for District tap water, up only slightly in the past few years. Besides the peculiar taste which some people find objectionable, there is also a psychological bloc to drinking water "that was Lord only knows how polluted to begin with," as one distilled-water user put it.

"Mineral" and "spring" and "well" water connote purity only in the drinker's mind. Such water may in fact be contaminated by underground seepage from cesspools or mines. In addition, impurities may creep in during the bottling process. Other bottled waters, which are "remanufactured" from tap water or even industrial wastes, may present the same physiological or psychological disadvantages to the drinker.

In the opinion of a leading Washington internist, who asked his name not be used, there is "no virtue in drinking bottled water unless it tastes better. The effects on health are minimal. We (physicians) don't see diseases that are spread through the tap; if we do see them, they are as likely to be spread by impure bottled water. If one is going to be paranoid about things one puts inside oneself, then one would have to worry about calcium, magnesium and trace metals (found in mineral waters) which some doctors correlate with heart disease."

The American Bottled Water Association and the U.S. Public Health Service both have recommended voluntary standards for water quality (the private group claims its are higher), but both have recently come under fire.

Several states, and the District, have no bottling regulations. Federal inspection of plants is irregular, as is sampling of products. The D.C. Department of Public Health tests water for bacteria at least twice a year in nearby Maryland and Virginia. An official of the Water Quality Control Administration said extensive studies of branch water were undertaken several years ago for a prominent American citizen who flavored his bourbon with it, but little has been done since. On the other hand, no cases of contamination have been reported in the District recently. Last October Rep. John S. Monagan (D-Conn.) introduced legislation to launch an investigation of bottled water by the Department of Health, Education and Welfare with an eye to establishing federal standards.

Meanwhile the water boys' cup runneth over. Air Force One is stocked with cases of Mountain Valley Water. Carol Channing wouldn't be without her "uncontaminated" water and turkey legs. Race horses and prize fighters drink it. It makes canaries sing and roses bloom. And cosmetics queen Estee Lauder has come up with an aerosol spray of spring water that costs $5 for 11 ounces. It would be cheaper to spray your face with 12-year-old Scotch.

[From the New York Times, Aug. 23, 1970]

WELL-PUBLICIZED INCREASE IN POLLUTION IS HELPING TO DRIVE MANY AMERICANS TO DRINK—BOTTLED WATER

(By Robert A. Wright)

LOS ANGELES, August 22.—When John Wedburg's mother-in-law came here from Nebraska recently to look over her new grandchild, she talked a lot about how good the water was back home.

So Mr. Wedburg, a stockbroker, ordered bottled water delivered to his Bel Air home for the duration of the grandmother's visit. Now the Wedburgs have joined a million southern Californians as confirmed bottled-water drinkers.

Southern California, basically a desert, has by far the largest number of bottled-water drinkers in the nation; the market here has doubled in the last decade. But it is growing throughout the country.

* * * have doubled in the last five years in Miami, Boston and Pittsburgh. Sales are up

75 to 100 per cent in Chicago, 50 per cent in Atlantic City and 40 per cent in Dallas.

SPURRING INDUSTRY SALES

Growing concern over pollution has spurred sales for the industry in recent years, and bottlers regard each pollution headline as a good advertisement for them. And this week, the Environmental Health Service reported that 16 per cent of municipal water systems surveyed exceeded Federal standards in at least one contaminant.

Claude Neissen, general manager of the Sparkletts Drinking Water Corporation of Los Angeles, said the company's phone inquiries jumped 35 per cent above normal on Tuesday, the day after the report was released.

While the pollution scares have helped sales, the bottled-water business has prospered in various parts of the United States since the eighteen-nineties.

Many City Hall offices in Chicago—an exception is the Water Department—have had bottled-water coolers for years. This year, the city government is paying more than $18,000 for its supply.

NO ACCURATE COUNT

Taste is still the chief attraction, bottlers agree, but a growing fear of municipal tap water is now a strong second. Doctor's recommendations, particularly for persons on low-sodium diets, is another factor.

There is no accurate national count of the number of customers, according to Fred Jones, executive director of the American Bottled Association. Mr. Jones said that many of the association's 200 members were reluctant to provide figures on sales for a survey he is making because they were privately owned companies. But, Mr. Jones said, the national sales growth is at least 10 per cent a year, and much more in many areas.

With the growth of the industry, large national companies are buying into the business. Sparkletts has been owned by Foremost-McKesson, Inc., since 1964. Arrowhead Puritas Waters, whose predecessor companies have been in business here since 1894, was purchased in May of last year by the Coca-Cola Bottling Company of Los Angeles. In January, Borden, Inc., brought out the Crystal Springs Water Company of Miami.

Bob Suttle, general manager of the bottled-water division of Arrowhead Puritas, said his company had 250,000 customers in 10 southern California counties—double the number of 10 years ago. Mr. Suttle estimated that 25 to 30 per cent of southern California residents used bottled water.

"It's not just rich people who buy bottled water," he said. "We have as many routes in Watts as we do in Beverly Hills."

SIMILAR SALES PATTERN

Eighty per cent of the Arrowhead Puritas sales are home deliveries, the growing area nationally. The rest are to offices, and supermarket sales in half-gallon and gallon plastic bottles. Customers of Sparkletts, whose sales pattern is similar, can also fill their own containers from coin-operated dispensers that the company has installed in the metropolitan area.

Mr. Suttle said that the average Arrowhead Puritas customer spent about $4.80 a month for one-to-five gallon returnable glass bottles costing $1.60 a gallon.

Most companies offer three types of bottled water—spring water, distilled water and fluorinated water.

WITHOUT REGULATIONS

Sources of bottled water vary widely. Arrowhead Puritas gets its waters from springs 6,800 feet up in the San Bernardino Mountains under lease from the Forest Service. Sparkletts operates five wells. The Belmont Springs Water Company in Boston gets its supply from natural springs in the middle of a country club.

There are no Federal laws establishing standards for bottled water and many towns and states are without regulations.

"So much of this talk about increased bottled-water sales and better taste is hogwash," said Raymond Brunnel, president of the Pequot Spring Beverages Company of Hartford. "A number of companies are just passing plain tap water through a carbon filter and misrepresenting it as spring water."

Mr. Jones of the American Bottled Water Association said that his organization established quality standards several years ago and was in the process of certifying members who were being tested on the standards. But he conceded that the program was voluntary. Mr. Jones noted that all members of his organization were licensed by local governments.

Mr. Suttle of Arrowhead Puritas ascribed the faster growth of bottled-water sales in recent years to more aggressive advertising and marketing drives than most companies elsewhere were willing to conduct. Both Arrowhead and Sparkletts have extensive radio promotions.

FIVE HUNDRED GALLONS A DAY

Mr. Suttle is not concerned that growing attention to pollution may eventually force municipalities to treat their water better and thereby compete with his industry. He said that the average family used about 500 gallons of water a day but that most people drank less than a quart of water a day.

"In a family of four persons," he said, "a municipality would have to treat 500 gallons to provide one gallon for drinking."

LEGISLATORS FAIL TO FILE REPORTS

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Maryland (Mr. HOGAN), is recognized for 10 minutes.

Mr. HOGAN. Mr. Speaker, I am sure there is not a single Member of this body who has not had his public actions distorted by the news media. Today, I was victimized by a double-barreled distortion in two separate instances.

In the first instance, the Washington Post included my name in the story under a caption "Legislators Fail To File Reports," in which it stated that I had been late in filing my preelection statement with the Clerk of the House. I have a receipt from the Clerk of the House dated October 22, indicating receipt of the statement. Due to the carelessness of a reporter, this mistake occurred. At no time did a representative of the Washington Post contact me or a member of my staff inquiring about this matter.

The other instance in which the facts were distorted is extremely more flagrant. I insert at this point in the RECORD two dispatches filed by United Press International in its coverage of the rail strike legislation and a story which appeared in the Washington Evening Star today:

UPI Dispatch, 11:59 p.m., December 9, 1970: However, final House action on the conference bill was delayed as Representative Larry Hogan, Republican, Maryland, began a speech on the House floor in defense of FBI Director J. Edgar Hoover, who has been attacked recently by other Congressmen. Hogan refused to yield the floor, and under House rules he could keep it an hour.

UPI Dispatch, 12:43 a.m., December 10, 1970: Final House action on the bill was delayed nearly an hour by Representative Larry Hogan, Republican, Maryland, who insisted on using time he had reserved for a speech in defense of FBI Director J. Edgar Hoover. Hogan at length ended his speech and the House passed the bill at 12:33 a.m. EST on a roll call vote of 198 to 131.

[From the Washington (D.C.) Evening Star, Dec. 10, 1970]

HOGAN'S PRAISE FOR HOOVER DELAYS RAIL STRIKE ACTION

Fifteen minutes before the midnight rail strike deadline, House conferees who had met with Senate members to work out a compromise rail bill returned to the floor to announce agreement.

The Senate was waiting for the House to act and President Nixon was waiting at the White House for both houses to act so he could sign the legislation.

But Rep. Lawrence Hogan, R-Md., had the floor and would not yield. Strike or not, he announced, he was going to make a speech praising FBI Director J. Edgar Hoover. He did so, talking about 20 minutes.

The House voted on the legislation to ban the strike 32 minutes after the walkout began.

In its lead story regarding the rail strike, which begins on page A-1 and is continued on page A-6, the Star also says:

Final House action was held up about 20 minutes when Rep. Lawrence Hogan, R-Md., insisted on holding the floor to make a speech praising FBI Director J. Edgar Hoover.

The Washington Post, Washington, D.C., December 10, 1970: Under the caption "Speech in House Delays Strike Ban" the Post also notes the following:

Rep. Larry Hogan (R-Md.) had begun a speech in defense of FBI Director J. Edgar Hoover, who has been attacked by other congressmen. Hogan refused to yield the floor and, under House rules, he could keep it an hour.

The most astounding distortion of all is contained in the Star story wherein I am quoted as saying:

Strike or not, I was going to make my speech praising FBI Director J. Edgar Hoover.

This is a total and complete fabrication. The strike was never mentioned at any time while I was in the well speaking.

