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PROCEEDINGS AND DEBATES OF THE 92d CONGRESS, SECOND SESSION

HOUSE OF REPRESENTATIVES—*Thursday, April 27, 1972*

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

The Rev. Grace Free, Unity Church, Hammond, Ind., offered the following prayer:

Faith without works is dead.—James 2: 17.

Heavenly Father, increase our faith and our works.

We are mindful that it is You who hath made us.

You are the source of our life and power.

Free us from fear. Give us courage. Courage is fear that has said its prayers.

Inspire the Members of this legislative body with vital leadership and strong statesmanship.

We are a blessed nation. We have gained great wealth and power on the world's horizon. We have much for which to give thanks. Free us from self-pity and ingratitude.

Guide these leaders to unite our people; to rekindle hope.

Motivate us to positive faith and action, so that the youth of America will gain a new awakening of their true purpose for living, and for loving Thee, O God. Amen.

THE JOURNAL

The SPEAKER. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Without objection, the Journal stands approved.

There was no objection.

THE REVEREND GRACE G. FREE

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

Mr. MADDEN. Mr. Speaker, the Reverend Grace G. Free, minister-founder of Unity Church of Christ, Hammond, Ind., was honored by the Speaker of the House of Representatives by opening today's session with prayer. Reverend Free is the first woman minister to open our session with prayer this year and one of the very few in the history of the House of Representatives.

Reverend Free, before her ordination at Unity School of Christianity, Kansas City, Mo., in 1953, was a licensed teacher at the school for 5 years. She is also a devoted student of history of the United States and her ancestry on her mother's side dates back to George Washington's time. One of her great-great-great-grandfathers was William Carr who fought in the Battle of Trenton, in General Washington's handpicked army of 2,400 men. Reverend Free's father was a World War I veteran, having served as an ensign in the U.S. Navy in special intelligence. Her brother died in World War II in the Philippines, and was awarded the Silver Star, the Victory Medal, and other honors for bravery in action.

She studied at Rockhurst College and at Kansas University in Kansas City, Mo., as well as at George Washington University. She also specialized in secretarial work, and was at one time an expert in that field.

Reverend Free served as teacher at Unity School, assistant registrar and was also active in the silent unity prayer ministry. She is proud that her ministry in Hammond has been a challenge of faith—and a most rewarding work.

Reverend Free participates twice monthly—on Friday morning—on the "Harriet Fuller Show," radio station WJOB, in her home city. She also participates in television shows and has appeared with "Our Flag Lady" of Indiana and with other patriots for the National Council for the Encouragement of Patriotism.

She was chosen in 1970 to take part in "Operation Understanding," which included a tour to various U.S. Army and U.S. Air Force bases, along with several other ladies who are active in community and patriotic affairs. Their tour included White Sands, N. Mex., the U.S. Air Academy, and other vital centers of U.S. Armed Forces activities.

In addition to founding Unity Church of Hammond, Reverend Free is:

President of Great Lakes Unity Ministers Regional Conference;

Chaplain of the Hammond Woman's Club;

Chaplain of the Memorial Day Parade, Hammond;

Member, board of directors, National Council for Encouragement of Patriotism, Munster, Ind.;

Member, board of directors, Northwest Indiana Cerebral Palsy, Hobart, Ind.

She is a devoted sponsor of Girl Scouts and Boy Scouts, as well as American Legionnaires;

She is active in other community affairs; and

Reverend Free calls her pastorate—Unity Church—the "biggest little church in Indiana, and the U.S.A."

HOUR OF CRISIS IN THE VIETNAM WAR

(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, we are met in an hour of crisis in the Vietnam war.

The President has risen to meet that crisis with a courage and resoluteness we would all do well to emulate.

The President has resolved to continue the bombing in the Vietnam war until the Communists halt their invasion of South Vietnam. I believe that is the right course for this Nation to pursue.

The President has announced he will continue to withdraw American ground troops from South Vietnam. Our ability to continue troop withdrawals despite the enemy invasion gives me confidence in the President's leadership and in the wisdom of his Vietnam policy.

The President's determination to hew to the course he has set on Vietnam is tempered by the apprehension that Congress may undercut that policy. Madam Binh is lobbying the Congress because certain Members of the Congress have led Hanoi to believe the United States will make peace in Vietnam on North Vietnamese terms—that we will simply hand South Vietnam over to the North.

Capitulation can be avoided if we demonstrate the same brand of courage displayed by the President at this time of crisis. Let the Communists know the Congress wants a peace which is fair and just to both sides. Let the Communists know we will never hand them at the negotiating table what they cannot win on the battlefield.

Let the Communists know that peace will come in Vietnam when they are prepared to negotiate seriously on the basis of the generous terms offered them by our President.

This we must do, for the credibility of the United States is at stake, and the future peace of the world hangs in the balance.

PRESIDENT NIXON'S REPORT ON VIETNAM

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

Mr. ARENDS. Mr. Speaker, I wish to congratulate our President on his great speech televised to the American people last night. I am sure he expressed the

sentiments of the vast majority of the American people in all that he said. We will not surrender to unprovoked aggression.

President Nixon has made it abundantly clear to the world that while we love peace and want peace and will continue to work tirelessly for peace, we love freedom even more.

We covet no territory. We do not seek to conquer. We do not seek to impose our will on any people anywhere. We are not seeking military victory.

We seek simply to defeat aggression. We seek to obtain the release of our boys held as prisoners of war. We intend to afford protection to our troops remaining in South Vietnam. We intend to continue with our Vietnamization program and our plans for the complete withdrawal of our troops.

We will not desert our allies. We intend to give the 17 million people of South Vietnam a chance to defend themselves. We will not yield at the point of a gun to the demands of Hanoi and turn over the people of South Vietnam to Communist terrorism and oppression. We will not surrender in the cause of freedom and the cause of peace.

President Nixon last night made it crystal clear that he says what he means, and he means what he says. And in so doing he spoke for the vast majority of the American people. Let us not allow Hanoi to divide and conquer us in their efforts to impose the Communist will on a free people. The way to hasten the end of this war is simply to unite behind the President of the United States.

PEACE TALKS TO BE RESUMED

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

Mr. WALDIE. Mr. Speaker, I listened to the President last night and I was plagued by curiosity as to what had occurred in Moscow to cause the President to retreat from the decision that he had made perfectly clear that under no circumstances would he go to the bargaining table in Paris again, from which he had withdrawn, until such time as the North Vietnamese ceased their invasion of South Vietnam.

I had understood that to be the President's policy and he had made it perfectly clear to me and to the American people. Apparently, that policy was changed by some event that occurred because last night the President told us we were going back to the peace table even though aggression from North Vietnam has not stopped.

That was an interesting change of policy, and one which, frankly, I applaud, but I am curious as to who brought it about. It seems to me that Henry Kissinger brought it about.

It would be interesting to the American public as well as to the Congress of the United States to know what else Henry Kissinger conceded to the Russians when he visited Moscow in the clandestine visit just completed.

It would be helpful and encouraging if the President would report to the American people what other matters Henry Kissinger had to give in on to get the Russians to agree to permit our President to go to Moscow to visit them.

REAL INCOME IS RISING WHILE INFLATION IS BEING RESTRAINED

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

Mr. HARSHA. Mr. Speaker, we have recently seen significant evidence of the success of the economic stabilization program in combating inflation. According to the Department of Labor, the Consumer Price Index, as seasonally adjusted, was unchanged in March from the February level. This marked the first month since November 1966 that the index was unchanged. This is highly encouraging, especially when the Consumer Price Index performance is considered together with the March Wholesale Price Index figures, which showed an increase of only 0.1 percent on a seasonally adjusted basis.

The effect of the economic stabilization program is indicated by examining changes in the Consumer and Wholesale Price Indexes in the 6 months prior to August 15, 1971, and during the 7 months following President Nixon's announcement of the dramatic new policy. From February to August 1971 the Consumer Price Index increased at a seasonally adjusted annual rate of 4.1 percent; from August 1971 through March 1972 the increase was 2.8 percent, or approximately two-thirds of the increase in the earlier period. From February to August 1971 the Wholesale Price Index increased at a seasonally adjusted annual rate of 4.6 percent, compared to an August 1971 to March 1972 increase of 3.1 percent or approximately two-thirds of the increase in the earlier period.

Mr. Speaker, what is equally important, the economic stabilization program has not worked at the expense of the wage earner, as a number of persons have irresponsibly charged. In the 7 months since last August the average weekly earnings of production workers in the manufacturing industries have risen in real terms from $116.04 per week to $121.55, an increase of 4.7 percent; on an annual basis that is 8.1 percent. Real wages are clearly on the rise during this time of lessening inflation.

ELECTION TO COMMITTEES

Mr. MILLS of Arkansas. Mr. Speaker, I offer a privileged resolution (H. Res. 949), and ask for its immediate consideration.

The Clerk read the resolution as follows:

Resolved, That the following-named Members be, and they are hereby, elected to the following standing committees of the House of Representatives:

Committee on District of Columbia: Thomas M. Rees, California;

Committee on Internal Security: Mendel Davis, South Carolina;

Committee on Post Office and Civil Service: Elizabeth (Mrs. George) Andrews, Alabama.

The resolution was agreed to.

A motion to reconsider was laid upon the table.

ARTHUR E. SUMMERFIELD

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

Mr. CHAMBERLAIN. Mr. Speaker, yesterday I was saddened to learn of the passing of Arthur E. Summerfield.

His death brings to a close a life which embraced several full-time careers in business and public affairs and which ever reflected a deep and abiding concern for his country, his State, his city, and his party.

Leaving school at the age of 13, he succeeded in establishing one of the Nation's largest automobile dealerships in his hometown of Flint, Mich.

An active and dedicated Republican since the days of the Wendell Willkie campaign, his energy and advice made major contributions in returning his party to the victory column. In 1943, he was elected as a member of the Republican National Committee from Michigan. In 1952 he was named chairman and directed Dwight D. Eisenhower's presidential campaign.

Appointed by President Eisenhower as Postmaster General, Mr. Summerfield's 8-year service in that post resulted in many innovations and improvements in the postal service between 1953 and 1961.

For several years, it was my privilege to represent the Flint area and to come to know personally of Arthur Summerfield's great abilities and interests in government.

The counsel and friendship of Arthur Summerfield will be greatly missed and I extend to Mrs. Summerfield and to members of the family my deepest sympathy.

INCREASED GOVERNMENT CONTRIBUTION UNDER FEDERAL EMPLOYEES HEALTH BENEFITS PROGRAM

Mr. PEPPER. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 927 and ask for its immediate consideration.

The Clerk read the resolution as follows:

H. RES. 927

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 12202) to increase the contribution of the Federal Government to the costs of health benefits, and for other purposes. After general debate, which shall be confined to the bill and shall continue not to exceed one hour, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Post Office and Civil Service, the bill shall be read for amendment under the five-minute rule. At the conclusion of the

consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to find passage without intervening motion except one motion to recommit.

The SPEAKER. The gentleman from Florida is recognized for one hour.

Mr. PEPPER. Mr. Speaker, I yield one-half hour to the gentleman from Ohio (Mr. LATTA), pending which I yield myself such time as I shall consume.

Mr. Speaker, House Resolution 927 provides an open rule with 1 hour of general debate for consideration of H.R. 12202 to increase the Government contribution under the Federal employees health benefit program.

The purposes of H.R. 12202 are to increase the Federal Government contributions to the employee health benefit program, permit pre-July 1960 annuitants to elect coverage under the present program, and extend coverage to certain unmarried, dependent children.

The Government contribution would be increased progressively. Presently it is 40 percent of the average high option charge of six representative plans. This would be increased to 55 percent effective the first pay period beginning on or after 30 days of enactment. In each of the calendar years 1973, 1974, and 1975, the contribution would be increased 5 percent. In 1976 and thereafter, the contribution would be 75 percent of the average charge.

The present contributions are $19.42 for family enrollments and $7.78 for individuals. This would increase this year to $26.71 and $10.69. Subsequently the six plans average would be recomputed.

Pre-July 1960 annuitants would have the privilege of electing coverage under the present plan, which covers post-July 1960 annuitants.

The present law would be amended to extend coverage to an unmarried, dependent child, regardless of age, who is a fulltime student in a recognized educational institution.

There is some question as to whether Postal Service employees will be covered by the legislation and it must await further action by Congress or by judicial interpretation.

Estimated additional costs of the legislation are $184.2 million in 1972, $236.8 million in 1974, $389.4 million in 1975, $342 million in 1976, and $368.6 million in 1977.

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

I now yield to the gentleman from Ohio.

Mr. LATTA. Mr. Speaker, I agree with the statements just made by my able friend, the gentleman from Florida (Mr. PEPPER). There is not any controversy on this rule, but I might say there is some controversy on the bill and a proposed amendment which will be offered.

Mr. Speaker, we talk a great deal about fiscal responsibility, and today if we oppose this bill, we can vote for fiscal responsibility.

The position of the administration on this bill is indicated by the letter in the report from the U.S. Postal Service. The Civil Service Commission advises:

> However, at this point in time when the Administration is trying to exercise fiscal restraint, and which is only about eight months since the Government's contribution was about doubled to approximately 40 percent of premium, the Commission does not favor any further increase in the Government's contribution.

Also, Mr. Speaker, I understand an amendment is going to be offered to bring the Postal Service employees under the provisions of H.R. 12202. This amendment, if adopted, will defeat the primary purpose of the Postal Reorganization Act by destroying the principle of collective bargaining. The Postal Reorganization Act provides for collective bargaining by the representatives of the Postal Union and the Postal management on all fringe benefits with the exception of retirement, which is maintained by law at the same level as other Federal employees. The law clearly states that health benefits are a negotiable item. Both labor and management agreed in their July 20, 1970, agreement that health insurance benefits should continue for 2 years at the current level. These benefits will be subject to bargaining again in 1973. Yet, Mr. Speaker, I understand that an effort will be made today to include the Postal Service employees under the provisions of this bill.

Mr. Speaker, I have no further requests for time, and I reserve the balance of my time.

Mr. PEPPER. Mr. Speaker, I have no further requests for time.

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

The previous question was ordered.

The resolution was agreed to.

A motion to reconsider was laid on the table.

Mr. DULSKI. 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. 12202) to increase the contribution of the Federal Government to the cost of health benefits, and for other purposes.

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

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. 12202, with Mr. BEVILL in the chair.

The Clerk read the title of the bill.

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

The CHAIRMAN. Under the rule, the gentleman from New York (Mr. DULSKI) will be recognized for 30 minutes, and the gentleman from Iowa (Mr. GROSS) will be recognized for 30 minutes.

The Chair recognizes the gentleman from New York.

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

Mr. Chairman, in effect, H.R. 12202 will both initially and ultimately accomplish what the Committee on Post Office and Civil Service had in mind when the Federal employees' health benefits program was created 12 years ago. It was our belief then that the Government should initially share premium costs at least equally with its employees. But at that time, because we had no previous experience, a dollar limitation was written into the law fixing a maximum contribution to be paid by the Government, and geared to the least expensive Government-wide low option plan.

Because of such dollar limitation, the Government's share of costs in 1970 was down to less than 25 percent and only a few low-option plans received a Government contribution equal to half the total premium charge. The enactment of Public Law 91–418, effective in January 1971, eliminated the maximum dollar amounts and expressed the Government contribution in terms of a percentage—that is, 40 percent of total charges—which is still well below the 50–50 sharing ratio initially contemplated.

Further, this legislation will fulfill the long-range intent of the 86th Congress as expressed in the report that accompanied the enabling legislation, which read as follows:

> The Committee recognized that the maximum amounts indicated could not remain unchanged over a long period of years, any more than the cost-of-living has remained frozen. Medical care costs will undoubtedly fluctuate at least as widely as other items of living costs. The Committee believes that the Congress will continue to be responsive to the needs of the employees and will appropriately act to keep the proposed program in consonance with future developments.

Mr. Chairman, the studies and hearings conducted by our subcommittee fully justify the change to the graduated sharing ratios provided for in this legislation. H.R. 12202 updates the program to a point that it will be in consonance with intervening and future developments, and whereby Federal employees and annuitants will be more reasonably in line with those employed in the private sector.

I commend the chairman of our Subcommittee on Retirement, Insurance, and Health Benefits, the gentleman from California (Mr. WALDIE) for the leadership he was demonstrated in obtaining committee approval of the bill. I commend the members of the subcommittee for their unanimous support and cosponsorship of the reported bill. and those members of the full committee, on both sides of the aisle, for their approval of this essential measure.

I urge the Members of this body to lend their enthusiastic support to the committee's endeavors by giving H.R. 12202 their overwhelming approval.

Mr. Chairman, for an explanation of the provisions of the bill, I now yield to the gentleman from California, the subcommittee chairman as much time as he may consume.

Mr. WALDIE. Mr. Chairman, H.R. 12202 calls for the Federal Government to increase its share of the cost of its employees health insurance on a schedule that was suggested by the President for the private sector. The President last year in his health message to the people and to the Congress said that he felt as an exemplary program and as an example of commitment to the health needs of this Nation the private employer of America should contribute up to 75 percent of the total cost of medical health insurance premiums by the year 1975.

I commend the President for that interest in the well-being of employees in the private sector of the economy and for his leadership in urging the private employers of America to bear the burden he suggested they should bear in the interest of the Nation's well-being, that they should increase their contribution to the private employees health insurance program up to 75 percent by the year 1975.

It was with that example set by our President that I submitted this bill to the Congress, that what was good for the private sector of the economy in terms of employers, as the President saw it, would be equally good for the public sector employer, the largest employer in America, the Government of the United States. If the President believes, as he so obviously does and as he makes so perfectly clear, that the private employer should contribute up to 75 percent of premiums on private employees health insurance, he surely should believe that the largest employer in the Nation, the Federal Government, should exert an equal commitment to the well-being of our employees and to the well-being that would be therefore forthcoming to the Nation as a whole.

So, following the President's leadership, I introduced this bill which would provide that the Federal contribution to the employees health insurance cost shall be by the year 1976—not 1975, as the President proposed for the private employer, but by the year 1976 the Federal employees health insurance shall have contributed to it 75 percent of the cost by this Government.

That formula will work out in this manner. The present share that the Federal Government pays for the Federal employee is 40 percent of his premium. That figure, by the way, is very, very low in comparison with most of the Nation's large employers. As a matter of fact, most of the Nation's large employers are in excess of that guideline the President set for the private employer, because most of the large private employers in the Nation pay better than 75 percent of health premiums for their employees, and in most instances it is 100 percent. So the President's criterion for the private employer would have no application to the large private employer, but only to the small private employer in America, who the President suggests should pay 75 percent of the health premium.

So as the largest employer by far of anyone else in the Nation we will, if we follow the President's lead, contribute that 75 percent figure by 1976. But at the present time our commitment to the well-being of our employees in terms of providing health benefits and our commitment to the Nation to the extent the Nation is benefited by providing health benefits for its citizens, is but 40 percent compared to 100 percent as the pattern for the largest employers in the private sector of the economy.

Our commitment, then, is not very good at the present time. In fact, it is disgraceful at the present time.

The bill will increase the Government's share this year, the first full year of operation of this bill, to 55 percent. The Government's share of the Federal employees health premium will be increased the first full year of operation from 40 to 55 percent, an increase that is desirable but an increase that falls far short of meeting the responsibility which the Federal Government has as the largest employer in the country, when that responsibility is measured by the performance of the private employer of comparable size. And there is no comparable size to the Federal employer, but I refer to the largest private employer, paying 100 percent.

Thereafter, after the initial 15 percent increase in contribution, we will increase the amount by 5 percent each year until 75 percent of the total premium is being met by the Federal Government in the year 1976.

This is not an unreasonable figure. It is within the President's guidelines and suggestions and urgings to the private sector of the economy. It is below the preformance of the largest employers in the private sector of the economy who are presently contributing 100 percent. Therefore, it is not an unreasonable level of performance for the Federal Government. Neither is it a satisfactory level of performance, but it is incomparably better than the level of performance which we have presently pressured upon the public employee.