As the Members who were on the floor at the time will recall, the Speaker called upon Members for special order speeches to kill time while we were awaiting the results of the House-Senate conference on the rail strike bill.

Contrary to published reports by newspapers, radio, and television stations all over the United States, my actions last night in no way delayed this legislation. As soon as I was informed that the rail strike bill was ready, I yielded the floor and asked unanimous consent that the remainder of my remarks be inserted in the CONGRESSIONAL RECORD at that point.

The United Press International reporter who wrote the story, upon further checking the facts, learned that his story was in error and he has graciously apologized to me. He also wrote a retraction and I insert it in the RECORD at this point:

UPI Dispatch, December 10, 1970: United Press International incorrectly reported that Congressman Lawrence J. Hogan had delayed House action late Wednesday night on legislation to block a nationwide rail strike.

UPI said that House and Senate conferees agreed on compromise legislation and House conferees returned to the floor but were unable to bring it up for about 20 minutes because Hogan, making a speech in defense of FBI Director J. Edgar Hoover, refused to yield.

The conferees were on the floor throughout Hogan's speech and some Congressmen and newsmen got the impression he was delaying action on the legislation.

However, Rep. Harley O. Staggers, who was in charge of the bill, said the delay was due to the fact that necessary papers were not ready. When papers were in hand, he said, Hogan was asked to yield and did so immediately.

UPI apologizes to Rep. Hogan.

TAKE PRIDE IN AMERICA

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Ohio (Mr. MILLER) is recognized for 5 minutes.

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. Since 1950 the number of airports in the United States increased from 6,403 to over 11,000 in 1969. During the same time the total number of civil aircraft increased from 92,809 to over 180,000.

MIDDLE EAST CRISIS—DR. ALFRED M. LILIENTHAL

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Louisiana (Mr. RARICK) is recognized for 10 minutes.

Mr. RARICK. Mr. Speaker, full, open, free, and frank discussion of all issues is essential to the attainment of truth, if we are to remain a free people.

Many problems facing the American people receive some discussion, but no full airing. The Military Procurement Act and today's Supplemental Appropriations Act all included sizable moneys earmarked not only for Israel but for Arab nations as well. Yet, the Middle East situation has not been given any full explanation and discussion by this body. What, for example, is the U.S. interest in the Middle East?

In extending military foreign aid, are we preventing a war or readying a new one, while our people aspire to an end to the war in Vietnam? Is Israel to be another Vietnam? Another no-win war? Does communism in the Far East differ from communism in the Middle East? Why retreat from one battleground to enter another? Who has decided upon the foreign policy in the Middle East?

If the policies of the monarch are those of his creditors, then the policies of the United States must be those of our creditors—the wealthy international bankers. From whom will we borrow the $500 million to loan to Israel? To whom will the U.S. taxpayers owe the interest on the loan?

There are questions—serious ones—facing the American people, to which they are entitled answers, but which they are not receiving.

The time to search for the truth is now—not after it is too late—not after involved in another war.

Justice and truth require full, frank, and open discussions of all sides of these issues.

I was greatly enlightened by a speech on the Middle East crisis delivered recently by Dr. Alfred Lilienthal, to the National Economic Council in New York City. Because Dr. Lilienthal raises questions and ideas heretofore undiscussed and unanswered, I ask that his speech follow in full text and commend it to the Members:

SPEECH BY DR. ALFRED M. LILIENTHAL

(Col. Willard F. Rockwell, Chairman of the Board of Rockwell Manufacturing Company, Honorary Chairman of the Board of North American Rockwell Company introduced Dr. Lilienthal.)

I want you to know about a man who has more courage than most anyone you will find in America today. He has enough courage to stand up and say to American Jews: "The United States must come first. You cannot serve two masters." He is a well-known author of books such as "There Goes the Middle East," "What Price Israel?", and "The Other Side of the Coin," as well as many magazine articles.

He is a member of the New York Bar, and editor of Middle East Perspective.

May I introduce Dr. Alfred Lilienthal?

Dr. LILIENTHAL. Mr. Chairman, Senator Thurmond, Congressman Rarick, Dr. Rowe, Ladies and Gentlemen:

When I was asked to speak to this distinguished group, I was originally told that I should try to contain my remarks to ten minutes. This reminded me of a 1956 winter morning when I was to address the Los Angeles Breakfast Club and was told that I could talk about the then Suez Crisis for six minutes, sandwiched in between a Swiss yodeler and a Siamese dancer.

The only thing that saved me that 7:30 a.m. in California before the five hundred tired business men and women was an introductory story told by a genial ex-naval chaplain in introducing me:

Two young men, Jack and Charlie, had gone through high school and college together. Both had good jobs. One morning, Jack called Charlie and said, "They've got me."

"Who's got you?"

"The draft board. But I am going to fool them. I once had a hernia, and I am going to wear my truss."

So Jack, wearing his truss, went down to the draft board. Three doctors examined him, took out his draft card and put down "M.E." Jack said, "What's that?" They said, "Medically Exempt."

Four weeks later bright and early in the morning, Charlie called Jack and said, "They've got me."

"Who's got you?"

"The draft board."

"Haven't you got something wrong—flat feet, bad back, ulcers?"

"No, I am in perfect health, as you know."

"Well then, I'll lend you my truss and you go down and make the usual complaints that you can't lift things, you have intermittent pains, and they will let you off for having a hernia."

Charlie went to the draft board. The same three doctors examined him and then took out his draft card and put down, "M.E." "Medically Exempt?" asked Charlie. "No," replied the doctor. "Middle East. Anyone who can wear a truss upside down can certainly ride a camel!"

The question of American boys serving in the Middle East is unfortunately no longer a chaplain's joke. We face the very grim reality of another Vietnam in the Middle East. Three months after the June 1967 six day war I spoke at Bradford Junior College and astonished my audience by stating that it was not the Arabs who had lost and Israel who had won but the United States who had lost and the Soviet Union who had won that war. Russian ships are plying the Mediterranean and now have access to the warm water ports which Catherine and Peter, the Greats, Krushchev and Kosygin alike had been seeking. The West's policy in the Arab-Israeli conflict supplied the open sesame to that aged quest.

I would like to remind you that your speaker has been no Johnny-come-lately in warning this country of the dangers confronting us. In my first two books, *What Price Israel?* and *There Goes the Middle East* and in testimony before the Senate Foreign Relations Committee on the Eisenhower Doctrine in January, 1957, I stated, "So long as justice remains only a lofty sounding word, so long as one million and more Arab refugees remain homeless and without a country and so long as Israel continues to flout existing resolutions of the U.N., there will be new Suez's and more bloodshed. Arab reliance on the Soviet Union friendship as well as on her economic, military and diplomatic aid has become a prime Arab necessity in order to assure themselves top strength against future Israeli expansion. And nothing could have been more pleasing to the Kremlin than a polarization with Israel on the side of the United States and the Arab nations on the side of the U.S.S.R."

Why have we pursued a policy which has brought us to the brink of disaster in this strategic area? Liberals and conservatives alike must share the responsibility for permitting Hitler to mold their present day policy towards the Middle East. It is the Christian guilt feeling, a desire to expiate for the 5–6 million Jews wiped out by the Nazis that has molded support of our present policy. Hitler indeed is still a force today.

Along with this feeling of guilt has been the strong fundamentalist viewpoint, particularly in the Bible belt calling for a literal interpretation of the Bible and upholding the return of the Jews to the Holy Land.

Another motivation which we cannot overlook in explaining the hold that the State of Israel has in this country evolves around the latest two commandments that have been added to the ten handed down by Moses. The Eleventh Commandment: Thou shalt not be anti-Semitic, and the Twelfth Commandment: Thou shalt be anti-anti-Semitic. Those who fear being called anti-Semitic if they criticize any aspect of this problem and those who harbor a soupcon of prejudice, alike wind up in the Israelist camp. This reminds me of the story about two commuters coming down from Connecticut on the morning of May the fifteenth, 1948, the day Israel was created—came into being. One said to the other, "Joe, have you seen the papers? The Jews have established their State of Israel." And the other replied, "Good. Maybe now they will give us back Miami Beach." People who do not like Jews are to be found principally in the pro-Israeli ranks.

The politicians have played sordid domestic politics with a serious foreign policy issue. The Jewish vote has molded the Zionist lobby into the strongest minority group in Washington. Under our present electoral college system, minority groups are enabled to manipulate their strength to a maximum. Jews of America constitute less than 3% of the population but 85% of the six million Jews in America are concentrated in sixteen of the largest cities in the five states of California, New York, Pennsylvania, Illinois and Ohio. These states have 167 electoral votes. It takes 268 to elect the President of the United States.

Artemus Ward, the humorist, once quipped, "T'aint people's ignorance that does the harm, 'tis their knowin' so much that ain't so." And there is no area in the world about which we know so much that ain't so as the Middle East. Myth information—and I do not lisp—has prevailed. Contrary to what people believe, all Zionists are not Jews and all Jews are not Zionists. Here is one of our myths. Those who favor the State of Israel are drawn from every strata of life, from every political point of view and every religion. It is not Zionist pressure alone that is at work. An inner compulsion not to be considered nor labelled anti-Semitic governs to a greater extent. It is not numbers or wealth alone that gives strength to the Israelist cause. Every Christian living in urban areas has a banker, a butcher, an accountant, a doctor, a lawyer, a neighbor or a fellow club member who is Jewish whom he does not wish to offend. It is on this that the Israelist movement fattens itself.

Approximately six million Jews were killed. The Jews wish a state Q.E.D. They should have their state. This is John Q. Public's reasoning. And the national interests of the U.S. are overlooked in this manner.

As for Jews themselves, both in Israel and in the United States, they are more divided than people would believe. It is the voice of Organized Jewry that reverberates and whose public pronouncements are re-echoed by the supine politician seeking votes. To some Jews like Elmer Berger, Moshe Menuhin and Habib Shibeh, the ancient prayer, "Next year in Jerusalem" implied not a political state but a new kind of better world. A golden day on which men might look into each other's eyes and see the reflection of their own unfulfilled longings and hearts of men shall go out to each other in understanding for they will know that all suffer hurt and heartache and dream the same dreams of freedom, security and peace and together they shall build the Kingdom of God.

If "Next year in Jerusalem" means something else, why pray about next year in Jerusalem? Why not go there today-tomorrow? United States should stop being used as a base for Israel. Our country cannot afford to have citizens sit with one foot here and one foot in another country while exercising their influence on American Foreign Policy in behalf of what is still a foreign state. Instead of appropriating five hundred million dollars for Phantoms for Israel under the legislation now pending, it might be far better to make Israel the 51st State of the Union. At least then we would know that Jerusalem would be acting in the interests of the United States. Today Israeli national interests are not invariably U.S. interests even though it might seem that common antagonism of the Soviet Union makes this so.

The strangest aspect of the abnormal relationship between the United States and Israelis in the United States are returning whatsoever to go and fulfill their destiny in Israel. Western Jews would prefer to lavish their support from the security of their Park Avenue abodes, their Picadilly flats or their residences on the Rue de la Paix. Even now when the brain drain to the United States is working in reverse and scientists and technicians are returning in great numbers to their own countries while we are in the midst of a recession, very, very few of the many Israelis in the United States are returning home. In the final analysis it will never be Soviet Union Migs or Arab bullets that will seal the fate of the Zionist state in Israel, but it will be the plain fact that Jews prefer the lands in which they are now living to the milk and honey of the State of Israel. The Establishment in Israel is aware of this and can never really afford peace. Hence they will do all in their power to drag their mentors and patrons, namely us, into a war which could make Vietnam look like a Sunday School picnic. And we already, to use the words of Nevil Shute, are ON the Beach.

There are certain questions I ask you to ask yourselves. Where has the strongest organized Communist movement in the Middle East been? Where have Communists sat as officially elected representatives? In Arab countries or in Israel? Is a Kibbutz more acceptable simply because it happens to be in Israel rather than in the Soviet Union? Are people steeped in the strong theism of Islam who volunteer their prayers to God five times a day more likely to be abject tools of Godless Communism than a country in which most of the people have substituted the worship of the state for the worship of God and where what little religion exists is controlled as an adjunct of the state? It is sheer nonsense to call the people of the Arab world Communists or Soviet lovers.

Contrary to mythology, history does not support the Zionist contention that Palestine belongs to them alone. Who could say for sure which one of us here in this room might not have a far better claim to go back home to Palestine than Golda Meir, Abba Eban or Moshe Dayan? Twelve tribes started in Canaan 35 centuries ago and not only did ten of them disappear, more than half of the other two never returned from exile in Babylon. How can anyone claim descendancy directly from that relatively small community which inhabited the Holy Land at the time of Abraham's covenant with God? And if there was such a covenant, Arabs are part of the seed of Abraham through Haggar who gave birth to a son, Ishmael.

Hebrew, Israelite, Judean, Judaism, and the Jewish people are used by the myth makers synonimously to suggest an historic continuity whereas they were in fact different people at different times in history with varying ways of life who continually intermarried with Amorites, Canaanites, Midianites, Phoenicians and other Semitic ancestors of the present day Arabs who they found there. Let us not forget that Judaism was a tremendous proselytizing force throughout the world before and even after the coming of Jesus. Many who clamoured to go back never came from that part of the world and many who do not wish to go back and never thought of going back might have a better claim to do so. Queen Victoria belonged to an Israelite society that traced the ancestry of its membership back to the Ten Lost Tribes of Israel.

The Balfour Declaration issued by the British in 1917 gives Zionists no more exclusive rights to Palestine than the myth of a Jewish Semitic race. This war document issued in a letter from the Foreign Secretary to Baron Rothschild was only a conditional grant to Zionism. It did not call for a State of Palestine, not even a national home of Palestine but simply a national home in Palestine—meaning that there was to be more than one home there—and the declaration contained this proviso clause: Quote. The civic and religious rights of the existing non-Jewish community be no prejudice. End of Quote. What was this non-Jewish community in Palestine? After all we had long been told that the Zionists made this desert bloom. In 1917 this existing non-Jewish community constituted 93% of the population. Yes, Palestine was 93% Christian and Muslim-Arab and this weasely wording, "The existing non-Jewish community" was used by English diplomacy to hide this truth from their own people and the world. It was as if you came into a room with one hundred people and referred to ninety-three of the people there as the non-seven.

And when the United Nations recommended on November 29, 1947 the partition of Palestine, the non-Jewish community was still 66% of the population with Zionist Jews owning but 7% of the land. These are historic facts which cannot be overlooked and explain the depth of the emotional feeling on the part of the Palestinian Arabs who through American support of the creation of Israel became refugees to the number of more than a million and a half, living in exile since 1948, many subsisting in camps at the rate of 7 cents U.N. charity per day.

No wonder this injustice rankles and drives them, if not through the front door, then by the back door into the hands of our enemies. "The enemy of my enemy is my friend." An old Arab adage has been working to push Uncle Sam out of an area in which we had accumulated a tremendous reservoir of goodwill due to our philanthropic, charitable and educational good deeds, not to mention our oil interests. The YMCA's, YWCA's, hospitals, the A.U.B., the A.U.C. and other institutions were testimonial to Uncle Sam's benevolence but we permitted the Soviet Union to build a bigger and more lasting testimonial, the Aswan Dam, by reneging on our promise to build this needed irrigation project.

It is U.S. bumbling, stumbling and fumbling to which so many private citizens have contributed that has brought the Soviet Union into the Middle East over the pleas and objections of the Arab people. The attempts to divide the rule of the Ottoman Turks, the French, the British and other foreign meddlers before us invariably resulted in divide and fall.

It is not easy to lay down a course of action in this most complex problem that will bring peace and justice for the peoples of the area and gain us a little security. It is easier to say what we should not do. The premise that peace can only be achieved by keeping Israel stronger than her neighbors is untenable. Israel has been stronger than all her neighbors combined in the last two decades and has won three wars and yet Arab-Israeli peace despite a temporary cease-fire and a lull in the fighting is further away than ever.

Further arming of Israel only invites the Soviets to a never-ending arms race which inevitably must involve American troops. This is the road to a second Vietnam and which will inevitably lose for us an area with its more than 70% of the world's oil reserves, its strategic geographic position second to none, the religious sites of the three great monotheistic faiths and the balance of power in the world diplomatic and military struggle. The 114 million Arabs are closely related to their three hundred fifty million Muslim brethren around the world.

There is a silent American minority, not yet a majority, who long have insisted that there are two sides to this conflict, that the Arab Palestinians must be brought to the U.N. peace table and that only in a bi-national state in which Arabs and Jews will have equal rights in what was once Palestine can any durable peace be realized. Only when we have a free and open debate on the Middle East such as we once had on Vietnam and a debate in which the word anti-Semitism is banned, can we move constructively toward peace.

You, as private citizens have an important role to play. For there is no problem of public concern which can be decided more by individual decision than this. Support of Israel has been based not so much on the belief that Israel is the bastion of democracy, but because too many Christians unfortunately would prefer to treat Jews not as equals in this country but as foreigners whose home state is there in the Holy Land. Christians in America must learn to treat Jews as equals and cease, in the guise of being sympathetic, to support their rights in a foreign state.

Perhaps with such enlightened Christian support, Jews of America will end their aged duality, and their dual national loyalty. They themselves can help solve this problem by showing that they are willing to join the human race—by ceasing to exact special privileges and a special status simply because a madman named Hitler went rampant twenty-five years ago. Enjoying special privileges and living as a group apart with a unique relationship to a foreign country can in the long run only bring disaster to themselves as well as to the country in which they live.

It is not easy to fight the overwhelming consensus and the Establishment—one's co-religionists as well as one's conationals. It is not given to everyone to say with equanimity as Socrates once said, "I love you, men of Athens, but I love truth more." But all of us can follow the guidance of a great American, our First President who with uncanny perspicacity in his farewell address prophetically warned: "A passionate attachment of one nation for another produces a variety of evils because it leads to concessions to the favorite nation of privileges denied to others which is apt doubly to injure the nation making the concession, both by unnecessarily parting with what ought to have been retained and by exciting jeolousy, ill will and a disposition to retaliate in the parties from whom equal privileges are withheld and," our First President noted, "it gives to ambitious, corrupted, or deluded citizens who devote themselves to the favorite nation the facility to portray, betray or sacrifice the interest of their own country without odium sometimes even with popularity."

If we can but command the courage and foresight of George Washington, we can still bring peace to the harassed peoples of Israel and of the Arab world and at the same time take a giant step forward in our quest for peace in our time.

(NOTE.—Dr. Lilienthal, a graduate of Cornell University and Columbia Law School, at an early age became interested in public affairs. He led the fight against the Communist-controlled American Youth Congress and was a candidate for the New York City Council. He served with the U.S. Army in the Middle East, as consultant to the American Delegation at the first United Nations Conference in San Francisco and in the Department of State. He is the author of many articles on the Middle East including "Israel's Flag Is Not Mine," and of the well-known books, "What Price Israel?" "There Goes the Middle East," and "The Other Side of the Coin." Yearly he makes a tour of the Middle East to visit the Arab countries and Israel and to talk with the leaders and the people there. Dr. Lilienthal is a well-known lecturer on college campuses and before club women across the country. He is the editor of Middle East Perspective, a monthly newsletter.)

PENNSYLVANIA'S CHILD CARE CENTERS

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Pennsylvania (Mr. FLOOD) is recognized for 20 minutes.

Mr. FLOOD. Mr. Speaker, one of the most significant and innovative developments in the child care field is taking place in my home State of Pennsylvania. For the first time a State Department of Public Welfare has contracted with a private corporation to establish and operate a group of seven comprehensive child care centers that will, in addition to the usual custodial services, provide a highly sophisticated child development component, a broad health and nutritional program and extensive parental and community involvement in the operation of the demonstration model centers. Both State and Federal funds are involved in the project funded under title IVA of the Social Security Act.