Besides providing for that increase in the Federal share of the premium for health insurance, this bill will also enable thousands of retired employees to be covered under the protective provisions of the Federal health benefits program. These employees who retired from Federal service prior to 1960, when the present system was enacted, presently have a woefully inadequate program. The Federal Government contributes the paltry sum of $3.50 a month toward the payment of whatever health insurance a retiree can obtain. Many have no medicare eligibility by reason of their employment with the Federal Government and therefore are terribly underinsured.

Under this bill the pre-1960 retiree has the option of enrolling in more comprehensive coverage. It is a just, fair, and equitable way of correcting this inequity.

Finally, Mr. Chairman, this bill will allow the unmarried dependents of employees who are enrolled in school and have reached the age of 22 to continue to be covered if their parents are still Federal employees under this program.

That provision was included at the suggestion of my colleague on the committee, the gentleman from the State of Virginia (Mr. SCOTT), who rightfully pointed out that many students are service veterans and must stay in school beyond the age of 22.

This provision will also extend the protection to students enrolled in graduate law and medical schools.

Mr. Chairman, I have also proposed the adoption of an amendment which I will submit at the appropriate time to include postal employees under the coverage of the increased contribution by the Federal Government to the premium of Government employees.

The reason why that has been done and the reason why it will be attempted is because of my personal conviction that at the time the Postal Reorganization Act was adopted there was great confusion on the part of many as to whether the postal employee in fact was intended to be covered in the future when the contribution to health plans was increased by the Federal Government. That confusion reached the Post Office itself as well as the postal organizations. I will submit at an appropriate time affidavits by all of the representatives of postal organizations who participated in the collective bargaining process to the effect that they were under the assumption and that that assumption was in fact in their view upheld by the negotiator for the Postal Service, that they were to be covered in terms of any future increase in benefits. Those affidavits have not in any way been contested by the negotiator for the Postal Service.

The negotiator for the Postal Service said he had no recollection of such an assurance on his part to the affiants, but he says he will not deny their recollection as being accurate, because his recollection does not serve him in that regard.

Mr. Chairman, it is undeniable that that is a position that is subject to a considerable amount of controversy and to a considerable amount of honest disagreement. To resolve, however, the dispute once and forever, short of going to the courts, it is my intention to submit the issue to the Congress for resolution so that the Congress could this day make a determination in the House of Representatives at least, as to whether its employees are to benefit from any increase in health insurance premiums that the Government will make in the future.

Mr. Chairman, I will speak at greater length on that issue during the amendment process.

Finally, Mr. Chairman and members of the committee, the urgency of assisting the Federal employee in meeting the cost of his medical care is extreme.

If you have had an opportunity to follow the hearings of the subcommittee of the Post Office and Civil Service Committee that has jurisdiction over the administration of Federal employees' health programs, you would note that the costs of that program have gone up in a staggering amount in the past few years.

Last year, the Blue Cross-Blue Shield program which covers the vast majority

of Federal employees requested a 53-percent increase in the premiums paid by Federal employees. Ultimately, through a series of actions that were taken that percentage increase was reduced to 22 percent rather than 53 percent. But a 22-percent increase in 1 year is still a staggering increase to place upon the Federal employee.

In short, there is little indication that the cost of medical coverage will in any way decrease, but that the present burdens will, in fact, materially increase.

The performance of the Federal Government, however, the employer, in meeting that burden and sharing that burden has really been disgraceful in comparison with the performance of employers in the private sector. But the Federal employee as an American and as a Federal employee has been and is confronted with the problem of denying him just benefits because of alleged cost as every public employee has been confronted with it since the beginning of time.

Any legislative body and any jurisdiction of Government constantly suggests that though the employees have a meritorious claim for increasing benefits, the increase in wages, for improvement of working conditions, that plan will have to be postponed until such time as the budget of the particular jurisdiction—in this case the United States—is better able to meet their needs.

What that means is that the Federal employee is subject to a far greater sacrifice in order to bring stability to the economy than is any other individual in the economy.

The private employee is not told by his employer when he is engaged in collective bargaining that "we simply do not have money available to pay your just and proper claims." If the money is available and if the claims are proper and just, those moneys are paid by taking the moneys from other activities of private employers. If it is not paid, the private employee strikes or withholds his services.

The Federal employee, however, is so susceptible to being deprived of his just entitlement that there is nothing he can do, and we in the Congress and they who occupy the Presidential seat know that.

The public employee simply must bear in silence the imposition of a greater sacrifice on him than others in this Nation.

Mr. Chairman, without question we have deprived him of any right to complain. He cannot, as can his counterpart in the private sector, withdraw his services from the market.

He must continue to render services to this government although this government does not treat him fairly or properly and, therefore, because he is in such a vulnerable position, because we have been so inconsiderate of his lack of ability to respond, either in the marketplace by withdrawing services, or at the ballot box by participating in political activities, we deprive him of any opportunity to respond whatsoever to our shortcomings. We ought to change that attitude, and this would be a good place to start, because the shortcomings are extreme in the Federal health program by any measure that you can present, and the performance of the Federal Government is a disgrace. We have the opportunity to comply with the President's program for the private sector by setting an example that we should be setting involving this particular program.

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

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

Mr. BURKE of Massachusetts. Mr. Chairman, I wish to associate myself with the remarks of the gentleman in the well.

Mr. Chairman, I rise today in support of H.R. 12202. The way I see it is that if anyone had any reservations about this bill early on in its legislative history, these reservations should have been effectively dispelled with the decision by the Price Commission to approve a 22-percent rate increase for the Federal employee's Blue Cross-Blue Shield health plan. Even though this scaled down the outrageous and completely insensitive request of the Blue Cross-Blue Shield people for a 34.1-percent increase, as far as I am concerned this was no cause for universal celebration, whatever excuses the Commission offered in defense of its decision. While any reduction in the financial pressure on a Government employee's family attributable to health insurance costs is welcome news indeed, I never was convinced that even an increase of 22 percent was justified. The Commission, it seems to me, was too quick to accept the argument of the companies that they should be permitted to recoup the major portion of their estimated losses right away—not sometime in the future, but here and now. In arriving at the decision there is no question in my mind that the Price Commission established a dangerous precedent. In view of the logic behind this decision, the whole wage-price guidelines under phase II were put in jeopardy, since every firm in the Nation, it seems, now had grounds for justifying increases of similar magnitude, in order that they too might be able to speedily recoup previous losses. My feeling was then and still remains that if inflation is going to be curbed and kept within a 5-percent growth rate, then the bullet must be bit, whatever the pressure to do otherwise, and requested increases, four times over the guidelines' standards, must be turned down.

Nor can I condone the Commission's action on the grounds that the President's guidelines as originally announced were silent on the subject of insurance premiums and rate increases and that special treatment and consideration was necessary for the insurance industry. If this is the kind of special treatment the administration intended, I say it makes a mockery out of the whole policy. Health insurance is too big a factor in the family's budget to exempt it from general guidelines.

I only hope that the Commission was not unduly impressed by public statements and rumors about the possibility that Blue Cross-Blue Shield would withdraw coverage from Federal employees if it did not get its way. The Commission should have had the courage along with the Civil Service Commission to resist this move. For the fact of the matter is these companies, after all, are not bargaining from the position of strength some people think they are.

At a very minimum, it would seem to me incumbent upon the Price Commission to thoroughly review and explore every detail of the loss estimates submitted by the company before approving an increase of this magnitude. The fact of the matter is that a general increase of 22 percent actually works out to a much higher effective increase when it finally comes down to individual Federal employee contributions in view of the present distribution of the costs borne by the Federal employee and the Federal Government. With the portion borne by the Federal employee greater than that presently borne by the Federal Government, the effective increase was almost invariably greater than 22 percent. In fact I have had correspondence from some of my constituents documenting with their paycheck stubs percentages anywhere from 37 to 57 percent. The average figure seemed to be almost 50-percent increase over last year's payments. Let me just quote you one instance of how 22 percent is a fairly meaningless figure for the average Federal employee. I am quoting from a letter from one of my constituents revealing information contained on the salary deduction breakdown which accompanies his paycheck:

> As I understand the present program, the government is supposed to pay 40 percent of the premium costs while I, as an annuitant, am supposed to pay the adidtional 60 percent required to cover full payment of the premium. Under the rate increase of $10.55, the government pays $.70. I pay $9.85. In this instance I fail to see how the government is covering 40 percent of the rate increase. $.70 to $9.85 is not 40 percent to 60 percent.

Let me break down the method of premium coverage:

Total cost, $58.46. Government pays $19.42—40 percent of $58.46 equals $23.-38. I—annuitant—pay $39.04—60 percent of $58.46 equals $35.08.

Let me now quote to you from the totally typical unsympathetic reply received from the Civil Service Commission when invited to comment on cases such as this:

> The Federal Employees Health Benefits Act provides for a government contribution to health benefits premiums that is equal to 40 percent of the average of the high option premiums of the six largest plans participating in the program. The six plans are: the Service Benefit plan, the Indemnity Benefit plan, the two employee organizations plans with the largest enrollments, and the two comprehensive medical plans with the largest enrollments. Therefore, the government contribution to any particular plan may be less than 40 percent of the premium for that plan.

As I say in view of an increase of this magnitude for the individual Federal employee, the least the commission could have done was to seriously review the evidence submitted to justify the requested increase. The fact that the com-

mission did not begin to go far enough in their rush to arrive at a decision is now apparent for all to see with the recent announcement by Blue Cross-Blue Shield that their loss estimates were in fact erroneous and they have been subsequently considerably scaled down. Mind you, this information only came to light after the Price Commission approved the increase. Such sloppy enforcement of wage-price controls is just too obvious and too important for any Member of Congress to ignore. Certainly the Federal employees involved have not surprisingly lost whatever faith they might have had in the efficacy and practical justice of the whole wage-price program. On the one hand, a long drawn out, hard fought campaign had to be waged in both Houses of Congress and behind the scenes in the administration in order to insure that Federal employees were to be treated like every other citizen as far as retroactivity was concerned and to overturn the obvious discrimination contained in the White House's Executive decision to freeze employee's wage increases scheduled to go into effect long before wage-price controls were even thought of by the reluctant converts at the White House. You can imagine their chagrin when they were treated with the spectacle of the easily-won price increase of 22 percent for one of the more important items in their budgets, their health insurance premiums.

Thus, as I say, we come to the present situation and the legislation before us today. There is no doubt more support today for this legislation than existed previously, in view of the obvious and easily demonstrated individual burdens the Price Commission's decision has imposed upon the families of Federal employees. The present legislation offers Congress a means to at least offset the burden facing these families by increasing the Federal Government's contribution to the cost of health insurance. I regret that the net effect of the Price Commission's permitted increase on the economy will still be inflationary and the economy, as a whole, will still suffer because of the Price Commission's action. However, our responsibility is inescapable and that is, to see that justice is done to the individual families most affected by this hasty decision.

The fact of the matter remains, as far as I am concerned, that for all intents and purposes in thousands of cases the present employee's Federal Government breakdown is far from being 40 to 60 percent. While 75 percent might strike some in this body as a drastic shift from the present system, it might be well for my colleagues to remember that for many of their constituents there will be under the legislation proposed today nowhere near a 25 to 75 percent breakdown.

There is one other matter I want to address my attention to today while I have the House's attention and that is, the amendment to be offered by Congressman WALDIE of California, to clarify the status of Postal Service employees with regard to the Federal health insurance program. Apparently in the final days before H.R. 12202 was reported out of committee, by a one-vote margin, the full committee, under obvious pressure from the new postal corporation, voted to exclude the Postal Service employees from the provisions of this bill. I think this is going too far in the direction of treating the Postal Service employees across this Nation as orphans of the Federal Government. Nothing will ever convince me that it was the intent of Congress in passing the Postal Reform Act to transform the old Post Office Department into a private business or corporation. The Postal Service employees in the opinion of the overwhelming majority of the people of this country are still Federal employees. Maybe with a difference, with a difference that perhaps is none too clear at the moment, but not with such a difference that they are to be excluded automatically from legislation affecting employee benefits throughout the rest of the Federal Government.

As matters now stand, the postal employees are in a vague area in our Government which can only be described as the closest thing to limbo Washington has ever seen. Decisions are being made affecting their jobs, cutbacks are being enforced throughout the system, employees with years of service are informed that they can no longer go to their Congressmen with their problems the same as any other American citizen experiencing an injustice at the hands of the Federal Government is entitled to do. They do not have the right to strike, they are told they are dealing with a corporation—a corporation which when it suits its interests is a public corporation and when it suits its interests is more like a private corporation than anything else. We in Congress who passed legislation out of a genuine desire to reform the Postal Service cannot wash our hands of the well-being of these employees and pretend that they no longer exist. If we are not permitted to intervene on a case-by-case basis to bring a particular problem to the attention of the powers that be in the new Postal Corporation, then it seems to me that we have to use the only avenue open to us and that is to legislate when the opportunity comes and make it crystal clear that the postal workers should not be less well off under the Postal Corporation than they were under the old Post Office Department. We in Congress and those on the Committee on Post Office and Civil Service do have a responsibility in this area and I, for one, fear the interpretations and implications that will follow from any decision made today to pass H.R. 12202 without including the Postal employees under the provisions of this bill.

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

Mr. TEAGUE of California. Mr. Chairman, I make the point of order that a quorum is not present.

The CHAIRMAN. Evidently a quorum is not present. The Clerk will call the roll.

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

[Roll No. 125]

Abzug	Frenzel	Pettis
Anderson, Tenn.	Galifianakis	Poage
Andrews, Ala.	Gallagher	Price, Tex.
Annunzio	Gray	Pryor, Ark
Ashley	Grover	Pucinski
Badillo	Hagan	Purcell
Betts	Hastings	Rangel
Bingham	Hawkins	Rees
Blanton	Hébert	Reid
Blatnik	Hogan	Roberts
Broyhill, Va.	Johnson, Pa.	Roy
Byrnes, Wis.	Jones, Ala.	Runnels
Byron	Jones, Tenn.	Ruppe
Carney	Kluczynski	Sandman
Casey, Tex.	Kuykendall	Scheuer
Celler	Kyl	Shipley
Clark	Kyros	Skubitz
Clay	Landgrebe	Slack
Collins, Ill.	Lent	Springer
Conte	Long, La.	Staggers
Conyers	Long, Md.	Stanton, James V.
Crane	Lujan	Steed
Culver	McDonald, Mich.	Stokes
Curlin	McKevitt	Stubblefield
Davis, Ga.	McKinney	Symington
Dellums	Macdonald, Mass.	Teague, Tex.
Diggs	Mahon	Terry
Dowdy	Miller, Calif.	Udall
Dwyer	Mills, Ark.	Ullman
Edwards, La.	Mitchell	Vander Jagt
Erlenborn	Mollohan	Veysey
Esch	Morse	Whitehurst
Eshleman	O'Neill	Whitten
Flowers	Patman	Winn
Fountain		Young, Tex.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. BEVILL, 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. 12202, and finding itself without a quorum, he had directed the roll to be called, when 329 Members responded to their names, a quorum, and he submitted herewith the names of the absentees to be spread upon the Journal.

The Committee resumed its sitting.

The CHAIRMAN. When the Committee rose, the gentleman from Iowa (Mr. GROSS) had been recognized.

Mr. GROSS. Mr. Chairman, there are at least two compelling reasons why this bill should be defeated. First, it is unjustified and unwarranted; and second, it simply costs too much money at a time when our Federal economy is in such grave condition.

It has been less than 2 years since this Congress enacted legislation completely revising the formula for fixing the Government's share of health benefits cost. At that time it was the considered judgment of this body that the' Federal Government, as an employer, should begin paying an average of 40 percent of the cost of its employees' health benefits premiums, and it was determined that this 40 percent should be maintained on into the future. Procedures were written into the bill to insure that the Government would assume its fair share of health insurance premiums and that it would continue to do so as those premiums increased.

That law—Public Law 418 of the 91st Congress—has proven to be eminently satisfactory. Twice since its enactment the Federal employee has been buffered against surging health benefits costs—in January 1971 and again in January 1972—inasmuch as the 40 percent payment on the part of the Government in each instance translated into higher dollar amounts.

The 40-percent share was considered to be more than fair and satisfactory at the time it was enacted, and there is certainly no justification for increasing that amount based upon the experience to date.

One of the arguments being used in support of this legislation is that a growing number of companies in the private sector are paying more for employees' health benefits than the Federal Government is doing. I submit that even if this is the case, it does not justify the reckless action that is contemplated by this bill. It is quite essential that, if a proper perspective is to be maintained, we view the entire picture of pay, pay supplements, and fringe benefits. It is inherently misleading to compare employer practices in only a single area of fringe benefits, such as health insurance.

The Bureau of Labor Statistics in its latest study on the subject of pay and fringe benefits reports that in private industry employer expenditures for fringe benefits amounts to 26.6 percent of basic wages and salaries—and 27.8 percent in the Federal Government. Essentially the Federal employee today has a much better total package of fringe benefits than does the employee in the private sector.

Additionally, the Civil Service Commission reports that Federal Government contributions to fringe benefits, as a percentage of basic payroll, will continue to rise by reason of added paid holidays, additional requirements of the civil service retirement financing law, and by reason of the fact that the existing 40-percent contribution rate for health benefit premiums will further increase the percentage of actual payroll expenditures, because health costs will probably rise faster than payroll. Viewed in this context there can be no justification for the Government to pay more than it already pays to the health benefits program.

Mr. Chairman, I would like briefly to address myself to another argument that proponents of this bill glibly make—but which has no substance. The 75-percent contribution rate is being justified on the basis that this is the same percentage contribution which the President has recommended that private industry pay under the provisions of the National Health Insurance Partnership Act.

I would point out that percentages can be extremely misleading. The President has recommended that private industry establish a minimum package of benefits that in no way compares to the ultra-liberal—almost all encompassing—health insurance now enjoyed by Federal employees.

It is anticipated that under the President's proposal the total costs for the health insurance will not be nearly as great as the total premiums now in effect in the Federal program. Conceivably, as far as dollar amounts are concerned, a 75-percent contribution rate on the part of the private employer may not amount to as much money as the existing 40-percent contribution rate being paid by the Federal Government.

I certainly will not oppose the Federal Government's contributing to the fringe benefits of its employees at a level comparable to what that same Federal Government requires private employers to contribute. But until or unless the President's plan for private industry is enacted, we will not know what dollar amounts might be involved, and it is entirely possible that the existing 40-percent contribution by the Federal Government, in terms of actual dollars, may already be more than will be required of private employers.

Now as to the exorbitant costs of this legislation—the figures speak for themselves. Presently the Federal Government in this fiscal year will be contributing $575 million—more than a half billion dollars—to provide its employees with the best possible medical care. If this bill is enacted, by fiscal year 1977 when its provisions are fully effective, the Federal Government will be required to contribute over $2 billion a year. Under the existing 40-percent contribution rate, it is anticipated that because of rising premium costs that the Federal Government in fiscal year 1977 will be contributing $942 million. This legislation, if enacted, will require an additional annual outlay on the part of the Government of $1.063 billion by 1977—which will more than double the cost to the Government of the existing health benefits program.

Mr. Chairman, by any measurements, this bill cannot possibly be justified. It is an unwarranted raid on the taxpayers of this country—and with tax-filing time just passed, I am confident the taxpayers will experience more than the usual dismay at the fiscal irresponsibility that is about to be displayed here today.

Mr. DULSKI. Mr. Chairman, I yield 5 minutes to the gentleman from New Jersey (Mr. DANIELS), a member of the committee.

Mr. DANIELS of New Jersey. Mr. Chairman, I rise to urge the membership of this House to lend their support to the legislation under consideration, H.R. 12202, the major purpose of which is to relieve employees and annuitants from continuing to bear a disproportionately large share of the premium charges under the Federal employees health benefits program.

Our committee has had a continuing concern over the spiraling costs of providing health benefits protection under the program within its jurisdiction—that concern being demonstrated by the subcommittee's extensive investigation of the program's administration and the operations of the participating carriers. The problem of escalating medical care costs is, of course, not peculiar to the Federal employees' program, but is a problem common to all Americans. Unfortunately, our scope of activity can have little impact upon minimizing or arresting escalating medical care costs.

The fact of the matter is that premiums must be sufficient to pay for the benefits provided, and rate increases are recurrently approved in order to maintain the financial soundness of participating plans. As medical care costs rise, the portion of them not covered by insurance constitutes an increasing burden for retirees and employees, and, as premiums increase to cover those costs, an additional burden is imposed on them. These two facts add up to enrollees being faced with the increasingly difficult problem of paying for health benefits.

Testimony developed by the Subcommittee on Retirement, Insurance, and Health Benefits during public hearings on this legislation supports, I believe, the contention that the Federal Government, as a major employer, lags far behind large employers in the private sector in this vitally important area of fringe benefit programs. The evidence, which is confirmed by Government analyses and statistics, showed that major industrial employers are paying, if not the total costs, most of the costs of their employees' health insurance, and providing benefits comparable to those offered in the Federal employee program.

It is the consensus of the committee, therefore, that the Government's contribution to subscription charges of this program be increased to achieve a more equitable sharing ratio similar to that which the President has proposed for the remainder of the Nation's work force. That objective is embodied in the bill before us today. The need for this legislation is demonstrated by the fact that H.R. 12202 was unanimously approved by the subcommittee and overwhelmingly adopted by the full committee.

I urge, Mr. Chairman, that this body also lend its overwhelming support to this legislation.

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

Mr. DANIELS of New Jersey. I yield to the gentleman from New York.

Mr. BIAGGI. Mr. Chairman, I thank the gentleman from New Jersey for yielding.

Mr. Chairman, I wish to associate myself with the gentleman's remarks, and also in support of this bill as well as the amendment to be offered by the gentleman from California (Mr. WALDIE) which would clarify the situation as to postal employees.

Mr. Chairman, this legislation which would increase the contribution of the Federal Government to the cost of Federal employees health benefits.

This bill is a most worthwhile proposal which accomplishes three main points. First, it increases the Government's contribution for the Federal health benefits plans from 40 to 55 percent starting in 1972 with an additional 5-percent increase for each subsequent year until 1976 when the Government portion will reach 75 percent.

Second, this legislation allows annuitants who retired prior to July 1, 1960, and are now covered under the Retired Federal Employees' Health Benefits Act to elect coverage under the health benefits provisions of the law available to active employees.

Finally, this legislation would extend health benefits coverage to unmarried dependent children over the age of 22 who are full-time students.

Mr. Chairman, this legislation is desperately needed to cover the escalating costs of medical care. While virtually every consumer item has increased dur-

ing the sixties, the costs associated with medical care has increased twice as fast as the overall Consumer Price Index. This has had the effect of tightening the purse strings of all those people unfortunate enough to get sick or have a member of their family sick. Private industry has led the way with a trend toward providing its workers and retirees with cost-free health insurance. The Federal Government should follow that lead and attempt to do the same for its workers.

Our senior citizens, who have retired from Government service are hit particularly hard since they live on a fixed income and are also more likely to have health problems.

When offered, I also intend to support the amendment offered by the gentlemen from California (Mr. WALDIE) which will clarify the status of Postal Service employees with regard to the Federal health insurance program.

When the Subcommittee on Retirement, Insurance and Health Benefits marked up the bill, they fully believed that postal employees were to be included under the provisions of this legislation. Unfortunately the Postmaster General only informed the committee at the last minute that he felt postal employees would not be covered.

At the time of postal reorganization, there was no intent in this Congress that postal employees would lose coverage under the health benefits program. To exclude the workers now would be extremely unjust.

Therefore, I urge my colleagues to join with me in supporting this legislation and the Waldie amendment so that all Government employees may be provided with life's most valuable commodity—good health.

Mr. GROSS. Mr. Chairman, I yield 5 minutes to the gentleman from Virginia (Mr. SCOTT).

Mr. SCOTT. Mr. Chairman, I rise in support of this legislation even if the committee adopts it without an amendment, and yet I am concerned about the cost of the present bill. I am concerned about the probability of a veto of the legislation if it is passed in its present form. I am hopeful that we can agree on a bill which can be signed by the President and enacted into law.

Certainly we are all concerned about the cost of health care. The general rise in medical expenses has resulted in an increase in the cost of medical insurance, and it has affected the Government employee as it has the rest of our people throughout the country.

In 1960 we adopted a basic health benefit bill under which the Government and the employee would each contribute 50 percent in dollar amounts, but as the cost of medical care increased over the years, this equal sharing between the Government and the employee eroded until 1970, when the Government was paying only 24 percent of the actual cost of the health insurance.

You will remember that during the 91st Congress this House did consider an increase in the cost, and by a vote of 284 to 57, passed a bill which provided for equal sharing of the cost between the Government and the employee, each paying 50 percent of the actual cost. In conference with the Senate the percentage paid by the Government was reduced to 40 percent, with 60 percent being paid by the employees.

Under the proposed legislation which we are considering today, if enacted without amendment, the contribution of the Government would be increased to 55 percent in 1972, and would further increase by 5 percent each year until it reaches a total contribution by the Government of 75 percent.

I propose to offer an amendment at the appropriate time which would fix the contribution at 50 percent by the Government and 50 percent by the employee.

There would be no further increment without further action by the Congress.

On the cost basis we are told, and the committee report shows, that the first year of the adoption of the legislation before us would cost the Government $210 million, which would increase each year until 1977, when the annual cost of the bill as it is before us now would be $834 million. If we would assume that an increase of 10 percent would be two-thirds of the amount of the cost of a 15-percent increase, or an increase to 55 percent for the first year, then my proposal would increase the cost to the Government by only $140 million. It would remain static in the future unless there was an increase in the general cost of medical insurance to the Government employees.

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

Mr. SCOTT. I yield to my friend, the gentleman from Missouri.

Mr. HALL. Mr. Chairman, I wonder if the gentleman will yield for this point of information. I understand his proposed amendment, and I also understand his preliminary remarks to indicate he is worried lest there be a veto because of the increase in cost of Government participation. Does the gentleman feel that with his bill and the increase he just referred to, this legislation would be less liable to a veto by some nonunderstandable logic that I fail to get, or would it make the bill more liable to a veto if we added onto the unbudgeted costs?

Mr. SCOTT. I think it would be much less likely to be vetoed if we said there would be an equal sharing between the Government and the employee, or 50 percent. This was the intent of the original legislation which was passed in 1960.

The CHAIRMAN. The time of the gentleman has expired.

Mr. GROSS. Mr. Chairman, I yield the gentleman from Virginia an additional 2 minutes.

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

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

Mr. HALL. Does not the bill we have under consideration limit the participation to 40 percent on the part of the taxpayers?

Mr. SCOTT. At the present time, in the law as it exists today, the participation is 40 percent. The proposal we are now considering, the bill as reported by the committee, would increase that to 55 percent for this calendar year, and the contribution by the Government would go up in annual increments of 5 percent until 1976 when the Government contribution would be 75 percent. In my proposal, the amendment I will offer, it will be fixed permanently at 50 percent of the actual cost of the medical insurance.

Mr. HALL. I certainly agree that medical costs and particularly hospitalization costs thereof are liable to increase during the years, and I admire the gentleman for wanting such increases to come back to Congress before there is any change in the formula, but I am not at all sure this would make the legislation less liable to veto, because I think it is just beyond our capability to expend this money.

Mr. SCOTT. Let me say to the gentleman I can see several reasons why the President may veto this legislation. One is the cost. My amendment would materially reduce the cost below the amount provided in the bill, reducing it by 50 percent the first year and then providing no further increase in the percentage of contribution by the Government. This would eliminate the 5-percent annual increment now included in the bill.

Mr. HALL. Mr. Chairman, I thank the gentleman for his explanation.

Mr. SCOTT. Mr. Chairman, I will explain my amendment further during the amendment process. To me it is a reasonable amendment. I hope the committee will give consideration to it. In my opinion it will increase the possibility of this bill becoming law.

Mr. GROSS. Mr. Chairman, I yield 5 minutes to the gentleman from Illinois (Mr. DERWINSKI).

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

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

Mr. HOGAN. Mr. Chairman, I thank the gentleman. As a cosponsor, I rise in support of H.R. 12202, a bill to increase the Federal Government's contribution to employees health insurance premium.

In the last decade, medical care prices have skyrocketed, and, there seems to be no relief in sight. In 1970, the Nation spent, for health and medical care, two and one half times the amount spent 10 years before, and more than five times the amount spent 20 years earlier. The average health bill for each American was $324. Just 10 years before, the average was half the amount—$145, and 20 years earlier, it was less than one-fourth the 1970 figure, $79. This growth represents an average increase of 7.3 percent per year. During this same period, the average increase in industrial wage levels was 4.3 percent per year.

The three major factors contributing to this problem are price increases, population growth, and increased use of services, and the introduction of new medical techniques.

However, the important question is how are employees going to be able to afford proper medical care. We know for a fact the trend in private industry is toward the employer picking up the major portion of the cost and in many

cases the entire cost. Among some of the large corporations that pay the total cost of medical coverage are Alcoa, American Airlines, Burlington Industries, Du Pont, IBM, PPG Industries, United States Steel, and a host of others. I mention these major corporations to illustrate that the largest employer in the United States is not among them. And that is the U.S. Government. I have introduced legislation in this and the previous Congress which would provide for the Federal Government paying 100 percent of the cost of health care for Federal employees.

At present, the Government's standard contribution to the total subscription charge for an enrollee's health benefits plan is set at 40 percent of the average high-option charge of six large representative plans. Under this proposal which is before us today, the Government's outlay would be increased to 55 percent in 1973 and 5 percent each year until it reaches 75 percent in 1976.

Now, I contend that until medical care costs are brought under some kind of control and better administration is exercised over the operation of the Federal health benefits program, the Federal Government has a moral obligation to its employees to pay a larger share of the health insurance premiums.

In providing fringe benefits for its employees, the Federal Government should lead the way rather than always be following private industry.

Mr. Chairman, in my view the way to finance increased health premium costs is not through employees taking a pay cut but rather through the Federal Government paying a larger and fairer percentage of the total cost.

I strongly urge adoption of this much needed legislation.

Mr. DERWINSKI. Mr. Chairman, the overriding issue at stake today is whether the U.S. Congress is going to continue deficit spending at an ever-increasing rate. The time, I am afraid, is fast approaching when the U.S. Congress must either face its fiscal responsibilities or submit to Federal bankruptcy.

This bill is estimated to cost, using a "dynamic" projection, that is, assuming increases in health insurance enrollments and increases in the cost of premiums, an additional annual outlay on the part of the Government of $1.063 billion by 1977, which will more than double the cost to the Government of the existing health benefits program.

The proponents of H.R. 12202, which increases the Federal Government's share of employees health benefits insurance premiums, argue that Federal employees are paying a disproportionate share, in contrast to private sector employees, toward health benefits coverage. They argue that the trend in private industry has been toward the employer assuming the major share of employees health insurance premiums, and in many cases the full cost. They also go on to point out that major industrial employers are not only paying a major portion of the premium costs, but they also are providing a level of benefits comparable to those provided under the various Federal employee plans.

Now, let us examine this argument. To begin, the U.S. Congress has established in law and in spirit the principle of comparabilty. It is a fair standard, and one that means that Federal employees should receive the same pay and fringe benefits as their counterparts in private industry receive. No more or no less benefits.

Recently, the Bureau of Labor Statistics completed a study comparing fringe benefits, which showed that in private industry employer expenditures for pay supplements amount to 26.6 percent of basic wages and salaries, and in the Federal Government amount to 27.8 percent of basic wages and salaries.

The comparative table of these pay supplements, or fringe benefits, compiled by the Bureau of Labor Statistics is included in the minority views, which I signed, so I will not include it in my statement.

The point I believe that is clearly emphasized in this analysis is that there is just no logical or justifiable reason for increasing the Government's contribution to the employees health insurance premium.

As a note to this discussion, I would like to point out to the Members that if this bill is enacted into law the cost to the Government for its contribution for coverage for Members of Congress will be: 1973—$50,000 aidtional cost; 1974—$80,000 additional cost; 1975—$120,000 additional cost; 1976—$170,000 additional cost; and 1977—$200,000 additional cost.

These figures were received from the Civil Service Commission and are based on a total of 537 enrollees using the "dynamic" model of costs.

I am opposed to the bill, and strongly feel it must be refused.

Mr. BOB WILSON. Mr. Chairman, as the cosponsor of identical legislation, I would like to express my strong support for H.R. 12202, to increase the Government's contribution under the Federal employees' health benefits program.

With the skyrocketing rise in hospital and other medical expenses in the past decade, we have become increasingly concerned about the need to assure that all Americans have access to quality health care at reasonable cost. Both the President and the Congress have devoted much attention to this subject and a number of proposals are currently under consideration. Since the President has proposed that employers provide health insurance for their employees on a cost-sharing basis, it is incumbent upon the Federal Government, as a major employer, to set a good example. H.R. 12202 coincides with the administration's goal of requiring the employer to pay 75 percent of the premium cost after 1976.

In addition, this legislation contains an important section which would permit pre-1960 annuitants to participate in the more comprehensive Federal employees' health benefit program. For those annuitants enrolled in the retired Federal employees' health benefits program who are covered by medicare parts A and B, the retired program provides a supplement to their basic medicare protection. However, for those not eligible for full medicare, these benefits may not be adequate. The aged are hardest hit by the continued rise in medical costs, and I am pleased that the legislation deals directly with this problem.

Finally, I would like to express my support for the amendment to assure that Postal Service employees are covered by this legislation, and hope that this provision will be approved.

H.R. 12202 is a major step forward in health care legislation and I urge my colleagues' favorable consideration.

Mr. BROYHILL of Virginia. Mr. Chairman, I rise in support of H.R. 12202, to provide for an increase in the Government's contribution to the subscription charge for Federal employee health benefits plans.

I was privileged to serve on the Committee on Post Office and Civil Service when we inaugurated the health insurance program for Federal employees in 1959. We determined then that a 50–50 participation plan was fair and reasonable. But because it was a new program and the cost to the Government was not yet estimated, we adopted a formula wherein the Government would pay 50 percent of the cost of the least expensive low-option family program. By virtue of the type of insurance plan the employees adopted, however, the cost distribution at the time of enactment amounted to a 38-percent cost for the Government and a 62-percent cost for the employee.

Then last year Congress considered the plans again, but by that time increasing medical care costs and premium increases had reduced the formula to a 24 to 76 ratio. The House by its action last year restored the program to the 50–50 ratio originally intended by Congress only to have the Government contribution again reduced to 40 percent in the House-Senate conference on the legislation.

When the President sent his message to Congress on February 18 of last year, proposing as a major part of his legislative program a national health insurance program which would require every employer in the Nation to pay 65 percent of the premium for his employees health insurance for 2½ years, then 75 percent thereafter, those of us who had worked for years for a more equitable formula for Federal employees were most encouraged. Unfortunately, the administration as an employer did not feel compelled to serve as a leader and example to employers in the private sector, for the Civil Service Commission once again recommended against enactment of this legislation.

When I appeared before our colleagues on the House Committee on Post Office and Civil Service last September, I expressed my inability to understand how the administration could oppose this legislation for so-called economy reasons when a few weeks later they would be parading before the Committee on Ways and Means urging passage of their new health insurance proposal for the private sector. A few weeks later, on October 20, I had the opportunity of posing that question to Secretary Richardson in the Ways and Means Committee. As I believe his response represents total agreement with our position, I should like to read a

brief extract from the Ways and Means hearings for that day at this point:

Mr. BROYHILL. Mr. Secretary, under the administration's plan, employers would be required to contribute 75 percent of the insurance costs for their employees. Under existing law, which we amended in 1970, we provide for a 40-percent contribution on the part of the Federal Government, as the employer, for health insurance programs for Federal employees. Actually, we were late in even inaugurating a health insurance program for Federal employees. I think it was 1959 when the Federal Government reluctantly put through a health insurance program for its employees after industry already had been providing such programs for a good many years. I believe since the Federal program has been in effect, the average contribution on the part of the Government as the employer, has been in the neighborhood of 25 to 30 percent.

The administration opposed the 40-percent program last year. Actually, there was a 50-percent contribution proposed last year, and again this year a proposal for a 50-percent Federal Government contribution, as an employer contribution, was again vigorously opposed by the administration.

My question is, Since the administration feels that it is fair and equitable and proper to require all employers to contribute ultimately 75 percent of the cost of a health insurance program, why shouldn't the Federal Government take the lead and initiative as an employer, to provide a 75-percent, or at least a 50-percent, contribution for its employees? I am sure you feel that Federal employees should be treated equally with other employees.

Secretary RICHARDSON. Well, I can only say, Mr. Broyhill, that your logic is irrefutable. I think the Federal Government should be a model employer, and I think that the recommendation that we make for other employees should cause a reconsideration of the position the Federal Government takes in the cost sharing of health insurance of its own employees.

Mr. BROYHILL. What would be the effective date of the administration bill?

Secretary RICHARDSON. July 1, 1973.

Mr. BROYHILL. At that point, it would be 65 percent, would it not?

Secretary RICHARDSON. Yes.

Mr. VENEMAN. Not to exceed 35 percent for the worker.

Mr. BROYHILL. It might be a great encouragement to industry if the administration would send its people to the Post Office and Civil Service Committee to recommend that a 65-percent contribution be effective around January 1, 1973. I am a cosponsor of the legislation, and I would accept the amendment to make it effective January 1, 1973, and you might find that, since the Federal Government has taken the initiative in that area, the employers throughout the country, along with the big unions that Mrs. Griffiths is talking about, might put this into effect without your requiring it through legislation.

Secretary RICHARDSON. I think that we could certainly pursue this, Mr. Broyhill. As far as the Federal employes are concerned, I would have to, of course, enlist the interest of my colleagues in the administration.

Mr. BROYHILL. There may be some disagreement in the administration, regarding the Federal employee program.

Secretary RICHARDSON. I have no reason to think that the general validity of the point that you have made that we should be prepared as an employer to do what we are asking other employers to do, would be the subject of serious dispute, but I am only saying that that is not a matter that falls directly within my province to say.

Mr. Chairman, employee health benefits premiums were increased early this year, and because we did not act on this legislation by the time of the recent pay increase many employees are receiving smaller checks than they did before the badly needed pay increase. This is also true of the employees of the Government Postal Service, and I shall support the amendment to include them in this legislation during the reading of the bill. I do not believe we can, in the name of economy, continue to deny Federal employees benefits comparable to those they would receive in private industry, therefore, I urge enactment of H.R. 12202 without delay.

Mr. TIERNAN. Mr. Chairman, I rise to express my strong support for H.R. 12202 which has three purposes: First, to increase the Federal Government contribution to the costs of health benefits from 40 to 55 percent in 1972, with an additional 5-percent increase each year until the Government contribution reaches 75 percent; two, to allow annuitants who retired prior to July 1, 1960, to elect coverage under the health benefits provisions currently applicable to post-July 1960 employees and annuitants; and three, to extend health benefits coverage to unmarried dependent children over the age of 22 who are full-time students.

The skyrocketing health costs in this Nation make the passage of this bill compulsory. These costs have accelerated faster than the prices of any other commodities or services. The average annual health bill for each American in 1970 was $324. Ten years earlier the average was only $145, and 20 years earlier it was $79. This means that our health costs have increased approximately 7.3 percent per year. During this same period the average annual increase in industrial wage levels was only 4.3 percent.

As I am sure most of my colleagues are aware, the trend in private industry has been for the employer to assume the major or in many cases the full cost of the employees' health insurance premiums. As the committee report points out, a 1966–67 survey by the Bureau of Labor Statistics indicated that 64 percent of all plant workers and 49 percent of all office workers were employed in establishments which paid the full cost of health insurance coverage.

It is time that the Federal Government starts down this same road. This is especially true if we are to continue to attract men and women in Government jobs. I urge support for H.R. 12202.