The contract, between the Pennsylvania Department of Public Welfare and the Educare Division of UEC Inc. of Washington and New York, will provide such comprehensive centers in Wilkes-Barre, Scranton, Harrisburg, and Pittsburgh within the coming months to serve almost two thousand children from infancy through teenagers on an individual flexible schedule to accommodate the needs of the child and the working parent.

Mr. Speaker, the December 4 issue of Education Daily contains an interesting article concerning this most important breakthrough in the day care area. I include the text of this article at this point in the RECORD:

DAY CARE WITH A DIFFERENCE FOR WELFARE KIDS

When the first of seven new day care centers open in ghetto areas of Harrisburg and Wilkes-Barre in the spring, welfare mothers will reap the latest private industry has to offer in child care and early education services.

Universal Education Corporation, creator of a dozen posh east coast "discovery centers" where middle-class moms vie to enroll preschoolers for a two-hour weekly "learning experience," moves its Educare Division into the ghettos of four Pennsylvania cities next year under a $4 million contract with the state's Department of Public Welfare. With it goes $300 thousand in up-to-date equipment and 1800 carefully researched "learning objectives," all part of what Educare's president, Richard T. Ney, calls the first comprehensive program to help low-income parents help their own children succeed in school.

OFFERS FULL DAY, AFTER SCHOOL, AND INTERMITTENT CARE

The seven Educare Centers, all within walking distance of the participating families, will serve about 2,000 children in target areas of Wilkes-Barre, Pittsburgh, Scranton and Harrisburg, ranging in age from infancy to 15 years old. Flexible schedules will permit full-day, after-school, and even night and weekend care. A hot-line phone service from 6 a.m. to midnight will respond to distress calls seven days a week, and most of each center's staff will be people from the community, recruited and trained by Educare. The program is renewable for four years, with the cost jumping from $4 million the first year to $6 million in succeeding years. The state pays one fourth, with the remainder paid by the Federal government under Title IV of the Social Security Act. When fully operational, Ney estimates the cost per child for the program will be about $2800 per year.

EVALUATION BY UNIVERSITIES

Despite a "no formal testing" policy in the centers, part of Educare's job is to develop the children "in measurable terms." A second goal is to set up an efficient management system for running the centers. Evaluation of both objectives will be done by a consortium of Pennsylvania universities.

LEARNING OBJECTIVES AND SKILLS

The heart of Educare's education component is contained in a massive volume of 1800 learning objectives cataloged by David C. Whitney, a former editor-in-chief of Encyclopedia Americana and currently Educare's Senior Vice President. Divided into some 40 skill areas (listening, finger dexterity, etc.) and accompanied by simple validation tasks to determine each child's progress, these objectives form the basis for individual learning sequences and for assessing gains through observation rather than formal testing.

PARENT INVOLVEMENT

To help get the parents involved in center activities, Educare is preparing a library of tape cassettes dealing with problems like family arguments and money management as well as child development. Monthly meetings and dinners with parents will be sparked by key personnel like Educare's black community relations director Marjorie Costa, a veteran public health and community worker in the Bedford-Stuyvesant area, and Lewis Howard, former director of the Harlem Peace Corps.

LEARNING MATERIALS

UEC boasts an investment of more than $5 million of private capital in the development of the Educare system, including "hundreds of tested learning materials and educational devices" ranging from a child-operated TV studio on wheels to simple plastic shapes and figures. Audiovisual materials are prepared in the company's own color TV studio in New York City. The child watches a taped segment which shows puppets working a puzzle, for example—and then tackles the same puzzle himself. A short sequence on "Leaves," beautifully photographed, explains nature's "magic food factory" as the child traces visually the intricate pattern of veins in a maple leaf.

TAKE HOME MATERIALS FOR LEARNING

The program also features weekly take-home materials, like blocks and games, to help parents become involved in their children's development. These special toys and materials to take home and keep, together with simple instructions for the parents—sometimes on tape cassettes—add as much as $150 a year per child to the cost of the system, explains Ney, an investment he considers well spent.

The Harrisburg and Wilkes-Barre centers will be the first to open, sometime this spring, with others to follow. Educare staff are already at work in target neighborhoods—recruiting, persuading, explaining the system. Ney, who says other state and city governments have expressed interest in the Pennsylvania program, snaps eagerly at the idea of negotiating performance contracts for day care and educational services. The Educare system, he says, "lends itself to measurability and accountability."

STAFF INCLUDES HEALTH, NUTRITION EXPERTS

Approximately 400 people will operate the Pennsylvania program. Besides the large number of paraprofessionals from the community, the staff will include experts in health, nutrition, education, training, community relations, child development, and office administration.

It is expected that most of the youngsters served will fall into the 2½ to 5 year age range, but the program will also be geared to serving infants and will provide before and after-school enrichment programs for 5 to 15-year-olds. For further information, contact: Educare Division, Universal Education Corporation, 1730 M Street, N.W. Washington, D.C. 20036.

"COLLEGE SUGGESTOR" HELPS STUDENTS PICK COLLEGE

A new aid has been developed to "help high school students, counselors, and parents to identify colleges and universities that are most closely suited to a student's needs, abilities, and interests." The new aid, "The College Suggestor" consists of "four decks of punched cards, each representing a region of the United States; a reader-viewer; and an instruction manual and a numbered list of approximately 2,250 junior colleges, colleges and universities." To operate the system the user merely picks cards which correspond to the attributes or characteristics he desires in a school, places these in the viewer, and reads off the numbers of the schools which meet his requirements. He can then locate these schools on the list and gain additional information through his counselor or by writing to the school.

MADISON SQUARE BOYS CLUB

(Mr. BINGHAM asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. BINGHAM. Mr. Speaker, a case involving the Madison Square Boys Club of New York City recently brought to my attention a quirk in the Tax Reform Act of 1969 which will deprive the Boys Club of about $600,000 unless the situation is corrected.

I have studied this case carefully and have concluded that the sort of situation which has arisen was not contemplated by the Congress before passage of the Tax Reform Act, that there is need for legislative action to correct this oversight, and that such action should be initiated as soon as possible.

Therefore, I have introduced legislation to amend the Internal Revenue Code of 1954 and the Tax Reform Act of 1969 with respect to the treatment of charitable contributions. I am pleased that the following members of the New York City delegation are joining me in this effort: Mr. CELLER, Mr. ADDABBO, Mr. BIAGGI, Mr. BRASCO, Mr. CAREY, Mrs. CHISHOLM, Mr. HALPERN, Mr. KOCH, Mr. MURPHY of New York, Mr. PODELL, Mr. RYAN, Mr. ROSENTHAL, and Mr. SCHEUER.

Mr. Speaker, it is my hope in introducing this legislation in the closing days of the 91st Congress that the Treasury can begin as soon as possible their study of this legislation. I plan to reintroduce it early in the new Congress and hope that it may be promptly considered.

At this time I would like to place in the RECORD a memorandum, prepared by the New York firm of Kelley, Drye, Warren, Clark, Carr, & Ellis, describing the situation encountered by the Madison Square Boys Club as well as a letter from Mr. Laurence N. Woodworth, Chief of Staff for the Joint Committee on Internal Revenue Taxation which drafted the bill. Finally, I would also like to include a copy of the bill itself.

The items follow:

MEMORANDUM

Re Madison Square Boys' Club, Inc. as Charitable Remainderman under the Will of Earl A. Ross, deceased

The Madison Square Boys' Club, Inc. is a publicly supported charitable organization actively engaged in boys' club work. It operates boys' clubs in New York City at four different locations and provides recreational and informal educational activities for 6,000 boys annually in New York City and 1,400 boys each summer at its camp in Carmel, New York.

The additional federal estate tax liability which may be imposed upon the abovementioned decendent's estate, which liability will reduce drastically the size of the Trust Fund which will eventually go to the Madison Square Boys' Club, arises as a result of the following factual situation:

The decendent, Earl A. Ross, executed his last will and testament on October 6, 1967. Under the terms of this will, Madison Square Boys' Club is the remainderman of a series of trusts created under the will, which trusts, in general, terminate on the death of one or more persons who are the income beneficiaries. In December 1969 the decedent, then in the throes of his terminal illness, decided that he should change the corporate executor and trustee named in his 1967 will. He therefore instructed his attorney, Mr. John F. Leviness, Jr., to prepare a codicil to accomplish this which codicil was prepared and executed substituting Manufacturers Hanover Trust Company, with whom the decedent had had a long-time banking relationship, as executor and trustee in place of another major bank located in New York City. This codicil was executed on December 14, 1969. The decedent died at 2 p.m., January 1, 1970.

Under the Internal Revenue Code of 1954 as in effect prior to enactment of the Tax Reform Act of 1969, the charitable remainders given to the Madison Square Boys' Club would constitute valid charitable deductions under section 2055 of that Code. However, in view of the enactment on December 30, 1969, of sections 201(d) and (g)(4) of the Tax Reform Act of 1969 (amending section 2055 (e) of the Code) such charitable deductions may no longer be available in computing the federal estate tax liability, as (a) the decedent executed a codicil after October 9, 1969, (b) he died after December 31, 1969, and (c) the trusts are not in the form of annuity trusts or unitrusts.

The hardship is apparent. The decedent was not in a position to know nor did he consider the possible implications of the proposed Tax Reform Act of 1969 to his situation. The Tax Reform Act was in fact enacted after the codicil was executed and obviously the decedent could not govern the timing of his death. All of these events conspire to deprive the Madison Square Boys' Club of a much needed contribution (i.e., the amount of corpus needed to pay the additional estate tax liability) if relief to which it is equitably entitled can not be found either administratively or through legislative action.

It is suggested that this hardship may be avoided and the greater fund made available to Madison Square Boys' Club, Inc. for its charitable activities through an amendment to section 201(g)(4)(B) of the Tax Reform Act of 1969. This amendment might take the form of a proviso to the effect that a codicil or other instrument, executed by a decedent after October 9, 1969 and prior to December 30, 1969 (the date of enactment) within does not alter or modify the dispositive provisions of the will, would not be deemed a republication of the will for purposes of subparagraph (B) of section 201(g)(4).

CONGRESS OF THE UNITED STATES,
Washington, D.C., November 17, 1970.