Mr. Chairman, at this time I would also like to express my support for the amendment to be offered by my colleague, the gentleman from California (Mr. WALDIE). This amendment would include Postal Service employees under the Federal employees benefits program and allow them to receive any benefits from increased Federal participation in premium payments.

When the Subcommittee on Retirement, Insurance, and Health Benefits originally considered H.R. 12202, it was assumed the postal employees were to be included under the provisions of the bill. At the last minute the Postal Service said it felt they were excluded from these provisions.

It is my understanding that there is nothing in the bill that specifically excludes Postal Service employees, and yet the question was referred back to the subcommittee. It is absurd to put this question off; it should be settled here and now. I intend to do so by voting for the Waldie amendment and I urge my colleagues to do likewise.

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

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

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) subsections (a) and (b) of section 8906 of title 5, United States Code, are amended to read as follows:

"(a) The Commission shall determine the average of the subscription charges in effect on the beginning date of each contract year with respect to self alone or self and family enrollments under this chapter as applicable, for the highest level of benefits offered by—

"(1) the service benefit plan;

"(2) the indemnity benefit plan;

"(3) the two employee organization plans with the largest number of enrollments, as determined by the Commission; and

"(4) the two comprehensive medical plans with the largest number of enrollments, as determined by the Commission.

"(b)(1) Except as provided by paragraph (2) of this subsection, the bi-weekly Government contribution for health benefits for an employee or annuitant enrolled in a health benefits plan under this chapter shall be adjusted, beginning on the first day period of each year, to an amount equal to the following percentage, as applicable, of the average subscription charge determined under subsection (a) of this section: 55 percent during 1972; 60 percent during 1973; 65 percent during 1974; 70 percent during 1975; and 75 percent during 1976 and during each year thereafter.

"(2) The biweekly Government contribution for an employee or annuitant enrolled in a plan under this chapter shall not exceed 75 percent of the subscription charge.".

(b) Section 8906(c) of title 5, United States Code, is amended by striking out "subsections (a) and (b)" and inserting "subsection (b)" in lieu thereof.

(c) Section 8906(g) of title 5, United States Code, is amended by striking out "subsection (a) of".

SEC. 2. (a) Notwithstanding any other provision of law, an annuitant, as defined under section 8901(3) of title 5, United States Code, who is participating or who is eligible to participate in the health benefits program offered under the Retired Federal Employees Health Benefits Act (74 Stat. 849; Public Law 86–724), may elect, in accordance with regulations prescribed by the United States Civil Service Commission, to be covered under the provisions of chapter 89 of title 5, United States Code, in lieu of coverage under such Act.

(b) An annuitant who elects to be covered under the provisions of chapter 89 of title 5, United States Code, in accordance with subsection (a) of this section, shall be entitled to the benefits under such chapter 89.

SEC. 3. Section 8901(5) of title 5, United States Code, is amended by striking out the phrase beginning "or such an unmarried child" and inserting in lieu thereof the following: "or such an unmarried child regardless of age, who—

"(i) is a student regularly pursuing a full-time course of study or training in residence in a high school, trade school, technical or vocational institute, junior college, college, university or comparable recognized educational institution and receives more than half his support from the employee or annuitant; or

"(ii) is incapable of self-support because of mental or physical disability which existed before age twenty-two;".

SEC. 4. (a) This section and the first section of this Act shall take effect on the first day of the first applicable pay period which begins on or after the thirtieth day following the date of enactment. Section 2 shall take effect on the one hundred and eightieth day following the date of enactment or on such earlier date that the United States Civil Service Commission may prescribe. Section 3 shall take effect on the date of enactment.

(b) The determination of the average of subscription charges and the adjustment of the Government contributions for 1972, under section 8906 of title 5, United States Code, as amended by the first section of this Act, shall take effect on the first day of the first applicable pay period which begins on or after the thirtieth day following the date of enactment of this Act.

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

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

There was no objection.

COMMITTEE AMENDMENT

The CHAIRMAN. The Clerk will report the committee amendment.

The Clerk read as follows:

Committee amendment: On page 4, strike out lines 3 through 10 and insert in lieu thereof the following:

"SEC. 4. (a) This section and section 3 of this Act shall take effect on the date of enactment. The first section of this Act shall take effect on the first day of the first applicable pay period which begins on or after the thirtieth day following the date of enactment. Section 2 shall take effect on the one hundred and eightieth day following the date of enactment or such earlier date that the United States Civil Service Commission may prescribe."

The committee amendment was agreed to.

Mr. WALDIE. Mr. Chairman, I make the point of order that a quorum is not present.

The CHAIRMAN. The Chair will count.

Evidently a quorum is not present. The Clerk will call the roll.

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

[Roll No. 126]

Abzug	Casey, Tex.	Eshleman
Anderson, Ill.	Celler	Evins, Tenn.
Anderson, Tenn.	Clark	Flowers
	Clay	Fountain
Andrews, Ala.	Collins, Ill.	Frenzel
Annunzio	Conte	Galifianakis
Ashley	Conyers	Gallagher
Aspinall	Culver	Green, Oreg.
Badillo	Curlin	Grover
Betts	Danielson	Hagan
Bingham	Davis, Ga.	Hastings
Blanton	Dellenback	Hathaway
Blatnik	Dent	Hawkins
Boland	Diggs	Hébert
Broyhill, Va.	Dowdy	Johnson, Pa.
Buchanan	Dwyer	Jones, Ala.
Carey, N.Y.	Edwards, La.	Jones, Tenn.
Carney	Esch	Keith
Kluczynski	Pepper	Staggers
Kuykendall	Pettis	Stanton, James V.
Kyl	Poage	
Kyros	Price, Tex.	Steed
Landgrebe	Pryor, Ark.	Steiger, Wis.
Lennon	Pucinski	Stokes
Lent	Purcell	Stubblefield
Long, La.	Quie	Symington
Lujan	Rangel	Teague, Tex.
McCloskey	Rees	Thompson, N.J.
Macdonald, Mass.	Reid	Udall
	Roberts	Vander Jagt
Madden	Runnels	Veysey
Mahon	Ruppe	Whalen
Miller, Calif.	Scheuer	Whitehurst
Mollohan	Shipley	Whitten
Morse	Sisk	Wiggins
Murphy, N.Y.	Slack	Winn
Patman	Smith, Calif.	Young, Tex.

Accordingly, the Committee rose; and the Speaker having resumed the chair, Mr. BEVILL, Chairman of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill H.R. 12202, and finding itself without a quorum, he had directed the roll to be called, when 325 Members responded to their names, a quorum, and he submitted herewith the names of the absentees to be spread upon the Journal.

The Committe resumed its sitting.

AMENDMENT OFFERED BY MR. WALDIE

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

The Clerk read as follows:

Amendment offered by Mr. WALDIE: Add a new section at the end of the bill to read as follows:

SEC. 5. The rate of Government contribution for health benefits determined under section 8906 of title 5, United States Code, as amended by the first section of this Act, and the inclusion, for health benefit purposes, of certain unmarried children as family members under section 8901 (5) of title 5, United States Code, as amended by section 3 of this Act, shall apply to the United States Postal Service and its officers and employees and to the Postal Rate Commission and its officers and employees.

POINT OF ORDER

Mr. GROSS. Mr. Chairman, I make a point of order against the amendment offered by the gentlemen from California on the ground that it is not germane, that it violates rule XVI, clause 7, of the Rules of the House of Representatives.

The rule I cited states in part:

And no motion or proposition on a subject different from that under consideration shall be admitted under color of amendment.

Mr. Chairman, I maintain there is ample precedent to support my position. The bill before us, H.R. 12202, amends chapter 89 of title V United States Code, relating to the contribution rates for health insurance for Federal employees. The classes of employees covered by this chapter are clearly defined in existing law, and these definitions do not include employees of the U.S. Postal Service. The pending bill does not change the coverage of the act. The legislative history of the Postal Reorganization Act of 1970, and the legal opinions of the Postal Service, the U.S. Civil Service Commission, and the Comptroller General leave no doubt that health benefits for postal employees are negotiated under the terms of the Postal Reorganization Act and that these employees no longer come under the specific provisions added to chapter 89 of title 5.

The mere fact that the amendment is offered supports this statement. If postal employees continue to be covered by the cited provisions of title 5, there would be no need to attempt to extend these provisions to them.

Mr. Chairman, I cite section 2952 of volume 8 of Cannon's Precedents, which says:

It is not in order to propose to amend one individual proposition by another individual proposition even though they be of the same class.

On March 19, 1928, the House was considering the bill (H.R. 5789) to authorize the award and supply of service medals to individual soldiers as prescribed by Army regulation for the rendition of certain services, authorizing the Secretary of War to issue such medals. An amendment was proposed to authorize the Secretary of the Navy and the Secretary of the Treasury to issue similar medals to the personnel of the Navy and Coast Guard, respectively.

A point of order was raised and sustained against the amendment, and in ruling, the Speaker pro tempore said:

There is a long list of precedents which state that one individual proposition may not be amended by another individual proposition even though the two may belong to the same class, such as admitting a Territory, and amendment providing for the admission of another Territory is not in order; to a bill providing pensions for veterans of the Indian wars, an amendment providing for pensions for veterans of the Mexican War is not in order. Also, in section 8909 there is a precedent exactly similar to the one pending, where to a bill for the relief of dependents of men in the Regular Army, and amendment proposing to extend the benefits of the Act to dependents of men in the National Guard and the Reserve Corps was held not to be germane.

Mr. Chairman, I will not belabor the point inasmuch as I believe the proposition before us is quite clear The pending legislation seeks to extend certain health insurance benefits to defined categories of Federal employees. The amendment seeks to extend these benefits to a category of employees not covered by the legislation nor by the basic law which the legislation amends.

Mr. Chairman, I insist upon my point of order against the amendment on the grounds that it is not germane.

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

Mr. WALDIE. Yes, Mr. Chairman, I do.

I am caught somewhat by surprise. I did not know a point of order would be offered to the amendment, but the point of order does not seem to me to be meritorious.

The bill deals with contributions to the health benefits program by the Federal Government. It is undeniable that the postal employees are presently covered under the health benefits program and, as a matter of fact, the controversy involved here starts from the premise that their coverage is at a certain percent, 40 percent, and we are asking that the percentage of contribution of the Federal Government be increased, not initiated.

I suggest, Mr. Chairman, that the postal employees are a part of the cover-

age of the health benefits plan and that this amendment is germane.

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

The Chair has listened to the point of order by the gentleman from Iowa and finds that while the statement by the gentleman from Iowa is correct about the extension of employees, the Chair points out that this bill already provides that it shall extend the Federal employees health benefits coverage to unmarried dependent children over the age of 22 who are full-time students.

The term "employees" covered by the bill are those as defined in title 5 United States Code, section 8901. Section 8901 incorporates by reference those employees as defined in 5 United States Code, section 2105. Section 2105 specifically excludes Postal Service employees from its definition "except as otherwise provided by law." Other law, namely section 1005(f) of title 39, provides that:

Chapter 89 of title 5 shall apply to officers and employees of the Postal Service unless varied, added to, or substituted for, under this subsection.

Thus, at the time of enactment of the Postal Reorganization Act of 1970, Postal Service employees were included within the definition of Federal employees.

So it is the ruling of the Chair that the amendment is germane and the point of order is overruled.

The Chair now recognizes the gentleman from California, (Mr. WALDIE) in support of his amendment.

Mr. WALDIE. Thank you, Mr. Chairman.

Mr. Chairman, the amendment that is before you is an attempt to clarify what is admittedly a confusing situation that came about by the enactment of the Postal Reorganization Act.

When the Congress enacted the Postal Reorganization Act it was the intent of the Congress to provide that the postal employees shall have all rights of collective bargaining, to be limited to be sure; to be limited in that they have not the right to strike or they have not the right to withhold services. The areas concerning which they have the right to negotiate with their employer, the Postal Service, were attempted to be defined in the bill.

There is no question that among these areas negotiation in terms of collective bargaining could occur. There is no question that excluded from that area were the retirement benefits.

We have said that whatever the Congress does in terms of retirement benefits could apply to the postal workers, although they will have the right to negotiate in terms of collective bargaining improvements in the retirement plan over and above that which other Federal employees receive. The base, however, is established in terms of whatever the Congress does for retirement benefits.

It was my understanding and it was the understanding, I believe, of a great majority of the members of the committee, that fringe benefits involving the Federal employees health program were similarly treated. In other words, that the contribution from the Federal Government for the Federal employees health program would be negotiable as an item of collective bargaining, but negotiable from a base, and the base being that which the Congress sets for other Federal employees.

There was considerable controversy, in retrospect, as to whether the language that was adopted in the postal reorganization bill sustains the conclusion that I just gave to you. It is legitimate controversy, and it is language that is susceptible of different interpretations by reasonable men.

However, in practice, what has occurred is that the Postal Service itself, as well as the negotiators on behalf of the employees, when they were engaged in the collective bargaining process, all assumed that, in fact the interpretation that I place upon those words was the interpretation that prevailed, in other words, that the base for the Federal contribution to the Federal employees health plan would be that base that the Congress enacted, and, as the Congress improved that base, they would have the benefit of that improvement in the base that applies to all Federal employees, including postal workers.

To substantiate my assertion that that, in fact, was the belief and understanding of the negotiators at the collective bargaining session, I have in my possession, and will introduce at the proper time into the RECORD, affidavits of all the negotiators on behalf of the employees, beginning with Mr. Bernard Cushman, who was the chief negotiator for the National Postal Unions; Mr. Chester W. Parrish, chairman of the Council of American Postal Employees; Mr. James H. Rademacher, president of the National Association of Letter Carriers; Mr. Francis S. Filbey, the general president of the American Postal Workers Union.

All of these affidavits allege in substance, as the affidavit of Mr. Cushman, who served as the chief negotiator for the National Postal Unions, which began in January 1971, and by Mr. Bernard Cushman there is the following:

As I read the wording of the pages containing the health benefits article, referring to "current contribution level", I asked Mr. Blaisdell, in substance, whether if changes were made in the law, the changes would apply. He said yes. I had assumed that this affirmative answer would be forthcoming, since it had been my general understanding from the negotiations that contractual agreement to continue the health benefits program would incorporate changes made by Congress in the future. I thereupon initialed the article upon behalf of the Postal unions.

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

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

Mr. WALDIE. Mr. Parrish, in his affidavit states:

I distinctly remember that when Mr. Cushman read the clause relating to health benefits insurance, the language of which had been drafted by the Postal Service, he asked Mr. Blaisdell whether amendments to the health benefits law would also apply to postal employees. Mr. Blaisdell said they would. With that assurance, Mr. Cushman initialed the clause.

However, Mr. Blaisdell said that his recollection was imperfect, and he did not recall that conversation.

In short, the negotiators of the collective bargaining agreement assumed the situation to be that a base was established by the Congress, and if that base would be increased they would be recipients of that benefit.

Mr. Chairman, whatever arguments you will hear to the contrary, the situation confronting us is this: There is a dispute as to what was intended. Whether it is legitimate or unreasonable is not really the issue before us today.

The issue is: Shall the postal employees be included in any increase in the contributions by the Federal Government to the premiums for the health insurance plans of the country? I believe they should be.

I believe there should have been no dispute in the beginning, and to the extent that there was dispute in the language used, this is our opportunity to clarify that and make absolutely certain that at this stage, in the infancy of this program, and in the infancy of our experience in the collective bargaining process, that the base should be precisely that which we give all Federal employees.

Mr. Chairman, I ask for an aye vote on the amendment.

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

Mr. Chairman, the amendment offered by the gentleman from California should be rejected. It will only result in making an already bad bill much worse.

For a number of years prior to the enactment of the Postal Reorganization Act, the most heavily lobbied legislation before our committee were the great number of bills, introduced each year, establishing a labor-management program and collective bargaining in the Postal Service.

In countless numbers of legislative rallies, petitions, and appearances before our committee, the postal unions sought, more than anything else, the right to be able to sit down with postal management and bargain collectively on pay, working conditions, and fringe benefits.

With the passage of the Postal Reorganization Act, the unions achieved their long-sought objective.

The Reorganization Act, while retaining postal employees under the coverage of the civil service retirement system, specifically left all other conditions of employees' pay and fringe benefits to the collective bargaining process. In a labor contract signed last July, the labor unions won substantial increases in pay, and agreed in writing that the present level of contributions for health benefits would be maintained for the duration of that contract. And now apparently these same unions are either having second thoughts about their effectiveness at the bargaining table, or they are now embarked on a greedy campaign of securing the best of both possible situations—the fruits of collective bargaining and the largess of congressional benevolence.

On April 23, 1970, Mr. George Meany, president of the AFL–CIO, testified before our Post Office and Civil Service Committee, and was quite pleased with what he said were the concessions the postal unions had won from the administration as a result of the work stoppage in March. These concessions were incorported in the new postal reform legislation.

Mr. Meany said:

Just think of it in addition to the improvement in wages and hours, and this is from the President's own message, matters that are subject to collective bargaining include such things as grievance procedures. This means grievance procedures as it is carried on in the private sector, which is a far cry from whatever grievance procedure was negotiated before. Final and binding arbitration of disputes, seniority rights, holidays, vacations, life insurance, medical insurance, training, and promotion procedures.

This concession on the part of the executive branch of the government was what brought about this agreement.

So, said Mr. Meany, referring to labor union support for creation of the Postal Service Corporation.

And only yesterday Mr. Patrick Nilan, legislative director of the Postal Workers' Union, testifying before the Postal Service Subcommittee, said:

We are in a different position from Federal employees. We depend on the collective bargaining process for our benefits.

After the Postal Reform Act was approved by the President in August 1970, with the blessing of Mr. George Meany and all the representatives of the Postal Unions, Mr. James Rademacher, president of the Letter Carriers, editorialized in his magazine as follows:

With the passage of the Postal Reform Act we entered into an entirely new kind of ball game. No longer must we depend upon our legislative expertise to achieve economic and professional benefits for our members. Instead we must develop and perfect our bargaining techniques—

And the word "bargaining" is italicized.

Continuing, Mr. Rademacher said in his editorial:

Our victories henceforth must be won through negotiation.

Again, in the same editorial, he said:

History will certainly record that our most critical time was during the past two years. We suddenly became men with a new-found spirit. We shed the shackles that bound us for years in the halls of Congress, and in our own failure to sense the true dignity of what is rightfully ours.

These statements by three of the prominent union officials involved in the massive effort to secure collective bargaining rights certainly leave no doubt that it was the intention and the understanding of everyone involved that health benefits would in the future be subject to the collective bargaining process.

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

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

Mr. GROSS. If the amendment now pending to this bill is adopted, it will, for all intents and purposes, signal the end of the collective bargaining process which the unions fought so hard to achieve.

If the amendment is adopted, the unions, to paraphrase Mr. Rademacher, will again be shackled for years to come to the halls of Congress, and they will again become dependent on their "legislative expertise to achieve economic and professional benefits for our members."

I submit that we should not let this happen. We should insist, as Mr. Rademacher has stated, that the unions "develop and perfect their bargaining techniques."

It simply cannot work both ways.

Mr. WILLIAM D. FORD. Mr. Chairman, will the gentleman yield?

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

Mr. WILLIAM D. FORD. Mr. Chairman, if I heard the gentleman correctly, I am shocked. Did I understand you to just put forth the theory that this Congress by passing the postal reform bill providing that some matters between employees are subject to collective bargaining have divested itself of any authority to legislate on those matters because they are also subject to collective bargaining? Are you saying that anything that is subject to collective bargaining?

Mr. GROSS. Let me answer the gentleman.

By voting for the Postal Reorganization Act, which established that corporation, you divested yourself and your colleagues of any part of this.

Mr. WILLIAM D. FORD. I will admit my shame and anguish for having cast that improper vote. The gentleman was right then, but he is wrong now.

Mr. GROSS. No—I am not.

Mr. WILLIAM D. FORD. He did not vote for the bill—I did. I admit that it was a mistake, but it did not carry with it the intention that he attributes to it.

Mr. HENDERSON. Mr. Chairman, I move to strike out the last word and rise in opposition to the amendment.

Mr. Chairman, I rise in strong opposition to the Waldie amendment and point out to the Members of the House that the vote in the Post Office and Civil Service Committee was very close.

As I recall, it was a vote of 13 to 12 to reject the amendment.

But we are now asked to say what was the intent of the Congress. If I knew for a certainity that the vote that would be cast here this afternoon would be on the basis of what we did intend at the time we passed the Postal Reorganization Act, I would not be concerned about the outcome at it relates to this amendment.

What has happened to raise doubts about our intent? Perhaps there is some doubt about the intention on the part of some Members of the Congress.

We clearly provided that retirement benefits would be retained for congressional action. We provided that the pay and all other benefits would be negotiated.

What happened? They negotiated. They negotiated with regard to the health benefits in a package. It so happens on that score, they agreed that current benefits, as the law provided, will continue until negotiations in 1973, when they will again be negotiable.

I am sure that the employee organizations are again going to negotiate on health benefits.

But the first time we get a bill before the Congress and before our committee in which it looks like other Government employees are going to get an edge on the postal employees on one fringe benefit, great doubt arises about what the Congress intended.

So they come back now to ask that we make our intentions suit the whim and the most favorable position.

In my opinion, this is not right. It will destroy collective bargaining in the postal system.

Those of us who have been here, remember some of the pay fights as well as the rate fights. But in the pay fights, we all knew throughout the years that the charge was that our civil service employees rode the coattails of the postal employees. They did not hesitate to say that they had the muscle and that they could do it—and the other employees would ride along.

So here in the first instance on legislation as it relates to the other Federal employees, the postal workers argue that they have equity for health benefit adjustments and the postal employees are going to ride on the coattails of other Government employees, then go back to the bargaining table in 1973 and try to up their position without respect to and without giving the other Government employees an opportunity to ride that coattail.

In my opinion, it is just not fair. It is not what the majority of the Congress intended when we reorganized the postal system. I expect many votes today that are going to be affected by the displeasure that many Members have at the present time with the reorganized postal system. I would point out that there will not be the opportunity for that postal system, as reorganized, to reach the improvement that all of us seek, if we in Congress are going to begin to change what they should negotiate between management and collective bargaining. The precedent we are setting this afternoon is far worse than what we actually will be doing by adopting the Waldie amendment.

We can put Congress in the position that we were in before we reorganized the postal system, where they will be coming to the Congress, and every one of us will feel tremendous pressure. If you do not believe it, you can watch the vote this afternoon, because pressures are already here. My colleagues tell me that they are feeling the pressures, and I just hope that there will be enough of us to stand firm to give the management of the postal system some opportunity to use the collective bargaining that the employees, and management, too, wanted.

I was not very happy, as many of you will recall, at the strong support the administration and the postal management

gave to the collective bargaining in the postal service, but I can understand why they did it. However, this afternoon, we can cut out their opportunity to make that effective.

I urge the defeat of the Waldie amendment.

Mr. BRASCO. Mr. Chairman, I rise in support of H.R. 12202 and the Waldie amendment. It has been my experience here in the House that Federal employees have been treated more shabbily than any other segment of our national work force, and more often than not the postal employee has been treated worst of all. As a member of the Post Office and Civil Service Committee, I not too long ago supported and voted for the Postal Reorganization Act. I did so with one thought in mind. I recognized that the Comparability Act of 1962 was not working for the Federal employee, and particularly the postal employee.

I understood very clearly that the postal employee in a city like New York could not exist when the cost-of-living was rising higher than what he could earn. So we supported the act with one thing in mind, and that was to do equity to the economic situation that the postal employee faced at that time.

Today we are involved in the same kind of argument—doing justice to the postal employee. Let me tell you what happens if we defeat the Waldie amendment. We, as a nation, have made it a national policy that one of our top priorities is to deliver adequate medical service to Americans at the cheapest price available. As a result thereof, we have this bill before the Congress where in 5 years 75 percent of the cost of health insurance programs would be contributed by the Federal Government toward employee health insurance programs.

Simultaneously, this administration reaffirming our national commitment to health benefits for Americans sent legislation to the House Ways and Means Committee to do the very same thing for all private employees, because that legislation mandates that the very same benefits before us now be paid by private employers to all private employees, so that means very simply that if both pieces of legislation passed, every employee in the United States, Federal and private, would receive employer increases up to 75 percent for health benefits, because we made it a national priority and it should be one, and the only one left out is that same little old postal employee, the guy that you and I have to see when we go back home.

I know some of my friends will say this is something that should be bargained for, that this is something which should be involved in the process of collective bargaining. But let me say this. When the President sent the legislation regarding private employees to the Congress and to the Ways and Means Committee, he did not ask whether or not they should bargain for that increase. And not only do employees in the private sector have collective bargaining, they also have the right to strike, which the postal employees do not have. He was not concerned about that. We could use these same arguments with respect to them, because they really have teeth in their bargaining. They can walk out and withhold their services.

What the President said is that we as Americans must provide for adequate health service for Americans. Are the Members today with the legislation that will be considered today and in the future before this committee going to leave out just one segment of American workers, the postal employees?

In the past we might have been accused of turning away and not listening to the pleas for equity in behalf of the postal employee. I hope today we are not recorded as Members of Congress who have become totally deaf when it comes to equity for the postal employees, because if we are, I do not see how the Members and I are going to go home and face our people who are entitled to the benefits of the Waldie amendment.

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

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

Mr. ROUSSELOT. Mr. Chairman, I think the Member has made an excellent point, that everybody in this House wants to be concerned about the postal worker. The gentleman knows when postal workers received what they wanted, the right to have collective bargaining, that in that process they received an average 15 percent increase in wages when other Federal employees were being asked to hold back. Those fringe benefits including health services were set aside, because the bargaining parties did not consider this as a high-priority item. The union workers properly wanted greater attention given to the increase in their wages. The postal workers achieved that objective. So to imply that being against the Waldie amendment is voting against the postal employees in your district or in anybody's district is false, and I think it is wrong to imply that.

Mr. THOMPSON of Georgia. Mr. Chairman, I rise in support of the Waldie amendment and of H.R. 12202.

Mr. Chairman, when I first came to this Congress about 6 years ago, I was assigned to the Post Office and Civil Service Committee. I was disturbed to find that the health benefits the postal employees were receiving were paid for by about 73 percent contributions by the employee and about 27 percent by the Federal Government.

Only a few years before it had been a 50–50 proposition, but each time there was an increase in the cost of medical and hospitalization insurance, it was the employee who had to foot the difference, and the Federal Government did not increase its share of the contribution.

I offered at that time a bill which, I think, was a fair, and equitable bill, which basically would have done the same thing as the Waldie amendment, and that was to provide for the Federal Government over a period of time to take over the payment of the hospitalization and medical insurance costs of the employees.

Most of our large national concerns do this for their employees. I do not recall the precise list at this time, but I know I made an investigation at that time which showed Du Pont, Allis-Chalmers, General Motors, Ford, and so on, were paying the full costs of the fringe benefit.

The postal employee has not had the right to strike. He does not now have the right to strike. It may well be that some of these people in private industry obtained this benefit because of their right to strike. We should be responsive to the needs of the postal employees, even though we have a semiprivate operation through a corporate structure of the Postal Service, because the President, and other branches of the Government, have indicated this is a formula he would like to use for other governmental agencies.

I would like to see it used for the postal employees. The postal employees do need help. They do not have the right to strike. They do have the right to collective bargaining, but sometimes the right to collective bargaining is not as forceful when there is not the right to strike as if there is the right to strike. I will not mislead anyone. I do not intend to support the right to strike for the postal employees, because I think their service to America is too vital to have interrupted.

Feeling that way, I feel a duty as a Member of Congress to stand up and look out for some of these people who may not have the same force behind their demands as some of those in private industry, and urge other Members of Congress to do the same.

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

Mr. THOMPSON of Georgia. I yield to the gentleman from Iowa.

Mr. GROSS. The gentleman, I am sure, knows that the postal unions gladly and willingly, as they said, shed their shackles and accepted collective bargaining.

I am not running for the U.S. Senate, but is the gentleman saying that they did not ask for collective bargaining and that this is not one of the fringe benefits subject to negotiation?

Mr. THOMPSON of Georgia. May I add, the positions I take are the same positions I would take were I running for reelection, running for any particular office, or not running for any particular office.

So far as the collective bargaining process is concerned, yes; they did want collective bargaining, and I supported them in that position.

It is a matter of give and take as to what one can get or cannot get and what the various avenues are. One may not get everything one wants, on either side.

The point is simply that the postal employees do not have the same clout that some of those in other industries have, and they are going to need help from some Members of the Congress.

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

Mr. THOMPSON of Georgia. I yield to the gentleman from Florida.

Mr. CHAPPELL. Is it not true that under the Postal Service law the employees have the benefit of compulsory arbitration?

Mr. THOMPSON of Georgia. I am certain they have many benefits of collec-

tive bargaining and in certain instances compulsory arbitration.

The point is simply this: They do not have the same privileges as those in private industry have. There is a history of the postal employees not having had the same share of their health benefits paid for, as is paid in most major concerns in America. I believe the time has come when we should try to rectify that situation.

Mr. DANIELS of New Jersey. Mr. Chairman, I rise in support of the amendment offered by the gentleman from California.

The amendment does not propose to grant to postal employees something which was surrendered in collective bargaining. Rather, it clarifies the congressional intent behind the Postal Reorganization Act—a statute in which the Congress obviously reserved a role in the future shape of past employee benefit programs.

It is difficult for me to conceive that the Congress, intent upon improving the economic status of postal employees through the Postal Reorganization Act, meant to deny them the fruits of any statutory liberalization of the health benefits program—unless expressly varied, added to, or substituted for by those employees' bargaining agents. However, I do conceive that intent of section 1005(f) of that act to provide that the benefits referred to therein would continue to apply to postal workers until such time as the negotiating parties agree to abandon or modify them; that is, that unless the parties expressly agree to changes, the referenced statutory provisions shall continue to apply to the Postal Service and to its officers and employees.

Notwithstanding this view, the issue raised by the pending amendment is whether the Congress shall now, if not confirm, at least clarify its previous intent, by resolving the question of the applicability of this bill to the Postal Service, or whether it should leave that resolution to arbitration or to the courts. I submit that the Congress is the authority best qualified to determine what results it wants to accomplish by its own legislation.

Mr. Chairman, adoption of the amendment will accord postal employees the same treatment the bill proposes for all other Federal employees until such time as the statutory provisions are changed by collective bargaining. I urge adoption of the amendment.

Mr. ADDABBO. Will the gentleman yield?

Mr. DANIELS of New Jersey. I yield to the gentleman from New York.

Mr. ADDABBO. Mr. Chairman, I rise in support of H.R. 12202. Ever since my first term as a Member of the House and as then a member of the Committee on Post Office and Civil Service, I have advocated greater, if not full, contribution by the Government toward Federal employees health benefit program. I believed and still believe that this was even more important to the employees than pay raises, for pay raises were quickly eaten up by increased taxes, but fringe benefits put money in the pocket of the employee and it could be used by him for his and his family needs. This much-needed legislation has been too long in coming and I urge my colleagues to give it full support. One sad note is that those of the Postal Service who have always been in the forefront of the battle for this and other fringe benefits are not now included. I support and ask my colleagues to support the amendment offered by the gentleman from California (Mr. WALDIE) which would include the employees of the Postal Service who are also entitled to the benefits under this bill.

Mr. Chairman, this bill and amendment has been too long in coming and is needed and I again urge my colleagues to give it their full support.

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

Mr. Chairman, I am somewhat at a loss to understand the thinking of the gentleman from California (Mr. WALDIE) in introducing this amendment.

If my memory serves me correctly, and I believe it does, Mr. WALDIE voted to report H.R. 17070, the postal reorganization bill, from the Committee on Post Office and Civil Service. And, he did not elect to file additional views. He also subsequently voted to pass H.R. 17070 from the House, and then voted for the conference report.

I guide you through this brief review of postal reform history because on all three occasions, Mr. WALDIE was conspicuous in his approval of the legislation, and of course the language contained therein.

During debate of the postal reform bill, the floor manager, the gentleman from Arizona (Mr. UDALL) explained the bill in respect to fringe benefits as follows:

> In our postal reform package we have taken that old postal worker and said, "You will henceforth become a new kind of Federal civil servant. You will have many of the same benefits and programs you previously had, while at the same time, we are going to provide you with new and different programs for career advancement." In effect, we have created a new kind of Federal employee. Let me emphasize at this point that this changeover is welcomed enthusiastically by the employees—it will for the first time, allow them to become a viable force in creating real changes in their working conditions. For the first time they will be able to sit down and really talk with management about bettering their benefits, wages, working conditions, and the entire range of personnel problems.
>
> At the same time, we are still going to preserve those essential parts of the "old" postal employee's civil service status so that he cannot be arbitrarily fired or have his conditions of employment summarily changed.
>
> Let us look at some specifics so you can see what we did in this area.
>
> First. We said that the postal employee will always have the following rights exactly as he has them right now:
>
> a. Veterans' preference as to hiring, adverse appeals, and so forth;
>
> b. Compensation for on-the-job injuries;
>
> c. His entire Retirement program shall remain in Civil Service.
>
> We also said that every time these programs are made better for the regular civil service, so should they be applied to the postal worker.
>
> Second. We then said that every law, rule and regulation that covered the rights of the postal employee subject to collective bargaining would continue in force until they were changed through negotiations between the employees and management. Thus, this postal worker will continue to be guaranteed his job, his merit appointment and promotion procedures, his *health benefits*—everything like this—*until such matters are changed through collective bargaining.*
>
> To make sure that even this provision was not misconstrued, we added the following language:
>
> No variation, addition, or substitution with respect to fringe benefits shall result in a program of fringe benefits which on the whole is less favorable to the employees than fringe benefits in effect on the effective date of this section. (Pages 21–22 of H.R. 17966.)
>
> This means that management cannot ever negotiate a package that is less than the status quo. There is no conceivable way that the benefits the postal employee now has will ever be less.

From that explanation, there seems to be little doubt as to what the committee intended.

Now, let us examine the costs and the practical effects of the Waldie amendment. The Postal Service estimates their additional cost would be, assuming that all items will remain constant except for the increasing percentage of contributions they will pay: 1973, $50 million; 1974, $60 million; 1975, $75 million; 1976, $90 million; and 1977, $100 million.

The practical effect of the Waldie amendment is a postal rate increase. And, John Q. Public will again be asked to fork out a little more to mail a letter.

The Postal Service will not be able to absorb this cost but will have to pass it on to the mail users through higher postage rates.

Congress provided in postal reform legislation that the working agreement between the Postal Service and its employees should be the product of a genuine collective bargaining process. The Postal Service's contribution to the employee health benefit plan is the type of fringe benefit to be agreed on through collective bargaining. To legislate such a fringe benefit would seriously undermine the tradition of good faith bargaining that was created last July 20 when the current National Agreement was signed.

As a result of the negotiated labor agreement, the average postal employee with 10 years of service now has an income of $1,400 a year more than his counterpart in the Government service.

Mr. Chairman, it is abundantly clear this amendment is unjustified, uncalled for, and a terrible, unnecessary expense which will continually be borne by the public through higher postage rates.

Mr. Chairman, if there are any Members who want to insert their remarks for or against the amendment in the RECORD at this time, I will be pleased to oblige them.

I want to be very brief and sum this up.

Basically—and I appeal to your memories—you will remember before we provided for postal reform one of the more interesting events we went through every election year was the excessive demands from postal unions and other employee groups which were necessarily tied in to the proximity of an election. As a result, we drove the deficit in the post office out of sight and did not contribute

to any improvement in the postal service to the detriment of the public.

This was finally recognized, and 2 years ago we took the post office lock, stock, and barrel out of politics. This meant that we do not have the appointment of postmasters, it meant we did not dictate promotions, and it meant we do not dictate to the postal department in Washington high-level political postal appointments. It also meant we were no longer to grant in every election year, further pay increases, nor are we required to sit in the laps of the second- and third-class mailers and negotiate favorable rates for them adding to the postal deficit.

You cannot resurrect the game of passing out election-year goodies without having a direct effect on postal rates. Under the new Postal Service Act, the Postal Services goes to a rate commission; they justify their cost of operation and then they receive an increase in postage rates. If you want to be responsible for increasing postage rates, you will do so with an amendment like this.

You will be told it is a one-shot move. That is ridiculous. Once you have established a precedent of coming back in after a contract has been negotiated by the Postal Service and the unions, you establish the precedent of coming in and giving additional fringe benefits. What is to stop you from coming in with a wage increase, and then what is to stop you from changing the whole ball game again and playing God with postage rates?

This is a brazen political amendment and defies everything that we did in postal reform. I hope the House this afternoon will show some statesmanship and support the new concept of postal reform and beat down the amendment.

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

Mr. Chairman, I would like to add a strong voice in support of the proposed amendment to H.R. 12202, to assure it applies to postal workers, as well as all other Government employees.

When this bill was drafted by the Retirement, Insurance and Health Benefits Subcommittee, both Chairman WALDIE and the ranking minority member, myself, assumed postal workers would be included in its provisions. It was not until the bill got into the full Post Office and Civil Service Committee that the controversy arose and the committee asked that the subcommittee look into this question further. We held hearings on this issue and, on this basis, would now like to clarify our intent in the bill by adding postal workers in the language, to assure they share the same base of benefits as governmental workers receive.

As we all know, the Postal Reorganization Act gave the independent Postal Service the job of negotiating a contract with a representative for all postal workers. During negotiations, the union representative requested a noncontributory health benefits program, but the Postal Service was adamant that the existing health benefits program be maintained. The formal bargaining contract on this point reads:

> The employer shall continue the health insurance benefit program at the current contribution level for the duration of this agreement.

Postal Negotiator Bernard Cushman has testified that in signing the postal agreement, he asked the Postal Service chief negotiator whether the reference to "current contribution level" meant that if changes were made in the health benefits law by Congress they would apply to the Postal Corporation. The reply was "yes," according to Mr. Cushman—that both sides had this understanding of what the language meant when the contract was signed.

The Postal Service now argues that "current contribution level" means that payment is frozen at the level existing when the bargaining agreement was signed on July 20, 1971. However, since then the Postal Service has compiled with the law which provides that at the beginning of each year, the Government contributions to the health insurance program shall be adjusted to an amount equal to 40 percent of the average of the subscription charges of the six major benefit plans. By raising its health benefit contributions as required, the Postal Service implicitly conceded that it must comply with the Federal Health Benefit Act and increases in that act.

During committee hearings on the question of whether the postal employees should be included in this bill, some committee members and Postal Service officials stated they felt that health benefits are clearly a matter for negotiation and no longer a matter for congressional concern. They argued that the postal employees gave up their rights to be included in legislation like this by insisting upon the right to bargain collectively on these same items. I disagree.

If the Postal Service and its employees actually were totally independent of the U.S. Government, it would be one thing. But the mere fact that the Post Office and Civil Service Committee still has jurisdiction in this area is proof of the fact that Congress feels it still has some stake and responsibility in how the Postal Service operates. Furthermore, the Postal Reorganization Act forbids postal workers from striking, thus clearly setting them off from other workers in the private sector. Because of these distinct differences, I cannot agree with the arguments that the Postal Service and the welfare of its employees is no longer the concern of Congress.

During the course of these hearings, some committee members said they felt the problem lay in a poor contract, which did not clearly enough spell out what would be the rule regarding health benefit increases for postal workers—just what "current contribution level" actually meant. Most probably, the contract should have been worded more clearly.

However, I do not feel that 700,000 postal employees should suffer because of an oversight beyond their control. I believe that in creating the Postal Service, the intent of Congress, among other things, was to upgrade a reportedly low morale among postal workers, to make them more efficient and productive. I do not believe we intended to lower the relative benefits going to postal workers, as would be the result if postal workers are not included in H.R. 12202. I believe we meant to set the Federal Health Benefits Act as a base for these workers, giving them the right to bargain for whatever additional benefits they could derive in negotiations.