Hon. JONATHAN B. BINGHAM,
House of Representatives,
Washington, D.C.

DEAR MR. BINGHAM: This refers to your recent letter to Mr. Dennis Bedell of the staff, requesting us to draft a bill for you along the lines suggested in the memorandum you enclosed with your letter to deal with a situation confronting the Madison Square Boys Club.

As was indicated in the memorandum, new rules governing the allowance of an estate tax charitable deduction for gifts of remainder interests in trust to charity were provided by the Tax Reform Act of 1969. A transition provision, however, makes these new rules inapplicable in the case of trusts established by a will in existence on October 9, 1969, if the decedent dies before October 9, 1972, without having amended the will.

This transition rule does not apply, however, to the will of Mr. Earl A. Ross which gave a charitable remainder interest to the Madison Square Boys Club, since Mr. Ross changed the executor in his will in December of 1969. To deal with this problem, the enclosed bill modifies the transition rule I mentioned to provide that a change in a will between October 9, 1969, and December 31, 1969, which does not change the dispositive provisions of the will will not be considered an amendment of the will. Accordingly, a change of this nature would not cause the loss of the estate tax charitable deduction.

The bill also makes a similar change in another estate tax charitable deduction transitional rule which applies in the case of trusts which were in existence on October 9, 1969, and in a transition rule relating to the changes made by the Tax Reform Act in the charitable deduction allowed trusts for amounts they set aside for charity.

There is an additional provision of the Internal Revenue Code which presently would deny the charitable deduction allowable to Mr. Ross' estate which was not mentioned in the memorandum. Basically, this provision (section 508(d)) disallows the charitable deduction for a gift to charity of a remainder interest in trust unless the will establishing the trust contains provisions to insure that the trust complies with the private foundation requirements and restrictions. In the case of trusts which were in existence at the end of 1969, this provision does not apply until 1972. In view of this, the enclosed bill also contains an amendment which would make this provision inapplicable (until 1972) to charitable remainder trusts established under wills in existence on or before October 9, 1969.

Sincerely yours,
LAURENCE N. WOODWORTH.

H.R. ——

A bill to amend the Internal Revenue Code of 1954 and the Tax Reform Act of 1969 regarding the treatment of charitable contributions.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) section 642(c)(2) of the Internal Revenue Code of 1954 (relating to deduction for amounts permanently set aside for a charitable purpose) is amended by adding at the end thereof the following: "For purposes of subparagraph (B), an amendment after October 9, 1969, and before January 1, 1970, of a will which does not alter its dispositive provisions in any way shall not be considered a republication of such will."

(b) Section 201(g)(4)(B) of the Tax Reform Act of 1969 is amended by adding at the end thereof the following:

"For purposes of this subparagraph, an amendment after October 9, 1969, and before January 1, 1970, of a will which does not alter its dispositive provisions in any way shall not be considered a republican of such will."

(c) Section 201(g)(4)(C) of the Tax Reform Act of 1969 is amended by adding at the end thereof the following:

"For purposes of this subparagraph, an amendment after October 9, 1969, and before January 1, 1970, of an instrument governing the disposition of the property which does not alter its dispositive provisions in any way shall not be considered an amendment of such instrument."

(d) Section 508(d)(2) of the Internal Revenue Code of 1954 (relating to gifts or bequests to private foundations and nonexempt trusts) is amended by adding at the end thereof the following:

"In the case of a trust created pursuant to a will executed on or before October 9, 1969, and not amended by the decedent after that date, by codicil or otherwise, in a manner which would alter the dispositive provisions of the will, subparagraph (A) shall not apply to any taxable year beginning before January 1, 1972."

RELEASE KUDIRKA

(Mr. MONAGAN asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. MONAGAN. Mr. Speaker, Americans were shocked by the recent brutal recapture of the would-be defector, Lithuanian seaman, Simas Kudirka, who in full view of American Coast Guardsmen, was severely beaten and removed from a U.S. Coast Guard ship.

The American public will continue to express its outrage and demand the full facts of this incident until everything has been fully revealed. There has also been a strong insistence that the United States demand freedom for this unfortunate man. I believe that President Nixon and Secretary of State Rogers should press the Soviet Union to grant freedom to Seaman Kudirka and his family and I have sent telegrams to the President and the Secretary of State urging that representations be made immediately to the Soviet Union to grant Kudirka and his family the right to come to the free world. I am happy to note that editorial opinion has supported my efforts and I include at the end of my remarks a December 5 editorial in the Waterbury, Conn., American.

Simas Kudirka risked his life because of his desire to leave the Socialist homeland. Surely we should press for his release not only because of his desire for freedom but because of the tragically insensitive and inept fashion in which his well-being was mishandled at what appears to be several levels of U.S. official bureaucracy—especially at the First District Coast Guard level. One is necessarily somewhat skeptical about the possibility of Kudirka's release. However, as the Waterbury American editorial states:

Soviet leaders are aware that the incident has stirred up new animosity. They might be persuaded it would be a good political move on their part to give up the unfortunate seaman to the free world.

Certainly the case should be followed up both through investigative determination of responsibility for the tragedy and through efforts to obtain the release of this man and his family.

The Waterbury American editorial follows:

PROPOSAL ON DEFECTOR

The entire free world was appalled by the failure of the U.S. Coast Guard to provide asylum to Lithuanian Seaman Simonas Gruzde when he fled a Soviet vessel. President Nixon joined in the widespread criticism of the Americans who returned the defecting sailor to the Soviet crew and watched him receive a beating. He also set up a much-needed policy on dealing with future refugees.

The affected seaman, however, received only distant sympathy until U.S. Rep. John S. Monagan of Waterbury proposed immediate negotiations to bring Gruzde and his family to this country or elsewhere in the free world.

Monagan, who has thousands of people of Lithuanian origin living in his Fifth Congressional District, has long been aware of the bitterness of Lithuanian nationals to Soviet domination of the Baltic nations. His exposure to any sympathetic understanding of the plight of Lithuanians who are still striving for freedom for their native land has given him a good insight into the emotional reaction many people experienced on learning that the pleading Lithuanian seaman was returned to the Russians.

Congressman Monagan's appeal to President Nixon and Secretary of State William Rogers in behalf of the seaman and his family deserves consideration. Soviet leaders are aware that the incident has stirred up new animosity. They might be persuaded it would be a good political move on their part to give up the unfortunate seaman to the free world.

President Nixon's intervention appeased many critics across the nation. Rep. Monagan's new efforts are restoring faith for many people in his district, who had felt frustration and abandonment over the incident at sea.

TRAINING PROGRAMS FOR SENIOR CITIZENS

(Mr. PEPPER asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. PEPPER. Mr. Speaker, the conference report on the manpower bill which we have accepted today will I hope enable the continuance and expansion of the community service employment programs for senior citizens. An excellent example of this program is in Dade County, Fla. The community service senior aides program in Dade County is a dynamic force in meeting many of the needs of the elderly poor. The senior aides project, as sponsored by Senior Centers of Dade County, Inc., employs 60 elderly people, a cross section of the elderly poor in Dade County, to assist some 7,000 elderly poor.

These aides, working through six multiservice senior centers and one outreach operation, assist the elderly in need by delivering surplus food, purchasing medicines, arranging hospital care, making medical appointments; and, teach basic education to the illiterate, and even English to the Spanish-speaking elderly. In general, their contribution is seeking out the forgotten elderly poor and meeting their needs.

Recently, senior aides participated in nutrition hearings that I held in Miami, and on February 16, 1970, I was chairman of a senior aides town meeting attended by approximately 500 persons. Senior aides and their supervisors testified about the impact and importance of the program on Dade County and the need for more senior aides and their services.

When many members of the professional staff of Dade County senior centers were terminated in November 1969, due to a lack of funding, the centers would have closed their doors, and the community would have suffered a great loss had it not been for the use of senior aides. They are keeping the doors of senior centers of Dade County open.

The senior aides program has been a God send to the elderly poor who are assisted by senior aides in Dade County. I strongly urge continuation and expansion of this wonderful program.

THE MAD GENIUS

(Mr. PEPPER asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. PEPPER. Mr. Speaker, at this football season of the year when thoughts turn to bowl games I thought it timely and of interest to my colleagues and all those who read the RECORD, to pay tribute to one of the greatest entrepreneurs of them all in football bowl classics—Mr. Earnie Seiler—producer of the Orange Bowl classic. Earnie has been my longtime friend and I am proud that the Orange Bowl over which he officiates is in my district.

I thought it would be of interest to know something of the great record and outstanding achievement of one whose fame in bowl classics has gone far and wide. Few have knowledge of the strenuous work and dedicated enthusiasm which make up the colossal and spectacular Orange Bowl parade on New Year's Eve in Miami. Everyone who will have the pleasure and privilege of viewing the 1971 parade with its theme "yesterday, today, and tomorrow" will cherish an unforgettable memory of beautiful pageantry.

It gives me a great deal of pleasure to recognize Earnie's outstanding artistic talents and showmanship which is so well depicted in an article written about him by Louise Fetterman, feature writer for the Visitor. I am particularly pleased also to commend Mrs. Fetterman, who was on my staff for several years, for her splendid article on this great man, which follows my remarks here:

THE MAD GENIUS

(By Louise Fetterman)

Lovingly dubbed "The Mad Genius of King Orange Jamborees" by local sports writer, the late Jimmy Burns, Earnie Seiler looks and acts more like Santa Claus or Santa's senior work elf in charge of Toyland. His face is as round and as full of vitality as the orange he honors with the Orange Bowl Festivities at the turn of each year. His boundless enthusiasm for his work and his pride in his accomplishments are rare in today's self-centered world.

"I've never yet had the morning when I felt like saying, 'I wish I didn't have to go to the office today'. The day that happens is the day I retire," he said emphasizing his statement with a waving clenched hand.

"The people who build the floats are all artistically inclined. When they are working, they are in a world all their own. They love to use their hands and work on detail. They take great pride in their work, a characteristic which seems to be rapidly disappearing from the American scene," Earnie said while sitting in his orange carpeted office with his orange telephone nearby.

The theme for the 36th Parade?