In conclusion, let me reiterate that subcommittee Chairman WALDIE and I, as well as some other members of our subcommittee which drafted this bill, intended for postal workers to be included in its provisions. I hope you will agree with us and approve this clarifying amendment to the committee bill.

As health care costs spiral and insurance charges rise correspondingly, we cannot afford to let the families of postal or other Federal employees suffer from insufficient medical treatment simply because the cost of adequate medical coverage has shot above their reach.

The administration has asked for a National Health Insurance Standards Act which requires employers to assume 75 percent of health insurance costs for its employees. Many private businesses already provide this amount, if not all of the cost of health insurance premiums for their employees. I think the Government should be leading, not trailing in this effort.

And I think that if the Post Office is to be given a corporation image, it should also be leading, not trailing in the move to assure workers adequate health care coverage.

H.R. 12202 is designed to meet the guidelines set forth by the President and attempts to bring Federal benefits in this area into line with health policies now followed by more than half of the Nation's largest employers.

On behalf of all postal and U.S. Federal employees, I urge your enactment first of the Waldie amendment, and then this entire piece of very important legislation.

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

Mr. Chairman, I rise in support of this committee bill and in support of the Waldie amendment.

The Government of the United States, in my opinion, should set the example of progressive legislation and progressive consideration of its employees, rather than lagging behind what may be expected of private employers.

In fact, Mr. Chairman, the primary measure here, H.R. 12202, as has already been pointed out, is an effort to carry out what the President had recommended and that is that private employers contribute up to 75 percent of the cost of comparable health insurance programs.

Surely the Government of the United States should not do less. Surely the Congress should not propose to do less because, as I said, I think we should set the example for the private industry sector of this country to follow.

Mr. Chairman, in respect to this amendment I want to commend my distinguished friend, the gentleman from California (Mr. WALDIE) for proposing the amendment.

Mr. Chairman, I do not see how anybody can deny that the 650,000 people

who are the employees of our Postal Service are employees of the Government of the United States. It is provided in the law that they are covered by the provisions of the law relative to retirees. In other words, whatever the general benefits are for the retirement of Federal employees are available to the employees of the Postal Service. Now, there is a subsequent provision in that enactment which gives the postal employees the right to collective bargaining in relation to the terms and conditions of their employment, and the present collective bargaining agreement does provide that the employees shall receive only a 40-percent contribution by the Federal Government to their health programs. But, Mr. Chairman, Congress can improve the terms of an agreement between the Postal Service and the postal employees at least in respect to the Government's obligation to the employees. We can recognize our obligations to these postal employees by providing that Government benefits to other Federal employees is greater than those in effect when the postal agreement was entered into shall be extended to postal employees. Certainly we should do so in a matter so critical and so crucial as the health care of the postal employees and their dependents.

So it seems to me, Mr. Chairman, that the Congress of the United States by all means ought to include the postal employees in respect to this critical matter in the same category as we include all the other Federal employees.

Mr. Chairman, if the right to strike were given to postal employees, and they were treated in every respect like nongovernmental employees, the situation would undoubtedly be different. But we insist upon their obligation not to strike on the assumption that they are Federal employees performing an essential public function. If we put them in that category and deny them the imperative significance of private employment, which is the right to withhold their labor, then we ought to compensate them for that denial by giving them at least the same kind of protection for their health and security and that of their families, which is accorded to other Government employees.

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

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

Mr. DERWINSKI. Mr. Chairman, in opposing the amendment, and in replying to the gentleman from Florida, may I say that as a young man I recall that the gentleman from Florida was the great debater in the other body, so that I hesitate at this point to tangle with the gentleman. But the point is, under the contract which covers the postal employees, they have received salary increases far in excess of corresponding Federal employees. In other words, they are better off under this new Postal Service. If we open up their contract to congressional dictated improvements over and above their contract, what we have actually done is start to move them backwards into the control of the Congress from which we just released them. So in this sense the amendment offered by the gentleman from California (Mr. WALDIE) is a negative step covered by a special facade of progress, but really it is not that, it is negative.

Mr. PEPPER. I will state to my distinguished friend, the gentleman from Illinois (Mr. DERWINSKI), if we adopt the Waldie amendment between the Postal Service and the postal employees, we are merely voluntarily extending to the postal employees the same Government contribution to health insurance programs the Government extends to other Federal employees. We are not invading other areas of agreement involving wages, conditions of work, seniority, and those sort of things. All we are saying is simply that in respect to a matter so vital as the health of these employees and their ability to pay the premiums on policies that cover their health, and that of their dependents, that they ought not to be excluded from the benefits that the Congress bestows upon the other employees of the Government, because they are still substantially public employees.

Mr. DERWINSKI. If the gentleman will yield further, then we should have a large appropriation to cover this additional charge.

Mr. CHAPPELL. Mr. Chairman, I move to strike out the last word and rise in opposition to the amendment.

Mr. CHAPPELL. Mr. Chairman, let me say in the beginning, I know a lot of us are on a spot here today. We have always supported the postal workers. We have done everything in the world we can to help. I stand in exactly that same position today. I know that you stand in that position. I think you stand in that position by voting against this Waldie amendment.

Let me see if I can explain to you what I am talking about.

The two men who have led the unions in this fight for postal members to be included in this bill, Mr. Filbey and Mr. Rademacher, I am sure, are hearing the remarks that are being made here today. I want to commend them for the position they have taken in the past in trying to protect the postal workers and in helping secure for them the rights of collective bargaining.

We have an opportunity here today to help them hold what they have been trying to do. But you cannot do it by voting for the Waldie amendment. You do it by voting against the amendment.

Let me quote from some of the remarks that Mr. Rademacher has made on this subject. He said in the Postal Record of July 1970, and remember he is the president of the National Association of Letter Carriers, AFL–CIO:

> It should be a relief to the Congress to rid itself of attempting to manage the world's largest business. It must be a relief to know that it will no longer be burdened by influencing seeking politicians who deprived career postal workers of higher level appointments. It must be a relief to know that it will no longer be necessary to legislate on matters affecting wages and fringe benefits of postal workers.

Then he goes on to say:

> We are pleased with the new challenge which has converted us from lobbyists to negotiators.

Then in the editorial that the gentleman from Iowa (Mr. GROSS) brought to your attention, he very clearly stated the best for postal people is collective bargaining and a throwing off of the shackles of Congress.

Those are the words of Mr. Rademacher in his previous position statements.

Mr. Rademacher and Mr. Filbey on previous occasions, at times when the pressures were not so great as perhaps they are here today, exercised better judgment than they do when they come here seeking the best of two worlds, regardless of right and fairness to other Federal employees.

Perhaps the lobbying pressures are so great here today and so keen the desire of our union friends to show their muscle, that all effort behind the bill will be brought to naught by Presidential veto. Such I predict will be the result—all to the detriment of the employees they represent and to nonpostal Federal workers especially.

Mr. Rademacher, in one of his past publications, says:

> Congress has never granted federal employees an increase equaling $1,000 during a 12 month period, such as was won in negotiations.
>
> Congress has never granted Government workers a $300 cash bonus although an hourly bonus was granted employees in 1945.

He goes on to point out the advantages of collective bargaining as opposed to legislative lobbying—citing the great gains of postal workers as compared to other Federal employees. Let us help Mr. Rademacher further his best efforts by defeating the Waldie amendment.

There is no question, but that the postal unions here are seeking the best of two worlds.

Let me quote from the gentleman of the other union to point out that that is exactly what is being attempted here.

The good president of the American Postal Workers Union on April 25 before the subcommittee of which I am a member said:

> Mr. Chairman, some members of this committee have expressed the thought that the postal unions want to have the best of two worlds or of both worlds.

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

(By unanimous consent, Mr. CHAPPELL was allowed to proceed for 3 additional minutes.)

Mr. CHAPPELL. Meaning that what we cannot gain by collective bargaining we should be able to obtain through legislative action. He goes on to say:

> At the risk of seeming to be flippant, we are compelled to reply, "Doesn't everyone?"

That is what we are down to, Mr. Chairman. These friends of ours that we have supported down through the years want the best of two worlds. They want the best of two worlds. They want to start their negotiations where the other

employees leave off. That is exactly what this amounts to.

Let me point out to you the advantages that our friends have been able to obtain by collective bargaining. They negotiated for and obtained far reaching advantages and benefits which no other Federal employees can presently obtain.

Let me list some of those advantages and benefits, and these are advantages that no other Federal employee has—not one of them. In the contract these are the advantages:

First, no layoffs for the duration of the agreement;

Second, retraining or new job locations for employees displaced by mechanized change;

Third, a minimum of 4 hours pay for call-in work, as compared with 2 hours in other agencies; and

Fourth, disputes are subject to final and binding arbitration.

There is not another single Federal employee who has those advantages.

Then listen to this: They agreed to their contract in return for a more direct remuneration for their members totaling approximately $1,550 per individual. This included an immediate $300 bonus, plus salary increases of $1,200 for a 2-year period. The postal employee has, thus, a $200 to $500 advantage over his equivalent fellow Government employee. So, Mr. Chairman, I say to you what we ought to understand is that when we passed this legislation, we took the postal employee and made him a separate kind of employee. We gave him everything that private industry has save the right to strike against his Government—and gave in its place binding arbitration.

These items no other Federal employee has. And we gave him the opportunity to settle his disputes, to get his advantages by collective bargaining, and that shows to you it has been working.

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

(By unanimous consent, Mr. CHAPPELL was allowed to proceed for 1 additional minute.)

Mr. CHAPPELL. I want to conclude quickly, Mr. Chairman. If you will study the law and read it, there is no question but what in the passing of this legislation we made him a different kind of employee, and we are going to do serious harm to him if we adopt this amendment today, returning him to seek redress at the doors of Congress.

I urge the defeat of the Waldie amendment.

Mr. Chairman, by unanimous consent I hand to the Clerk for inclusion in the RECORD the testimony of Mr. Blaisdell, negotiator for the Postal Service given before the Postal Subcommittee on Retirement, Insurance, and Health Benefits on February 16, 1972:

STATEMENT OF JAMES P. BLAISDELL, SPECIAL ASSISTANT TO THE POSTMASTER GENERAL FOR LABOR, ACCOMPANIED BY LOUIS A. COX, GENERAL COUNSEL, U.S. POSTAL SERVICE

Mr. BLAISDELL. Yes. I have a statement that with your indulgence, I would like to read first.

Mr. WALDIE. Your statement will be included in the record in its entirety; without objection.

Mr. BLAISDELL. I am James P. Blaisdell, Special Assistant to the Postmaster General for Labor. I have with me Louis A. Cox, General Counsel of the Postal Service.

I served as chief negotiator for the Postal Service in the collective bargaining negotiations that began in January 1971, and culminated in the collective bargaining agreement that was signed July 20, 1971, between the national exclusive postal unions and the Postal Service.

I welcome this opportunity to explain our reasons for opposing any amendment to H.R. 12202 that would require the Postal Service to increase its share of the cost of employee health benefits insurance. The amendment that is proposed would cost mailers over $100 million annually. It would be inconsistent with a specific provision of the Postal Reorganization Act, as explained in a letter that our General Counsel sent to Chairman Dulski on January 26, 1972, a copy of which is attached. Moreover, the amendment would undermine the necessary foundation of successful labor relations: that conditions of employment are to be settled by agreement at the bargaining table and not elsewhere.

Nothing is more important to the accomplishment of the purposes of the Postal Reorganization Act than successful collective bargaining. It is absolutely essential to a satisfactory system of employee relations in the Postal Service, just as satisfactory employee relations are absolutely essential to a viable postal service. As the Subcommittee well knows, the collective bargaining obligations that the Congress wrote into the Postal Reorganization Act are set forth in the National Labor Relations Act, as amended. A major purpose of that Act is to make collective bargaining contracts binding on both parties. Collective bargaining cannot be successful unless the parties understand that they will have to abide by the agreements they reach through the bargaining process.

To permit postal employees to gain greater benefits from Congress than those they have accepted through the bargaining process would be as destructive of sound labor relations as it would be to permit the Postal Service (or major mailers) to win a reduction in bargained-for postal wages from Congress.

In this connection, some recent remarks of a spokesman for the American Postal Workers Union, AFL–CIO, seem very much to the point. In testimony before a Senate subcommittee holding hearings on a bill to amend the Randolph-Sheppard Act, the Legislative Director of the A.P.W.U. said:

"If this is the course to be followed, the bold legislation of 1970 will become a comic gesture with the Congress reasserting control in one area after another and again becoming the seat of battle between employees and employer with respect to wages, hours, and working conditions."

The January 1972 issue of The American Postal Worker, the official publication of the APWU, prints the quoted statement in bold type. Although the specific legislation before this subcommittee is very different, the principle at issue is precisely that which the APWU describes.

Not only are employee health benefits, like other fringe benefits, bargainable issues under the Postal Reorganization Act and the National Labor Relations Act, but fringe benefits were bargained for in the 1971 negotiations. In these negotiations, the entire compensation package—including "fringes" as well as wages—was bargained for as an overall cost package and the unions had the opportunity to agree to lesser wage increases and greater fringe benefits than those provided in the final settlement.

Mr. WALDIE. May I interrupt you, Mr. Blaisdell? Is it your intention that retirement benefits also were bargained for?

Mr. BLAISDELL. All matters that pertained to cost were bargained for in the sense that I have just explained.

Mr. WALDIE. Are retirement benefits a cost?

Mr. BLAISDELL. I would consider them such.

Mr. WALDIE. So, it's your understanding retirement benefits, then, were bargained for?

Mr. BLAISDELL. Well, as far as the retirement benefits are concerned, they have a greater control in the legal area, which Mr. Cox is in a better position to delineate than I am.

Mr. WALDIE. I will get to Mr. Cox, then, in a moment.

Mr. BLAISDELL. To reemphasize the point, we had a total money package that we were barganing for.

Mr. WALDIE. Mr. Gross just arrived, Mr. Blaisdell.

Mr. BLAISDELL. Good.

Mr. WALDIE. Please continue.

Mr. BLAISDELL. Thus, the very susbtantial wage benefits that the unions won would not have been agreed to had we not also agreed, in the single overall cost settlement, to continue fringe benefit plans at their then current levels. And a change to any one of the interrelated parts of the overall settlement would undercut the basis of the whole settlement. The collective bargaining agreement that was signed on last July 20 specifically provides that:

"The employer shall continue the health insurance benefit program at the current contribution level for the duration of the agreement."

Mr. WALDIE. May I interrupt you at that moment? Just so that the record follows, do you recall what the collective bargaining agreement provides relative to retirement?

Mr. BLAISDELL. Not exactly. I can find it.

Mr. WALDIE. Let me read it into the record at this point. Section 3, article XXI:

"Retirement. The employer shall continue the funding and administration of the retirement program at the current contribution level for the duration of this agreement."

Would you continue?

Mr. BLAISDELL. I am aware of a very recent affidavit by Mr. Bernard Cushman, the extremely able chief negotiator for the national postal unions. The substance of Mr. Cushman's affidavit is that, on July 20, after the parties reached agreement, he asked me whether, in view of the reference to "current contribution level" in the health benefits provision of the agreement, any changes which might be made in the law would apply, and that I answered "yes." I do not remember this exchange. I have, however, great respect for Mr. Cushman and I do not doubt that he is sincere in his recollection. But any statement of mine could not have meant that a change in the Federal employees health benefits law which covers Federal employees generally but is not specifically made applicable to the Postal Service would nevertheless apply. Certainly, I would not, and could not, have agreed to such a change in the clear meaning of the written words of the agreement, on an issue of such magnitude, simply on the basis of incidental conversation after the agreement was concluded.

What I did say, on many occasions, is that we would, of course, abide by any legislation enacted by the Congress which is applicable to the Postal Service. But this is entirely different from an open ended "blank check" commitment to casually add what could turn out to be hundreds of millions of dollars of additional costs to an already costly hard-bargained settlement.

In conclusion, Mr. Chairman, let me remind the subcommittee that the Postal Service is still in its formative early years and that what we do now casts a long shadow over the ways in which the Postal Service will develop. In this context, it is hard to imagine a more damaging legislative precedent than a law that grants either to postal management or to postal labor very substantial

advantages that it failed to gain—and agreed to forego in exchange for other gains—at the bargaining table. If such a law is enacted, the collective bargaining process would be severely impaired and the essential basis for successful employee relations in the Postal Service would be gravely undermined.

This concludes my prepared statement and I will be glad to respond to questions.

Mr. WALDIE. Yes, Mr. Chappell arrived on our committee and I will suggest, with agreement on Mr. Gross and Mr. Chappell's part, that we continue with the statement of Mr. Cox, General Counsel for the Postal Service. Mr. Cox, do you have a prepared statement?

Mr. Cox. I do not have a prepared statement, Mr. Waldie.

Mr. WALDIE. Then I would assume you would both be open to questions at this particular point?

Mr. Cox. Yes, sir.

Mr. WALDIE. May I, gentlemen, commence questioning?

Mr. Cox, the thing that we are interested in is the understanding of the parties at the time of the collective bargaining agreement as to what items in fringe benefits were, in fact, negotiable items and as to which items the Congress maintains jurisdiction to improve over and above and beyond the collective bargaining agreement.

In that regard, I would like to ask you, Mr. Cox, what your understanding is of the language contained in section 1005, subsection (d) of the Postal Reorganization Act, relative to retirement benefits as compared to a different language contained in that same section under subsection (f) as having application to health benefits? What distinction do you believe exists between those two fringe benefits and the manner in which they are to be handled both by the Postal Service and employee unions and the Congress, if there is any difference?

Mr. Cox. Mr. Chairman, I think there is indeed a very sharp difference and I think that the fact that retirement benefits is treated in a subsection of section 1005, title 39, which is quite different from the subsection in which health benefits and unemployment insurance and life insurance and other fringes are treated in itself makes clear that there is intended to be a difference. I think the difference was most clearly delineated on the floor of the House in the middle of June of 1970, when Congressman Udall was explaining the whole question of what the bill that was then before the House—and in respect to the matters that we are discussing here this morning, it was, I think, identical with what was finally enacted—entailed. If it would be appropriate, I would be glad to hand up copies of a couple of pages from the Congressional Record.

Mr WALDIE. We'll include those pages in the record of this committee hearing without objection. (See p. 43.)

Mr. Cox. Yes, sir. May I just mention that perhaps the most significant part of Mr. Udall's statement appeared in a table which I would gather from reading the record he had in front of him when he addressed the House on this subject, in which he compared the ways in which the postal reorganization bill as it then was would treat what he called the "old postal worker," the existing Post Office Department employee, as compared with the "new postal worker," the employee as he would be under the Postal Service, and he delineated in there with very great clarity that in respect for example, to retirement that the old postal worker's retirement benefits would be set by Congress and the new postal worker's retirement benefits would be set by Congress. I think that bears out what the statute seems to me, at least, to say on its face; that the contemplation of Congress was that postal workers would remain under the civil service retirement system as they had in the past. But he also noted that in respect to health insurance and life insurance in particular, that whereas the old postal worker's health insurance and life insurance were covered by laws set by Congress, the new postal worker under the Postal Reorganization Act would find that his health and life insurance would be identical to existing law until changed by collective bargaining, and it seems to me that Congressman Udall's explanation makes really unmistakably clear that an entirely different arrangement was intended in respect to health insurance benefits than with respect to retirement benefits.

Mr. WALDIE. Your contention, then, is that retirement is not within the purview of collective bargaining?

Mr. Cox. I think that's correct.

Mr. WALDIE. Will you then——

Mr. Cox. Except I would like to just add I think it's correct that the Postal Service could not properly undertake to agree with the unions for any lesser level of retirement benefits than that which is provided under the law that applies to Government workers generally.

I suppose it's at least a theoretical possibility that we could undertake to agree to even greater retirement benefits than that provided for Federal employees generally.