"America the Magnificent."

"This year, for the first time, we've gotten most of the floats all under one theme. The hour long show on television will be telling the same story for the first time. I believe it's a sign Miami is growing and will really become something. Unfortunately, if the Orange Bowl activities were cancelled, Miami would have nothing. It's too bad, too. We need more activities, but I don't have time to start them."

Earnie Seiler drifted into his career as Executive Director of the Orange Bowl Committee when he offered to help and then was "volunteered" to take over the pre-game and half-time shows for the first football game in 1933 This show and the one in 1934 were called "The Palm Festival."

"In those days, if there was anything to be done. the Recreation Department became a part of it." Earnie became the first City of Miami Recreation Director in 1928.

"I just grew into the Orange Bowl Festivities by doing the best I could each time. It's a job you don't study for, you just grow with it." Of course, his degree in Architecture from Oklahoma A&M (now Oklahoma State University) has helped him, especially in the artistic designing.

"Anyone interested in working with the Orange Bowl Festival should be in the field of art. College courses don't prepare artists for what they meet outside. Most professors of art are just dreamers."

The first festival cost between $3000-$4000 with just twelve floats. Budget for the 1969-70 festival is approximately $1.8 million with the average float costing between $8,000-9000. There will be 45 floats this year.

"We have a permanent staff of 16 which swells with 30 temporary employees during the 'busy' months. We use over 600 volunteers on the day of the parade. There are 40 people working on the floats right now."

Earnie has never seen one of the world famous parades from the reviewing stand, "nor any place else along the parade route. I'm always busy in the staging area."

Working in the staging area led to his most embarrassing moment of all times.

"The generator on one of the floats kept cutting off leaving the the float without lights. We don't like to have them go without lights I crawled up into the framework to fix it I told the driver to go ahead and pull into his place in the parade lineup while I continued to work adjusting the generator with my screwdriver. I got it fixed and the driver came to a sudden stop. I decided to just drop down on the pavement and let him pull away from me. When he did, I looked up and found myself flat on my back in the middle of the street right in front of the reviewing stand. That was really something," he said with an impish grin on his grandfatherly face.

One year he was refused admittance to the Orange Bowl Football Game.

"Everyone is required to have an identification tag. I'd lost mine somehow. The gatekeeper didn't know me and refused to let me in. It was quite a thing for a while. I had to get someone to identify me before he'd let me in. Later I commended him."

His proudest moment? The four furrows on his forehead deepened. "I'd have to say it's always the current parade."

Earnie is already working on next year's parade and festival.

"I've three or four ideas for themes which we'll start kicking around. I keep a notebook on the seat of my car in which I scribble ideas I get while driving along. I usually have 15 to 20 pages in this notebook when I start talking them over with our artist, Frank Cloutier. Frank and I closet ourselves in a room where we have room to walk up and down. We discuss these ideas. We both do an awful lot of talking with our hands.

"Sometimes we decide on what we think is a good idea—then I wake up in the middle of the night or the next morning and discover it just won't work. Other times I'm awakened in the middle of the night by an idea only to discover later it won't work either. Sometimes I tell my secretary, 'Helen, the right idea or theme is hanging right out there in front of my eyes but I can't quite reach it'."

Does he discuss these ideas with his wife?

"Sometimes we talk about them, but most of the time I try to keep business away from home. My wife used to take an active part but not so much any more. She used to help pick the girls to ride on the floats. She supervised their activities. She's partly responsible for the standards we require of candidates.

"We insist that the girls be natural and wholesome. They must want to ride—not for a boost for their social standing or just because they come from certain families, or their parents want them to.

"We want girls of good moral standing in the community—not the type to smoke pot and such. We keep them under strict supervision. We bus them from the dressing rooms to the floats and bring them back by bus to wait for their parents to pick them up.

"We've stayed here with the girls until long after midnight many times. I won't let them go home by themselves, they must wait for their parents to pick them up."

"We're getting now where we have girls whose mothers and grandmothers have ridden on our floats."

Does he have a favorite float that he uses year after year?

"No, we never repeat. We always try to keep it new and different."

Earnie has nine grandchildren between the ages of 2–14. Five live in Ft. Lauderdale and four in Miami. Every Thanksgiving and Christmas the whole family gets together for one of Earnie's famous barbecued turkeys.

"I encourage them not to tell people that Earnie Seiler is their grandfather and I don't discuss the festivities with them beforehand. I believe they should stand on their own and make their own decisions. After the parade they are very honest and tell me what they didn't like. They usually have good reasons for their dislikes, too."

For the first time, the Junior Orange Bowl Parade will be nationally televised this year.

"I want the Junior Orange Bowl Parade to become something the young people can be proud to say 'this is ours' and to feel that this is their showcase."

Theme for this year's Junior Orange Bowl Parade is "Holidays."

Does he have any regrets?

"I've never been very interested in how much money I could make. In the beginning, many of my friends and business acquaintances told me I was crazy wasting my time and talents—that I could make more money in this or that field. I tried architecture but it was too confining for me. I've always enjoyed what I'm doing. When I look around and see others who are making more, I'm more than ever satisfied because I like what I'm doing. They aren't enjoying themselves—they're too tense, nervous and frustrated and heading for heart attacks."

We're glad "Our Mad Genius" enjoys creating enchantment and enjoyment for others. We're sure you will be glad too, after you've seen this year's parade—the one there are no superlatives strong enough to describe.

ACP—A TIME TO CHANGE AND A TIME TO GROW

(Mr. THOMSON of Wisconsin asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. THOMSON of Wisconsin. Mr. Speaker, the agricultural conservation program—ACP—has been a good program. It has been a popular program. It has been a broadly supported program.

It has brought improved soil and water conservation practices to literally millions of farms and ranches. It has been a great benefit to agriculture and to the public.

In our Third District of Wisconsin there were 3,429 farms participating in the program last year and some 13,270 farms have been in the program during the 5-year period 1965 through 1969. Over $1.1 million of ACP money was expended in our district last year on a variety of conservation practices.

ACP cannot, however, rest on its past glories. The task ahead is too great and too important for us to reveal in the accomplishments of yesterday. It is tomorrow and the tremendous problems that tomorrow will bring to which we must now address ourselves.

Pollution is a serious problem for each of us and pollution and the degradation of the environment is a concern of ever-growing magnitude to all Americans. The ACP program should play a bigger role in tomorrow's solution to pollution. It should begin to look away from crop production subsidy and look forward to activities which improve the quality of our environment.

It is in this theme—the theme of a better environment for all—that I intend to introduce legislation in the 92d Congress to expand, modernize and redirect the ACP program toward the needs of tomorrow.

It is my intention to make a number of specific changes. I will define the terms "farmer" and "rancher" so that the program can be directed at those family farm and ranch units which predominated most rural areas. In doing this, I will also propose an ascending scale of benefits—or environmental improvement bonuses—for those farms in greatest need of ecological enhancement and where the farmer is least able to financially support his cost-share.

In constructing this new program, I also suggest that projects which drain or irrigate land be ended. Wildlife protection is damaged and crop production is increased by these practices, and the Government should not subsidize them. At the same time, special emphasis will be given to the encouragement of such projects as bench terracing and the "collaring" of ponds and rivers in an effort to prevent the contamination of these water bodies by surface pollutants.

Hopefully the new program will make a dent in the animal waste problem. Cost-sharing will continue to be provided for recognized methods of waste disposal. Nevertheless, we must acknowledge that more satisfactory methods must be discovered and developed. As a result, provision will be made for research grants in the area and a continuing study of the problem by the Secretary of Agriculture.

All in all, ACP has been a good program in the past, but legislation is needed now to make it more meaningful tomorrow.

THE RAILROAD CRISIS

(Mr. RHODES asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. RHODES. Mr. Speaker, on December 9, 1970, for the fourth time in recent years, we have attempted to solve a labor dispute on the floor of the House of Representatives. We made no attempt to determine which of the parties is right and which is wrong. We did not discover whether a wage increase is a reasonable course of action for the railroads and for the economy at this time, nor have we determined that the wage increase offered is adequate and fair. Of course, we really did not have the means to determine all of these facts.

Nevertheless, in legislating on this matter, we affected the elements which go to make up this matter. No one can deny that the result of the act which we will pass will be to change the bargaining climate between the railroads and their employees, and to make it impossible ever again to make the type of settlement which might have been made prior to the passage of this legislation.

This whole episode illustrates the pusillanimity of nonbinding arbitration. The Arbitration Board appointed under the Railway Labor Act in this matter recommended the adoption of changes in the rules of work—which changes were desired by the railroads—and recommended also a sizable wage increase for the workers. The railroads accepted both the rule changes and the wage increase. The employees accepted neither.

It is my understanding that the rules changes and the wage increases were supposed to be like love and marriage. You could not have one without the other. Yet, by adopting the amendment offered by the gentleman from West Virginia (Mr. STAGGERS) the Congress has given the workers their wage increase, and left the rules changes waiting at the altar. Certainly, after this, no one can say we have not changed the climate of bargaining. When bargaining is resumed, the unions will now begin bargaining from the higher wage level, and seek even higher pay. In other words, if we are to stop another strike, it will probably be now incumbent upon the railroads to settle the wage dispute at a figure much higher even than the Arbitration Board contemplated. This, I call congressional meddling and interference carried to the ultimate.

We have had many statements made concerning the sanctity of the right to strike. It is called "labor's ultimate weapon." This type of thinking fails to take into account a very salient fact of the economic life of America. That fact is that there are not two parties in interest at the bargaining table—there are three. Labor and management are physically represented at the table—the third party is not. The third party is the public—the consumer if you will.

The consumer has very important interests at stake at the bargaining table. If a strike is called, it is not labor that suffers the most, it is the consumer. If there is a wage increase which in inflationary, it is not management which suffers, it is the consumer. Yet this consumer is completely without representation, and more and more people do not even think too much about him. Increasingly it is the vogue to have the two parties bargain furiously, and then make an inflationary settlement. This is done knowing full well that management will not pay the ultimate bill, the consumer will pay it.