Mr. WALDIE. Then will you explain to me why the collective bargaining agreement that was ultimately adopted by all the parties has precisely the same language for the retirement benefits for employees as it does for the health benefits?

Mr. Cox. Well, I suppose——

Mr. WALDIE. Would it not be that the language would be different if there were no authority within the parties to collectively bargain over that issue?

Mr. Cox. Well, do you want to talk to him?

Mr. BLAISDELL. Well, I would speak to that point.

The purpose, insofar as my recollection is concerned, is to remove any doubt. We were not in a position in the bargaining of January to July, with the pressures that we were under, to indulge in the niceties of the legal distinctions at that time. We wanted to make it clear.

Mr. WALDIE. Well, let me read how clear you made it. With reference to health benefits you said: "The employers shall continue the health insurance benefit program at the current contribution level for the duration of this agreement."

You have interpreted that as meaning that the Congress has no right to include health benefits for postal employees without an express determination that they are to be included?

Mr. BLAISDELL. Yes, sir.

Mr. WALDIE. That this, absent an expressed determination, describes precisely the condition relative to health benefits?

Mr. BLAISDELL. That will prevail; right.

Mr. WALDIE. That will prevail. In retirement, your language is: "The employer shall continue the funding and administration of the retirement program at the current contribution level for the duration of this agreement."

A learned person would assume since you used the identical language that you used it with the identical intent that you had with the health benefits. That, in fact, it would require a specific act of Congress to increase retirement benefits for postal employees but that, in fact, is not the case, is it?

Mr. Cox. It would not require a specific act using "specific" in the sense of "specifically" applicable to Postal Service——

Mr. WALDIE. But I would increase benefits?

Mr. Cox. That's right.

Mr. WALDIE. Why is the language identical if the intent is different?

Mr. Cox. Well, I should say I was not a party to the collective bargaining negotiations. I suppose I'm not the best witness on that. I think the point Mr. Blaisdell made a moment ago, as I understood it, was that the collective bargaining agreement talks to retirement insurance—excuse me—retirement benefits simply to lay to rest any doubt that might otherwise have arisen and not because it was necessary to talk to it at all in the collective bargaining agreement.

Mr. WALDIE. What was agreed at that time, Mr. Blaisdell?

Mr. BLAISDELL. The unions were offered repeatedly the opportunity to take out of the cost package and apply to the various other items that were involved, loosely referred to as fringes, a portion of that package and we would certainly listen to it and probably could reach agreement on that basis. They chose to go the other route, so under the circumstances, in the closing hours of putting this thing together, all we were trying to do on article 11 was to indicate that we would continue the status quo.

Mr. Cox. Mr. Waldie, there is one other thought that it seems to me may be generally relevant here, and that is, if I'm correct in supposing that it would be legally permissible if the parties wish to do so for them to bargain for retirement benefits over and above what Government employees generally have under the civil service, then I suppose this section 3 of article XXI of the agreement takes on an additional meaning.

Mr. WALDIE. Well, that's precisely what the postal employees have alleged was their understanding of the health benefits; that the Congress set a basis below which the collective bargaining agreement could not build but that they could go above that either by negotiation or by congressional action.

I gather you assume that that is exactly the correct theory for retirement benefits?

Mr. Cox. No, sir. What I said a moment ago about retirement benefits was that it seems to me you could read this article XXI, section 3, on retirement as impliedly, at least, and maybe explicitly stating agreement in effect that there was no further bargaining for increases in retirement benefits in the mind of the parties for the life of this agreement over and above what might happen under legislation enacted by the Congress.

Mr. WALDIE. But that language on retirement—and I'll end this line of questioning very quickly—the language on retirement in your view in no way precludes the Congress from enacting a general retirement law, the benefits of which would apply to the Postal Service?

Mr. Cox. That's correct, sir, and I would call your attention in that connection to section 1 of article XX, which is entitled "Separability," and which says, in pertinent part, that "Should any part of this agreement be rendered invalid by reason of subsequently enacted legislation"—as I take it would be the case in the event of future statutory changes in the retirement benefits set-up—"such invalidation will not invalidate remaining portions of the agreement." So it seems to me the agreement does contemplate that there might be subsequent legislation that would affect some of the areas that are discussed in the agreement.

Mr. WALDIE. I think the agreement does contemplate that including health benefits.

Mr. Cox. Well, as you know, sir, we don't agree with you.

Mr. WALDIE. Yes, I know; but our attempt here is to determine what the parties, when they entered into the agreement, had in mind. There is an inconsistency here that requires explanation, when they use the identical language for each fringe benefit that we are discussing, but apparently, meant a different meaning for each paragraph. It didn't mean a difference for the retirement but only for the health benefit language.

Mr. Cox. Certainly, on the part of the Postal Service, there was no intention to depart from the, to our minds, very clear

pattern that the Postal Reorganization Act had set with respect to these matters and Mr. Blaisdell can correct me if I'm wrong, but I think the Postal Service bargainers at least intended the agreement to read consistently with the Postal Reorganization Act.

Mr. BLAISDELL. That's correct.

Mr. WALDIE. Mr. Chappell?

Mr. CHAPPELL. Mr. Blaisdell, were you present at all of the negotiation sessions which you had between the Postal Service management team and the union representatives?

Mr. BLAISDELL. I believe I was.

Mr. CHAPPELL. Were the unions represented by legal counsel?

Mr. BLAISDELL. They had counsel present a major portion of the time; not always in the collective bargaining room, no, but available in the hotel or wherever.

Mr. CHAPPELL. Did they have available to them, at all times, legal counsel to assist in the drafting of the contract?

Mr. BLAISDELL. They did. To the best of my knowledge and belief, they certainly were present.

Mr. CHAPPELL. Did they participate in the drafting of the contract after the negotiation, after the agreements had been made at the bargaining table?

Mr. BLAISDELL. I'm sorry?

Mr. CHAPPELL. I say, did legal counsel have the right without restriction to help work the will of his people in writing down what they meant in the contract?

Mr. BLAISDELL. I believe that they had access to their counsel at all times to the best of my knowledge and belief.

Mr. CHAPPELL. As far as the Postal Service management team is concerned, they had the opportunity of legal counsel at all times, didn't they?

Mr. BLAISDELL. We had the same opportunity, that's correct.

Mr. CHAPPELL. It seems to me that the Congress is being asked to interpret a contract; am I not correct? This was a contract that was entered into in good faith between management and the employees in the Postal Service, is that not right?

Mr. BLAISDELL. Well, I believe that's correct, sir. The contract certainly was entered into in good faith on our part and I have every reason to believe so on the part of the union.

Bear in mind, however, in terms of the question of whether or not you feel there is ambiguity in it, you asked about counsel. Mr. Cushman is a lawyer and a very able one as well as spokesman for the——

Mr. CHAPPELL. Who is Mr. Cushman?

Mr. BLAISDELL. Mr. Cushman is spokesman for the unions.

Mr. CHAPPELL. So, he was an active part of this, wasn't he?

Mr. BLAISDELL. That's right.

Mr. CHAPPELL. I notice in paragraph XXI (d)—which we have been speaking of on page 27 of the contract—that the language is identical in four instances, as it relates to health insurance, to life insurance, to retirement, and to injury compensation not just in the two instances previously mentioned. That's sections 1, 2, 3, and 4 carry the same in separate sections in the contract

Now, if there had been any question in the minds of Counsel Cushman and those who had a part in the negotiating and drafting—if there was any question in the minds of these good lawyers—that was the time to raise it, don't you think?

Mr. BLAISDELL. I would have thought so. I thought the intent was clear that we only meant to continue the status quo and that's all there was to it. As to the exchange that was referred to in Mr. Cushman's affidavit, as I said in my opening statement, I have nothing but respect for Mr. Cushman's integrity. If the exchange took place, it showed a misunderstanding in regard to the difference between the idea of whether or not the Postal Service would attempt to get out from under a law passed by Congress with the intent to apply to the Postal Service and the idea of whether as a matter of contract we were buying a blank check. We could not do the latter under the conditions in which we were bargaining.

Mr. CHAPPELL. Well, if there is a simple misunderstanding between management and labor in the matter, certainly the Congress of the United States is not the proper forum. The court would be the proper forum; isn't that correct?

Mr. BLAISDELL. If they claim we are not living up to the contract as written, I would say that is probably so.

Mr. CHAPPELL. If they think their negotiators did a poor job in negotiating, which may very well be the case, then again, the Congress is not the proper forum for that when we have attempted to give to the Postal Service the power of collective bargaining with management; isn't that right? So, the Congress, again, is not the proper forum to upgrade the contract, is it? That would be back at the negotiating table, wouldn't it?

Mr. Cox, let me ask you that. Perhaps you understand what I am saying.

Mr. Cox. Sir, I think you are quite correct. I think what you say is absolutely sound.

Mr. CHAPPELL. So we have one or two things we are being asked here—to rectify and improve some poor bargaining which was done on the part of the leadership of the union, or we are asked here now to go back and correct a misunderstanding which may have occurred—and neither, in my view, is a matter for the Congress at this time.

Now, let me ask you this; either one of you—the one that is best qualified. Isn't the very purpose of collective bargaining on the part of this group—the Federal employees—to give them the very best opportunity to improve their situation as they relate to all of the matters conditioned upon their employment? The intent and purpose of it was to give them an opportunity to gain through collective bargaining that which they felt could not be gained through coming to the Congress every year or every 2 years; isn't that right?

Mr. BLAISDELL. That is true, and it's borne out by the agreements that were entered into in April of 1970, following the postal strike and it has been the case ever since.

Mr. CHAPPELL. Now, isn't it true that the postal employee has all of the advantages which the Federal employee in other areas have plus he has some very definite advantages such as the no-layoff provision; isn't that right? Isn't that one of the advantages which other employees don't have?

Mr. BLAISDELL. A no-layoff provision is a part of this agreement.

Mr. CHAPPELL. And that lasts for the duration of this agreement?

Mr. BLAISDELL. It does.

Mr. CHAPPELL. And second, what about when the employee loses his position? What happens? Isn't a postal employee in a better position than another Federal employee in that regard?

Mr. BLAISDELL. I believe by reason of that agreement negotiated in this agreement, he is better off.

Mr. CHAPPELL. As a matter of fact, you have to retrain the employee and he maintains his rate of pay for the duration of the agreement. That's a definite advantage over the other Federal employees, isn't it?

Mr. BLAISDELL. I believe it is.

Mr. CHAPPELL. And then if he's displaced, under that agreement you are required to find him a new job and pay his moving costs within the moving distance; isn't that right?

Mr. BLAISDELL. Correct.

Mr. CHAPPELL. Now, that's an advantage over the other Federal employees, isn't it?

Mr. BLAISDELL. I believe it to be.

Mr. CHAPPELL. Don't you have a provision in there, too, that provides for a 4-hour call-in or reporting provision guaranteeing 4 hours pay even if the employee is not needed for the full 4 hours?

Mr. BLAISDELL. We do.

Mr. CHAPPELL. So you pay him a minimum of 4 hours, regardless. Do you know of any other place in the Federal employment practice where that is true?

Mr. BLAISDELL. I'm not aware of it.

Mr. CHAPPELL. I think, as a matter of fact, the other agencies only pay a maximum of 2 hours under any circumstances; isn't that right? So this is double the advantages afforded other Federal employees on this point, isn't it?

Also, haven't you provided in this agreement for cost of living guarantee, which becomes effective July 1972?

Mr. BLAISDELL. We include the cost of living provision.

Mr. CHAPPELL. Now, do you know of one in the other sectors insofar as other Federal employees are concerned?

Mr. BLAISDELL. I do not.

Mr. CHAPPELL. Now, in your situation here, too, you provide that disputes are subject to final and binding arbitration which is in lieu of the strike provision; isn't it?

Mr. BLAISDELL. Binding and final under the bargaining agreement. It is, I believe, the first example of it anywhere in the Federal sector.

Mr. CHAPPELL. That's right, and that differs from the other Federal employees in that the other agencies may submit to final, binding arbitration but it's subject to the pleasure of the agency head; isn't it? And here it's a matter of binding contract; isn't it?

Mr. BLAISDELL. It is.

Mr. CHAPPELL. What I am saying is that in the establishment of the Postal Reform Act the intent of those who voted for it—and I'm one who voted for it—was to make the postal employee some kind of a special Federal employee; to give him an opportunity to collectively bargain and get himself in a better position than other Federal employees; to give him that latitude. And, at the bargaining table he obviously has to bargain. He bargains for an advantage here and he has to provide maybe for a whole provision in some place else. But, the point is, he has the opportunity to bargain where the other Federal employee is not in that category. He has all of these other advantages I mentioned earlier.

I venture to say if the Congress came back now and started taking away these provisions which had been gained at the bargaining table, that the postal employee would be the first one to be hollering that under the Postal Reform Act we didn't have the right to change a contract or go back in and change that which has been negotiated at the bargaining table.

Don't you suppose that would be true?

Mr. BLAISDELL. I sincerely hope so.

Mr. CHAPPELL. What I am trying to say, Mr. Chairman, is it seems to me that all of us are after that which is the very best for our Federal employees and that which is best for the postal workers. I hope that we are not going to retrogress by taking, at one moment, hold of a situation that may have arisen by misunderstanding or other reason, and start going behind the contracts and overriding them because, whereas today it might be an advantage to the employee, tomorrow it might be a serious disadvantage. As a matter of fact, that's what the union leadership was concerned about when they worked to help bring about the passage of this—to get collective bargaining which is above and beyond that which is provided for other Federal employees. I hope, personally, that we are not going to get into a situation where every time you fellows negotiate a contract the Congress looks

at it and if it likes it it confirms it and if it doesn't it changes it. If there's anything wrong in that particular provision, it seems to me that you fellows ought to go back to the negotiating table and bargain about it there; certainly not come before the Congress and ask us to rectify an error, if it was an error, or correct a misunderstanding, if that's what it was.

Thank you, Mr. Chairman.

Mr. WALDIE. Mr. Hogan?

Mr. HOGAN. Mr. Blaisdell, your statement indicated that the conversation between you and Mr. Cushman took place after the agreement had been reached. So in a sense, it was not part of the negotiations in any way; is that correct?

Mr. BLAISDELL. I was referring to his affidavit which indicates a conversation that he refers to took place at the time we were initiating provisions that had been agreed to.

Mr. HOGAN. So in other words, the agreement had already been reached before this even came up in conversation?

Mr. BLAIDSELL. That is correct.

Mr. HOGAN. What would have been your position if he, during the active negotiations before agreement was reached, had said that if the Federal employees get an increase in health benefits we should get the same?

Mr. BLAISDELL. Our position was predicated throughout the bargaining on the idea that the package of the cost-of-wage increases and all other cost items could be just so great in the condition the economy was in. What we were up against in coming into a new era where all income in the reasonably near future had to come from revenue stamps and not from the munificence of Congress, was that the cost thing had to be kept under control and that when we talked cost we were talking an entire package of costs.

Therefore, my answer at that would have been: We cannot deal in uncertainties or flexibilities. We cannot agree to anything whereby a cost might be increased beyond our control, as distinguished from the bargain that we are prepared to make here at this table.

Mr. HOGAN. But now, wouldn't the same argument apply to an increase in Federal retirement which clearly is to be set by Congress? I mean, the economics argument which you have just argued?

Mr. BLAISDELL. The question is one of whether under the law as it exists, and I have to defer to Mr. Cox, the Postal Service can be saddled with increased costs beyond its control. It would constitute a very difficult problem in relation to the financing of the Postal Service. Legally, I can't answer that question. I don't know how it stands.

Mr. COX. What I think, Mr. Hogan, is that the nub of it simply is that the Congress set up an entirely different and separate arrangement with respect to the applicability of the retirement benefits for postal employees, which gets back to the point we are talking about at the beginning of this session——

Mr. HOGAN. I understand that, but let's envision a collective bargaining situation where admittedly, when Congress raises the benefits of retirement for Federal employees it would apply to postal employees.

Mr. COX. Yes, sir.

Mr. HOGAN. So, we are sitting at the negotiating table, now, and the unions are demanding an increase over and above what Government employees get. That's a negotiable item; right?

Mr. COX. That's my understanding that it is; yes.

Mr. HOGAN. So, in effect, what the postal reorganization bill does with respect to retirement is to create a floor below which the postal employee retirement will not go but during the course of negotiation they could certainly negotiate a more favorable retirement plan than other Government employees?

Mr. COX. That's correct.

Mr. HOGAN. But as the law is written, or as you interpret the law, this same floor does not apply to health benefits?

Mr. COX. That's correct. The law as it existed immediately prior to the effective date of the part of the Postal Reorganization Act dealing with this matter is a floor, but not any after enacted changes in that law.

Mr. HOGAN. Well, I think that many of us who supported postal reorganization—it was a very complex piece of legislation—but, frankly, I think it was an oversight for us not to have given the same kind of floor to health benefits as we did to retirement. I think we all share the guilt in this regard. If a remedy is necessary, then this is the purpose of these hearings today. I don't think any of us really wanted the postal employees to be put into a category of second-class citizens because, as you know, the postal employees were very dubious about the Postal Corporation and fought it for a while. I can recall giving assurances to them personally that they were not going to be worse off under postal reorganization than they already were. I, for one, was not aware until this current crisis arose as to whether or not they could conceivably get lesser health benefits than other employees. I don't know that that ever came up.

Do you, either of you, recall that it did at the negotiations?

Mr. BLAISDELL. If I understand you, Mr. Hogan, there is a floor to the health benefits, too, under the statute unless changed by collective bargaining and it wasn't changed by collective bargaining.

Mr. HOGAN. But the floor is the existing level.

Mr. BLAISDELL. Exactly.

Mr. HOGAN. But under retirement, it's a flexible thing. If Congress raises retirement benefits, then the floor that you are negotiating from is, in turn, raised; is that correct?

Mr. BLAISDELL. Under retirement, I defer to counsel.

Mr. HOGAN. I think this is what counsel said a minute ago.

Mr. BLAISDELL. But the fact that that happens to be the case, if that's correct—and I'm not challenging it; I just don't know—as far as retirement is concerned, does not mean that we should extend that same condition to further encroachment on the bargaining area. You cannot carry on collective bargaining successfully over a period of years if you are trying to carry it on in two forums and the Postal Service is charged with the responsibility of becoming a self-sustaining organization within a reasonable period of time and they cannot accept and live with that if they can have their costs varied by edict here, irrespective of the bargain they make across the bargaining table.

Mr. HOGAN. So, in other words, you think it would have been wiser for us to have excluded the retirement provision, too?

Mr. BLAISDELL. Actually, I do.

Mr. HOGAN. Well, I think we have to recognize that with the postal employee, we have a hybrid kind of situation. He is neither fish nor fowl. He is neither a pure Government employee nor a pure union member employed by a private company with all of the benefits of negotiation. I am a stanch opponent of the right to strike by Government employees—although I have heard the Postmaster General say he didn't think that was a bad idea, which gave me quite a bit of concern. But they don't have the right to strike and because they don't, we have to treat them differently than we do employees in the private sector who do have the right to strike in the give-and-take of collective bargaining. From my point of view I think it was an oversight that we didn't include health benefits with the same kind of a floor.

Mr. BLAISDELL. Well, Mr. Hogan, if you are talking about the kind of floor that means any adjustment which is paid in the Federal sector generally is going to be extended to the postal employees, that withdraws a very important segment of the overall cost span from collective bargaining. If collective bargaining is going to be real in the sense that is known in the private sector, it has to include costs. Those are the blue chips that make bargaining real. That is why the collective bargaining agreements under the Executive order are studies in nitpicking, because they do not deal with the important things—they do not deal with the heartbeat of a true collective bargaining relationship.

Mr. HOGAN. Don't you also agree that the right to strike is a weapon in collective bargaining which postal employees do not have?

Mr. BLAISDELL. I certainly recognize that as a matter of law. I know that they have engaged in one strike, however.

Mr. HOGAN. Would you favor giving employees the right to strike?