I say that it is time that we give this third man his rights. As of now the "Third Man Theme" is to the tune of "I Ain't Got Nobody, and Nobody Cares for Me."

The Speaker, I am saddened at the realization that this House has fallen victim to a disease which seems to have affected the whole country. I call this "strike psychosis." The symptoms are a feeling that collective bargaining between management and labor can end in only one of two ways: First, an inflated wage settlement, or second, a strike. We have just come out from under the crushing effects of a disastrous strike in the automobile industry. Less than a year ago we had a strike in the Post Office Department. We have had regional but nevertheless devastating strikes in the trucking industry. Now we are threatened with a general strike in the railroads of the Nation. Is it naive to ask "Why is this necessary?"

A strike is war—economic war. It is a breakdown of the mechanism of the economy intended to promote the general welfare of all of our citizens. Certainly, the welfare of our people is not served by work stoppages which result not only in inconvenience, but in loss of production which has its effect on the standard of living of all of us.

A strike is a resort to power. The union obviously feels that it has the power to force its will on management, and management conversely feels that it has the power to thwart the desires of the union for a greater share in the wealth produced by the industry. I submit, Mr. Speaker, that neither labor nor management is really qualified to determine, in the long run, how much of production should go for wages. Each of them is a biased witness. Management feels that it is to its advantage to hold wages down so that there would be a higher return to capital. Labor could care less about the return to capital and feels that most of the fruits of production should go to its members. Again, may I emphasize no one is thinking of the third man, the consumer.

Mr. Speaker, I wish I could give you a panacea for solving these problems. I may have one, but I am not sure that I do. I know only this: First, wage settlements are too often dictated by overwhelming power on one side or another instead of justice; second, a strike is not an ultimate weapon, it is an act of economic barbarism; third, this Nation and its economy can no longer tolerate this type of economic warfare. In fact, our economy may not be able to survive much more of the type of total war which we have experienced in the last several months.

On February 17, 1970, I introduced H.R. 15956, entitled "A bill to provide for the establishment of a United States court of labor-management relations which will have jurisdiction over certain labor disputes in industry substantially affecting commmerce." This bill sets up a court consisting of a chief judge and four associate judges appointed for a term of 12 years with staggered terms. The court's jurisdiction could be invoked upon application of the Attorney General of the United States, after all other procedures for enjoining a strike, lockout or other concerted work stoppage have been exhausted. Jurisdiction could also be invoked upon application of either party to a labor dispute. The jurisdiction of the court would be only over labor disputes in industries substantially affecting commerce which have resulted in or threatened to result in a strike, lockout or other concerted work stoppage which adversely affects or if permitted to occur or to continue will adversely affect the general welfare, health, or safety of the Nation.

The court may enjoin the strike, lockout, or other work stoppage and make orders affecting rates of pay and working conditions pending final determination. Within 80 days following an injunction, the court must hear the parties with respect to the causes and circumstances of the dispute. If, at the conclusion of this period, the dispute is still outstanding, the court may continue the injunction and set the case down for immediate hearing and determination. At such hearing the court shall take testimony and receive evidence necessary to a final determination of rates of pay, hours, and conditions of work and any other matters proper and necessary to the termination of the dispute or controversy.

The decisions of the labor court shall be final unless they are arbitrary and capricious or violative of the right conferred by the Constitution of the United States. Appeal is only to the Supreme Court upon petition for a writ of certiorari.

This will seem like a revolutionary idea to many of our Members. I am at a loss to know why this is so. We in this country and in the Anglo-Saxon world submit every known dispute to the courts for solution. Why is this dispute of a different nature? To me, it is not.

Many will accuse this bill of being antiunion, and others will accuse it of being antibusiness. I deny that the bill is intended to be antianything. It is intended to be proconsumer and propublic. The effect on management will probably be to cause it to offer settlements which make more sense than they often do under the present system of economic warfare. When you are engaged in a power struggle, why make your best offer? The other side will only use it as a basis for even greater demands, and try to use its muscle to make the demands stick. If management can resort to a labor court instead of relying on the tender mercies of union power there is no reason why it should not put all its cards on the table and make its best offer prior to resorting to the labor court.

What would be the effect on unions? Many union leaders have felt, and probably rightly so, that they must be militant, and obtain by their muscle ever higher settlements for their workers in order to keep their positions. Would not the position of the reasonable-thinking union executive be strengthened if he were able to advise his members "You'd better take this boys, because you may not get as much if the dispute goes to the labor court." If the management had made a reasonable offer, and the union executive responded thusly, a reasonable settlement would be arrived at without all of the rigors and losses incident to a strike, and without labor court action.

Society would benefit because the great losses attendant to strikes would no longer be visited upon the economy. Prices of products would remain stable, or even go down.

The consumer, of course, is the person who would really benefit. Not only would products and services be available when needed, but they would be available at a reasonable price he could afford to pay.

I intend to reintroduce this bill or perhaps an amended version thereof in the 92d Congress. I sincerely hope that my good friend from New York, the chairman of the Judiciary Committee, will see fit to give this bill a hearing. It is possibly not the answer to the total problem, but I feel that it is certainly a step in the right direction, and one which our country wants the Congress to take.

VOICES OF EXPERIENCE

(Mr. McCLOSKEY asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. McCLOSKEY. Mr. Speaker, in the 3 years I have been privileged to serve in this Chamber, it has been discouraging to note the decreasing number of Members of the Republican party who serve here. When the 92d Congress convenes next month, there will be only 180 Republicans, 12 less than the 192 who were elected to the 91st Congress 2 years ago.

It seems to me that the Nation is served best if there is an occasional change in the party which controls the legislative process, if only to maintain vigorous competition between the two major parties as to which party is most capable of constructing solutions to meet rapidly changing national problems and priorities. In the past 38 years, the Republican Party has had a majority during only four. The lack of vigorous Republican challenge to Democratic leadership in the House has resulted in a seniority system of committee leadership where the chairman of 10 of our most powerful committees average 74 years of age and three are over 80. In my judgment, the Nation is hurt by the Republican Party's inability to realistically compete for the additional 38 seats in 1972 which could overturn this system.

The Nation is further hurt by the Republican Party's inability to demonstrate alternative legislative approaches and more efficient management of committee leadership responsibilities. Instead of careful research and discussion of the great issues of our time, many Republican groups and publications have spent much of their time attacking what they perceive to be the deviant behavior of other Republicans. If all Republicans of liberal bent or anti-Vietnam war beliefs are purged from the party, what chance is there then to attract the faith of the citizenry in those areas of the country which have occasionally in the past elected Republican representatives? Accordingly, I would hope that major goals of my Republican colleagues now and in the future will be to abandon attacks on one another, to seek to achieve answers to our national welfare, health, housing, land use, energy, agriculture, trade, and transportation problems, and above all, to achieve a roster of Republican nominees for Congress in 1972 who will be the ablest men and women in America.

With this in mind, I should like to humbly commend to the attention of the House the following editorial from the Flint Journal:

VOICES OF EXPERIENCE

By now the Nixon administration's political strategists may not know what to make of the breed of Republican that comes from Michigan.

First, there was the extremely blunt criticism of the Nixon-Agnew campaign strategy by U.S. Rep. Donald W. Riegle, Jr. of Flint, who predicted the GOP will be a minority party forever if it continues what he called "the politics of division." Riegle also called Vice President Agnew "the single most polarizing political figure in the United States, with his repeated name-calling and use of tactics of division."

Then Gov. William G. Milliken got into the act. Speaking as one who won in November while the Republican party was losing governors' offices right and left, he criticized the administration strategy as too negative.

Though his comments were mild compared to Riegle's, it seems likely that Milliken had to be thinking along somewhat the same line as he acknowledged that the voters don't have the good image of the Republican party nationally that they might have.

To change its image, he explained, the GOP must be a party that "recognizes problems and does something about problems," and he added: "But I think to be a divisive back-biting party is a one-way ticket to disaster."

The next installment came from Senate Minority Whip Robert P. Griffin, also from Michigan and one who usually supports the administration.

Griffin was even milder than Milliken, but what he had to say is significant just the same. He argued that Agnew "and others spent too much time talking about law and order and didn't spend enough time talking positively about what the Nixon administration has done regarding foreign affairs and the Vietnam situation."

So now, those who advise the President upon matters political have three degrees of criticism from Michigan to mull over in the months ahead. In view of the fact that 1972 is right around the corner, they might well pay close attention to three voices that represent proven know-how when it comes to beating Democrats.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted as follows to:

Mr. GRAY (at the request of Mr. ALBERT), for today, on account of illness in the family.

Mr. WOLFF (at the request of Mr. GARMATZ), for an indefinite period, on account of official business.

Mr. HAGAN (at the request of Mr. ALBERT), for today and the remainder of the week, on account of official business.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. MONAGAN, for 20 minutes, today, to revise and extend his remarks and include extraneous material.

(The following Members (at the request of Mr. KLEPPE), and to revise and extend their remarks and include extraneous matter:)

Mr. HOGAN, for 10 minutes, today.

Mr. PRICE of Texas, for 30 minutes, today.

Mr. MILLER of Ohio, for 5 minutes, today.

(The following Members (at the request of Mr. DANIEL of Virginia), and to revise and extend their remarks and include extraneous matter:)

Mr. RARICK, for 10 minutes, today.

Mr. FLOOD, for 20 minutes, today.

EXTENSION OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

(The following Members (at the request of Mr. KLEPPE) and to include extraneous matter:)

Mr. DEVINE.

Mr. RIEGLE.

Mr. PELLY in two instances.

Mr. ARENDS.

Mr. GUBSER.

Mr. WYDLER in two instances.

Mr. GOODLING.

Mr. WYMAN in two instances.

Mr. LUJAN.

Mr. FINDLEY.

Mr. CARTER.

Mr. SCHERLE.

Mr. PRICE of Texas in four instances.

Mr. ANDERSON of Illinois.

Mr. SCHWENGEL.

Mr. SCHMITZ.

Mr. BROYHILL of Virginia.

Mr. WHITEHURST.

Mr. WIDNALL.

Mr. BLACKBURN.

Mr. BELCHER.

Mr. ZWACH.

Mr. COWGER.

Mr. WOLD in two instances.

(The following Members (at the request of Mr. DANIEL of Virginia) and to include extraneous matter:)

Mr. FARBSTEIN in two instances.

Mr. JACOBS.

Mr. BARING in two instances.

Mr. MATSUNAGA in two instances.

Mrs. GRIFFITHS in three instances.

Mr. KLUCZYNSKI in three instances.

Mr. WALDIE in three instances.

Mr. MIKVA in six instances.

Mr. PRYOR of Arkansas.

Mr. DIGGS in three instances.

Mr. BINGHAM in two instances.

Mr. JOHNSON of California in three instances.

Mr. HAWKINS in two instances.

Mr. PATTEN in two instances.

Mr. MCCORMACK.

Mr. REES in two instances.

Mr. KOCH.

Mr. COHELAN in three instances.

Mr. DORN in five instances.

SENATE BILLS REFERRED

Bills of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 106. An act for the relief of Ida Kunstmann, Waldemar F. Kunstmann, and Anneliese Kunstmann; to the Committee on the Judiciary.

S. 1035. An act for the relief of certain postal employees at the Elmhurst, Ill., Post Office; to the Committee on the Judiciary.

S. 1779. An act for the relief of Bogdan Bereznickl; to the Committee on the Judiciary.

S. 3168. An act for the relief of Daniel H. Robbins; to the Committee on the Judiciary.

ENROLLED BILLS AND A JOINT RESOLUTION SIGNED

Mr. FRIEDEL, from the Committee on House Administration, reported that that committee had examined and found truly enrolled bills and a joint resolution of the House of the following titles, which were thereupon signed by the Speaker:

H.R. 2214. An act for the relief of the Mutual Benefit Foundation;

H.R. 2335. An act for the relief of Enrico DeMonte;

H.R. 2477. An act for the relief of Comdr. John N. Green, U.S. Navy;

H.R. 3571. An act for the relief of Miloye M. Sokitch;

H.R. 4239. An act to amend the Tariff Schedules of the United States so as to prevent the payment of multiple customs duties in the case of horses temporarily exported for the purpose of racing;

H.R. 4634. An act for the relief of Lawrence Brink and Violet Nitschke;

H.R. 7267. An act to require the Foreign Claims Settlement Commission to reopen and redetermine the claim of Julius Deutsch against the Government of Poland, and for other purposes;

H.R. 7830. An act for the relief of James Howard Giffin;

H.R. 9488. An act for the relief of Mrs. Ruth Brunner;

H.R. 10153. An act for the relief of Frances von Wedel;

H.R. 10634. An act to amend the Interstate Commerce Act and the Federal Aviation Act of 1958 in order to exempt certain wages and salaries of employees from withholding for income tax purposes under the laws of States or subdivisions thereof other than the State or subdivision of the employee's residence;

H.R. 12173. An act for the relief of Mrs. Francine M. Welch;

H.R. 12979. An act to amend title 5, United States Code, to revise, clarify, and extend the provisions relating to court leave for employees of the United States and the District of Columbia;

HR. 14684. An act for the relief of the State of Hawaii;

H.R. 17582. An act to amend the peanut marketing quota provisions to make permanent certain provisions thereunder;

H.R. 17923. An act making appropriations for the Department of Agriculture and related agencies for the fiscal year ending June 30, 1971, and for other purposes; and

H.J. Res. 1413. Joint resolution to provide for a temporary prohibition of strikes or lockouts with respect to the current railway labor-management dispute.

SENATE ENROLLED BILLS SIGNED

The SPEAKER announced his signature to enrolled bills of the Senate of the following titles:

S. 703. An act for the relief of Arthur Jerome Olinger, a minor, by his next friend, his father, George Henry Olinger, and George Henry Olinger, individually; and

S. 1366. An act to release the conditions in a deed with respect to a certain portion of the land heretofore conveyed by the United States to the Salt Lake City Corporation.

BILL AND JOINT RESOLUTION PRESENTED TO THE PRESIDENT

Mr. FRIEDEL, from the Committee on House Administration, reported that that committee did on this day present to the President, for his approval a bill and a joint resolution of the House of the following titles:

H.R. 19830. An act making appropriations for sundry independent executive bureaus, boards, commissions, corporations, agencies, offices, and the Department of Housing and Urban Development for the fiscal year ending June 30, 1971, and for other purposes; and

H.J. Res. 1413. A joint resolution to provide for a temporary prohibition of strikes or lockouts with respect to the current railway labor-management dispute.

ADJOURNMENT

Mr. DANIEL of Virginia. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 6 o'clock and 42 minutes p.m.), the House adjourned until tomorrow, Friday, December 11, 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. HOLIFIELD: Committee on Government Operations. Regulation of prescription drug advertising; with amendment (Rept. No. 91–1715). Referred to the Committee of the Whole House on the State of the Union.

Mr. MILLS: Ways and Means. H.R. 19915. A bill to make permanent the existing temporary provision of disregarding income of old-age, survivors, and disability insurance and railroad retirement recipients in determining their need for public assistance; (Rept. No. 91–1716). Referred to the Committee of the Whole House on the State of the Union.

Mr. HOLIFIELD: Committee on Government Operations. Report on the establishment of a national industrial waste inventory (Rept. No. 91–1717). Referred to the Committee of the Whole House on the State of the Union.

Mr. HOLIFIELD: Committee on Government Operations. Report on military supply systems. (Rept. No. 91–1718). Referred to the Committee of the Whole House on the State of the Union.

Mr. HOLIFIELD: Committee on Government Operations. A policy change on weapon system procurement. (Rept. No. 91–1719). Referred to the Committee of the Whole House on the State of the Union.

Mr. McMILLAN: Committee on the District of Columbia. S. 2336. An act relating to the parishes and congregations of the Protestant Episcopal Church in the District of Columbia. (Rept. No. 91–1720). Referred to the Committee of the Whole House.

Mr. McMILLAN: Committee on the District of Columbia. S. 1626. An act to regulate the practice of psychology in the District of Columbia; with an amendment (Rept. No. 91–1721). Referred to the Committee of the Whole House on the State of the Union.

Mr. MILLS: Committee on Ways and Means. S. 2984. An act to permit certain Federal employment to be counted toward retirement. (Rept. No. 91–1722). Referred to the Committee of the Whole House on the State of the Union.

Mr. McMILLAN: Committee on the District of Columbia. H.R. 2745. A bill to amend the law relating to obscenity in the District of Columbia to exempt certain motion picture projectionists in theaters from prosecution under that law. (Rept. No. 91–1723). Referred to the Committee of the Whole House on the State of the Union.

Mr. MILLS: Committee on Ways and Means H.R. 10875. A bill to amend the Tariff Schedules of the United States to permit the importation of upholstery regulators, upholsterer's regulating needles, and upholsterer's pins free of duty. (Rept. No. 91–1724). Referred to the Committee of the Whole House on the State of the Union.

Mr. MILLS: Committee on Ways and Means. H.R. 14995. A bill to provide for the free entry of a carillon for the use of the University of California at Santa Barbara. (Rept. No. 91–1725). Referred to the Committee of the Whole House on the State of the Union.

Mr. MILLS: Committee on Ways and Means. H.R. 19113. A bill to provide for the free entry of a 61-note cast bell carillon and a 42-note subsidiary cast bell carillon for the use of Indiana University, Bloomington, Ind. (Rept. No. 91–1726). Referred to the Committee of the Whole House on the State of the Union.

Mr. MILLS: Committee on Ways and Means. H.R. 19391. A bill to amend the Tariff Act of 1930 to grant to the transferee of merchandise in bonded warehouse the right to administrative review of customs decisions. (Rept. No. 91–1727). Referred to the Committee of the Whole House on the State of the Union.

Mr. MILLS: Committee on Ways and Means. H.R. 19526. A bill to eliminate the duty on natural rubber containing fillers, extenders, pigments, or rubber-processing chemicals. (Rept. No. 91–1728). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. BURLESON of Texas:

H.R. 19935. A bill to amend the Internal Revenue Code of 1954 and the Social Security Act to provide a comprehensive program of health care for the 1970's by strengthening the organization and delivery of health care nationwide and by making comprehensive health care insurance available to all Americans, and for other purposes; to the Committee on Ways and Means.

By Mr. CELLER:

H.R. 19936. A bill to authorize Secret Service protection of visiting heads of foreign states or governments, and for other purposes; to the Committe on the Judiciary.

By Mr. BROWN of California:

H.R. 19937. A bill to establish a Commission on Public Television; to the Committee on Interstate and Foreign Commerce.

By Mr. FRASER (for himself, Mr. BROWN of California, Mr. DONOHUE, Mr. DULSKI, Mrs. GREEN of Oregon, Mr. HARRINGTON, Mr. HELSTOSKI, Mr. KOCH, Mr. MIKVA, Mr. OTTINGER, Mr. REES, Mr. ROYBAL, Mr. SISK, Mr. STRATTON, and Mr. UDALL):

H.R. 19938. A bill to provide an additional period of time for review of the basic national rail passenger system; to postpone for 6 months the date on which the National Railroad Passenger Corporation is authorized to contract for provision of intercity rail passenger service; to postpone for 6 months the date on which the Corporation is required to begin providing intercity rail passenger service; and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. FUQUA (for himself, Mr. BLATNIK, Mr. NELSEN, Mr. McMILLAN, and Mr. BROYHILL of Virginia):

H.R. 19939. A bill to implement certain provisions in the act of September 7, 1957 (71 Stat. 619), as amended, relating to the construction, maintenance, and operation of a stadium in the District of Columbia, and for other purposes; to the Committee on the District of Columbia.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BROYHILL of Virginia (by request):

H.R. 19940. A bill for the relief of Lourdes Barbossa Santana; to the Committee on the Judiciary.

By Mr. ROONEY of Pennsylvania:

H.R. 19941. A bill for the relief of Park Ok Soo and Noh Mi Ok; to the Committee on the Judiciary.

By Mr. STRATTON:

H.R. 19942. A bill for the relief of Cindeline Dawn Dillon; to the Committee on the Judiciary.