Mr. BLAISDELL. I have to answer that, Mr. Hogan, in this fashion. From my standpoint sitting on the side of the table of the employer, attempting to represent his interests, many of the issues would be easier clarified over the bargaining table if you had to boil it down to the question of whether or not it was a strike issue, and that can only be done when they have the right to strike: Therefore, at times I might wish they had the right to strike in order to make bargaining easier but I think my opinion must be subordinated to the fact that, as we all know, the Postal Service is unique and it serves these entire United States and therefore, is deeply involved in the public interest. Therefore, I think it would be presumptive of me to try to speak for policy in that respect. My own personal opinion is sometimes it would be easier for the guy at the bargaining table if they had it.

Mr. HOGAN. Well, the fact that they are a hybrid-type of creature, I think, requires a different kind of situation. We don't have the pure collective bargaining atmosphere that you alluded to so I think that we have to accept that they are Government employees and when we change the structure we must recognize they are Government employees. We might just as easily have turned the whole Postal Service over to A.T. & T. if we didn't want to continue to consider them Federal employees.

Mr. BLAISDELL. But, Mr. Hogan, you haven't mentioned the fact that they have a weapon that is the best answer in the absence of a right to strike, to wit: compulsory arbitration, and therefore, if we had failed to reach voluntary agreement at this time, why the whole kit and caboodle would have been put before an arbitrator and if he was faced with the issue of whether or not there should have been adjustment in the health benefit program, he would have had to weigh that along with what was given elsewhere and therefore, at least the arbitrator would have a similar perspective at the time that the decision was rendered. But in this situation, why the then Postmaster General went way out in terms of giving a tremendous package to bring about voluntary settlement and give the chance to the Postal Service to fly, to give the chance for real collective bargaining to work out in the public sector, where it had never been tried before under like circumstances.

Now, under those circumstances, we come now, after the bargain has been struck, and determine whether or not they should be saddled with an additional cost bill. It seems to me it's in quite a different light.

Mr. HOGAN. I have no further questions.

Mr. WALDIE. Mr. Gross?

Mr. GROSS. Thank you, Mr. Chairman.

My colleague from Maryland, Mr. Hogan, in opening his remarks, said that "We all share in the guilt of postal reform." Mr. Chairman, I must offer an amendment to that——

Mr. HOGAN. Everyone except Mr. Gross.

Mr. GROSS. Because I didn't support it.

Were you an employee of the Postal Department at the time, Mr. Blaisdell, when the Postal Reform Act was in the process of being——

Mr. BLAISDELL. I was here in the capacity of a consultant at that time in the labor field; yes, sir.

Mr. GROSS. And it's true, is it not, that with one or two exceptions—I believe one but perhaps two—every postal organization, every postal union, supported postal reform, the Postal Reform Act; is that not true?

Mr. BLAISDELL. That is correct, by agreement entered into in April of 1970.

Mr. GROSS. Mr. Blaisdell, title 39 of the United States Code, which embodies the Postal Reform Act, section 1005, paragraph (d), states as follows—the first sentence:

"Officers and employees of the Postal Service (other than the Governors) shall be covered by chapter 83 of title 5, realting to civil service retirement. The Postal Service shall withhold from pay and shall pay into the civil service retirement and disability fund the amount specified in such chapter."

That's pretty clear; isn't it?

Mr. BLAISDELL. May I defer to Mr. Cox on that question?

Mr. GROSS. Yes, of course.

Mr. COX. Yes, sir. I think it's clear.

Mr. GROSS. Thank you, sir. Is it your understanding of the provisions of title 39, covering fringe benefits, that postal employees are automatically entitled to any liberalization in the fringe benefits program enacted by Congress for other Federal employees and if so, why?

Mr. BLAISDELL. It's my opinion to the contrary.

Mr. GROSS. It's your opinion to the contrary.

Mr. BLAISDELL. My reason to the contrary is as stated; it would be destructive of the possibility of successful collective bargaining.

Mr. GROSS. And the national agreement of July 20, 1971, states in article XXI, benefit plan, section 3, retirement:

"The employer shall continue the funding and administration of the retirement program at the current contribution level for the duration of this agreement."

Isn't this language superfluous?

Mr. BLAISDELL. Based upon Mr. Cox's opinion, I'd say it is.

Mr. GROSS. Because it's the law——

Mr. COX. Yes, sir.

Mr. GROSS. Right?

Mr. BLAISDELL. Yes.

Mr. GROSS. Mr. Blaisdell, I am interested in your statement that the amendment, which proposed to include postal employees under the provisions of H.R. 12202, would cost the mailers over a hundred million dollars annually. Are you aware that in the fiscal 1973 budget the Civil Service Commission is proposing a supplemental appropriation for the mandatory payment to the civil service retirement and disability fund to finance the unfunded liability created by postal salary increases which were negotiated last July? The three postal salary increases in 1972 will create additional unfunded liability on June 30, 1972, requiring 30 annual payments of $62.9 million. Are you not equally concerned that the taxpayer has to pick up this tab and that it, in fact, represents a subsidy to the postal workers?

Mr. BLAISDELL. I am very concerned on that very basis, if I understand you, that this is an added cost bill where we are struggling to meet the bill that we agreed to in this contract.

Mr. GROSS. And you are aware that this committee has approved legislation, the House has approved legislation coming from this committee, to provide that the Postal Corporation take care of the unfunded liability to the retirement fund?

Mr. BLAISDELL. We are aware of that.

Mr. GROSS. Thank you, sir. That's all, Mr. Chairman.

Mr. WALDIE. Mr. Blaisdell, I gathered you, in response to Mr. Gross' question, said that section 1 of the contract dealing with health benefits which reads, "The employer shall continue the health insurance benefit program at the current contribution level for the duration of this agreement," is superfluous because it's simply a statement of the law; is that correct?

Mr. BLAISDELL. No; I thought he asked me in connection with the retirement section 3. That was my understanding. My answer was meant to be that.

Mr. GROSS. Yes, it was directed to section 3.

Mr. WALDIE. Oh. Do you believe section 3 is a statement of the law?

Mr. BLAISDELL. Well, based upon Mr. Cox's statement.

Mr. WALDIE. Well, let me ask Mr. Cox, then.

Mr. BLAISDELL. Very well.

Mr. WALDIE. Mr. Cox, do you believe section 3 is a statement of the law?

Mr. COX. I believe it is of the law as the law stands at the moment.

Mr. WALDIE. Section 3 says: "The employer shall continue the funding and administration of the retirement program at the current contribution level for the duration of this agreement." The law says that if Congress changes the retirement level it will apply to postal workers so that you cannot continue it for the duration of the agreement.

Mr. COX. That is precisely what I had in mind when I said a moment ago it's a statement of the law as the law stands at the moment. You may have stated it more clearly.

Mr. WALDIE. But it says "for the duration of this agreement."

Mr. COX. I understand, but of course, if there was a change in the Federal retirement benefits legislation——

Mr. WALDIE. It isn't a statement of the law, then, is it?

Mr. COX. Well, it is only in the sense that I expressed a moment ago.

Mr. WALDIE. Well, is section 1 a statement of the law with respect to health benefits in the same vague statement that you said section 3 is a statement of the law?

Mr. BLAISDELL. May I answer?

Mr. WALDIE. Let me read section 1 to you.

Mr. COX. I have section 1 in front of me, Mr. Waldie.

Mr. WALDIE. Now, is section 1 which is the identical language, the same identical interpretation of the law as you say section 3 is?

Mr. COX. Let me say this. In view of the language of the Postal Reorganization Act, it was more appropriate, if you will, to talk to health benefits than to retirement benefits in the collective bargaining agreement.

Mr. WALDIE. You misunderstand my question. Is section 1 a statement of the law in the same sense that section 3 is, as you have defined it?

Mr. COX. No, sir; I do not think it is.

Mr. WALDIE. It is the same language, is it not?

Mr. COX. Yes, sir.

Mr. WALDIE. OK. Why is it differently interpreted if it's the same language?

Mr. COX. Because we are dealing with two quite different sets of statutory language.

Mr. WALDIE. Should we not have used the different language in dealing with them?

Mr. COX. In the bargaining agreement?

Mr. WALDIE. Yes.

Mr. COX. I don't think I can speak for that because, as I said, I was not present in the collective bargaining——

Mr. WALDIE. But you as an attorney in reviewing the collective bargaining agreement, should you not have used separate language to make the intent of the parties different? Was the intent of the parties different used in section 1 and section 3, in your view?

Mr. COX. It is very difficult for me to speak to the intent of the parties.

Mr. WALDIE. Well, without knowing any more than the language, was the intent different if you had no idea what the parties intended and if you were to read this language and knew nothing about the background—this is an agreement; you were given the agreement as an attorney to read sections 1 and 3. Would you interpret them differently?

Mr. COX. If I had in mind the Postal Reorganization Act, I would interpret them differently.

Mr. WALDIE. Suppose you had in mind the collective bargaining agreement only, would you interpret the language?

Mr. COX. I suppose if I only had this article XXI, nothing else, and I would see identical sets of language, and by your very hypothesis I think I would have to assume that the identical sets of language meant identical things, but I don't suppose we ever read a thing in a vacuum, in that sense.

Mr. WALDIE. No; so we have to assume they meant different things and, in your view, section 3 is an exact statement of the law and section 1 is also?

Mr. COX. No; I didn't say that, sir.

Mr. WALDIE. Oh. Section 1 is an exact statement of the law?

Mr. COX. No. I said that section 1 is a statement of what the parties agreed to. It's consistent with the law but it's not a statement of the law. The law intended there would be a collective bargaining agreement over the issue covered in section 1. The law permitted but I don't think intended in the same sense that there might be collective bargaining in respect to retirement over and above what the Federal retirement legislation provides. I think there is a material difference between the two.

Mr. WALDIE. In January of this year, the Postal Service raised the amount of their contribution level for health benefits, did they not?

Mr. COX. Well, I'm sorry, sir. I can't answer that question.

Mr. BLAISDELL. I can't answer it either.

Mr. WALDIE. Well, if I were to tell you that they did, would that be contrary to section 1?

Mr. COX. Well, I'd want to know more about the circumstances, Mr. Waldie.

Mr. WALDIE. Well, let me read you this question as it was presented to me. How do you explain the fact that the Postal Service raised its contributions in January 1972, in accordance with the formula in section 8906? Is this not a departure from the literal interpretation of the words "current contribution level" standing alone?

Mr. COX. Well, now I should say, sir, that I am not intimately familiar with 8906. I believe this is the section that speaks of taking the average of the costs of the high options of the six leading plans, or something of the sort.

Mr. WALDIE. That's what it is. That's what it is, and in accordance with that, the Postal Service raised its contribution on behalf of the employees subsequent to the execution of this agreement where you agreed you would continue the health benefit program at the current contribution level for the duration of the agreement. Apparently, you interpreted that language as permiting an increase in the contribution of the Postal Service?

Mr. COX. Well, I think that the level was probably in the mind of the parties when they agreed to this language that we have been talking about in the collective bargaining agreement was the percentage level; that is to say, 40 percent. I can, of course, defer to Mr. Blaisdell since he was a party to those negotiations and I was not, but do I understand—I don't think I understand you as

suggesting we made an increase of the 40-percent level?

Mr. WALDIE. No, you made an increase of the amount of dollar contribution.

Mr. COX. As a result of arithmetic computations.

Mr. BLAISDELL. That is what I assume must have happened.

Mr. WALDIE. So the meaning of the language, if that's what happened, is a current contribution formula; not current contribution level?

Mr. BLAISDELL. That is correct on the basis——

Mr. COX. On the basis of 40 percent; not 55 percent, for example.

Mr. WALDIE. Does the question involving those people that are not permitted to engage in collective bargaining, the supervisors, for example, are they bound by this collective bargaining agreement if we increase benefits for health plans for all Federal employees? Will the supervisors of the Postal Service benefit from that improvement without an express inclusion?

Mr. COX. No, sir; not in our view.

Mr. WALDIE. Even though they are not parties to this agreement?

Mr. COX. That's correct, sir. We base our views, as I believe you understand, on our reading of 39 U.S.C. 1005(f) and the legislative history that we referred to earlier. Of course, we do have an obligation under this statute and specifically, under 39 U.S.C. 1004, to provide compensation, working conditions, and so forth, that will permit an appropriate relationship between the level of the compensation of a supervisor and that for bargaining unit employees, as I believe you know.

Mr. WALDIE. But though they are not part of this agreement, it's your interpretation of the act that a general increase in benefits for other Federal employees would have no application to them absent a specific inclusion in the act?

Mr. COX. That is correct, sir.

Mr. WALDIE. Is that also the case with Postal Service retirees?

Mr. COX. No, sir. I think the case there is quite different.

Mr. WALDIE. What is the situation with Postal Service retirees?

Mr. COX. Well, they are not postal employees strictly speaking. They are not, as I understand it, subject to the collective bargaining agreement nor are they subject to the administrative procedures for setting compensation for those who are not within the bargaining units and I do not believe that they would be in the same boat at all.

I may say I am not a deep student of this subject. I don't want you to take my opinion as an expert one necessarily, but it's my off-the-cuff first impression that they would be treated like other Federal employees.

Mr. WALDIE. Any other questions?

Mr. CHAPPELL. Yes, Mr. Chairman.

Mr. WALDIE. Mr. Chappell.

Mr. CHAPPELL. Mr. Cox, as an attorney, let's turn to section 1005, title 39, United States Code, which is the one relating to the Postal Service. Mr. Gross has already read from subsection (d) there where the language is perfectly clear that it is intended that retirement be treated separately since the separate paragraph isn't completely set apart from all the rest; isn't that right?

Mr. COX. Yes, sir; and if I may say so, Mr. Chappell, I believe it was before you came into the room, we did submit for the record to the subcommittee some legislative history that further bears that out which I think is exceptionally clear.

Mr. CHAPPELL. Not only is it clear that it was intended to be set apart from other things, but it's also clear in paragraph (f), if we might read it, that it was clearly intended that health benefits be a part of collective bargaining and let me read:

"(f) Compensation, benefits and other terms and conditions of employment in effect immediately prior to the effective date of this section, whether provided by statute or by rules and regulations of the former Post Office Department or the executive branch of the Government of the United States, shall continue to apply to officers and employees of the Postal Service, until changed by the Postal Service in accordance with this chapter and chapter 12 of this title."

Now this is where it gets specific and precise:

"Subject to the provisions of this chapter and chapter 12 of this title, the provisions of subchapter I of chapter 85"—and chapter 85 deals with unemployment compensation—"and chapters 87 and 89 of title 5"—chapter 87 covers life insurance and chapter 89 covers health insurance, just as plain as the nose on your face. It just says that "chapters 87 and 89 of title 5 shall apply to officers and employees of the Postal Service, unless varied, added to, or substituted for, under this subsection."

And, it provides specifically:

"No variation, addition, or substitution with respect to fringe benefits shall result in a program of fringe benefits which on the whole is less favorable to the officers and employees than fringe benefits in effect on the effective date of this section, and as to officers and employees for whom there is a collective-bargaining representative, no such variation, addition, or substitution shall be made except by agreement between the collective-bargaining representative and the Postal Service."

Now, there have been some that say it might have been a matter of oversight. There isn't any oversight. I have never seen a law that spelled it out more clearly than that law. Do you concur with that as a lawyer?

Mr. COX. Yes; I do.

Mr. WALDIE. Let me, Mr. Chappell, just ask a question in connection with that.

If it's as clear as it appears to be as you have read it, why would the collective bargaining agreement be so confusing in the language they used in handling the two issues?

Mr. CHAPPELL. Mr. Chairman, you make the very point I have been talking about. This committee has no business here writing a contract. You can say they miswrote the contract or you can say anything you want to, but this Congress has no right to now change the wording in the contract and change the agreements when the law is perfectly clear that this is a negotiable item and was intended by the Congress to be a negotiatiable item.

Mr. WALDIE. Except you could conclude, as the postal union have argued, that it was not as clear as you have suggested. That, in fact, the parties when they entered into the contract, intended to permit a negotiation on this issue as a level but subjected to the possibility that Congress would act further on it.

Mr. CHAPPELL. Mr. Waldie, I could not disagree with you more. Here are reasonable men sitting down to the counsel table with the best lawyers in the country and if I were sitting as a judge and these people came to me and tried to tell me those high-powered lawyers didn't understand that provision in the law and that they should have protected themselves in the contract, I would say to those lawyers, you better go and hire yourselves a lawyer.

Mr. WALDIE. Would you say that for the Postal Service, too?

Mr. CHAPPELL. Yes, sir. I say it to the whole bunch of them. I say that the only thing that had to be put in the contract—and I don't profess to be any brilliant lawyer, but it's very clear to me if labor was concerned about it, the negotiators were worried about it, they were satisfied or dissatified with the provision, if they thought that they hadn't gotten all they should have at collective bargaining—at that point was to write in section 1 that the employer should continue the health insurance program at the current contribution level for the duration of this agreement or at such other level as might be prescribed by Congress; whichever should be the higher. It doesn't take much of a lawyer to do that, and I can't believe the lawyers involved in this proposition wrote down anything other than what they intended.

I just don't believe that.

Mr. WALDIE. You think that is what they intended in section 3, also?

Mr. CHAPPELL. I don't think the fact that you used different wording has a thing in the world to do with it. Apparently, they were satisfied with this provision and they were the ones who wrote the words. We are not supposed to be sitting here as a court trying to interpret a contract, we are here to——

Mr. WALDIE. Well, I think——

Mr. CHAPPELL. Let me make this point, Mr. Chairman.

If we are here trying to determine whether we made a mistake in this section 1005, that's another question. I might have a different view if we are here deciding whether or not you ought to take health insurance out of subsection (f) and amend it and put it in up here in subsection (d). That's another question.

The question we are dealing with so far is whether or not we are going to here rewrite a contract already negotiated and start it as a precedent. I think we are going to do the postal employees of this Nation a serious injustice because whereas it might be good today, it might be to their detriment tomorrow.

Mr. WALDIE. If I can add a further comment, I think the question is precisely what you said: What did the Congress intend at the time they enacted this particular statute and what did the parties that were most intimately effected believe we intended. I think in terms of changing the agreement, we have some direction, at least, as to what the parties considered was effected by the statute—to be in the statute—believed bearing, upon Mr. Hogan's question as to whether the Congress, in fact, intended to remove from the purview of the Congress the issue of health benefits.

If it's a conclusion that the parties involved in fact believed that health benefits were removed from Congress, that would add great substance to your suggestion that the wording is very clear and not subject to any interpretation or need of clarification. If, in fact, the parties to the contract were equally confused by this particular wording that adds substance to the provisions or to at least a suggestion of that clarification of that language is intended, and is needed.

I, personally, as you know, share the view that Mr. Hogan expressed, that clarification is desired here and that the issue before this committee is, shall we amend the statute to disclose precisely what we intended in terms of health benefits.

Mr. CHAPPELL. Mr. Chairman, let me respond to that. I don't believe that the chairman, or Mr. Hogan, or anyone else, who is acquainted with the English language—if they want to really get down and just look at this thing and read it—how they can misconstrue what chapter 89 is.

Now, chapter 89 is spelled out in the law here; that is health benefits. They can't misunderstand the meaning of chapter 89 when it's trying to say that that's included in the bargaining proposition. I don't see how anyone can read that wrong, Mr. Chairman. I'm not trying to be argumentative about it but I don't agree with the chairman that we have got a matter of clarification. We have a question proposed as to whether we want to change the intent of Congress from what it was when the law was passed. It's too clear with the explanation made in the record; it's too clear on the fact of the wording of

this. I don't think there is any question but what the Congress intended just what it wrote here and that is easy interpretation.

Now, the question is really not whether we want to merely clarify. Let's not mislead and confuse ourselves. What we are dealing with is whether or not we want to change the view of the Congress as it's expressed in the present law, and that's the question.

Mr. WALDIE. Well, that's completely within the original question. I don't think there's any question about that, but its clarity is not quite pronounced as you suggest or these brilliant attorneys that you suggest were on the other side of the bargaining table and I think they would not have goofed up this section 1 and section 3.

Mr. CHAPPELL. I would be pleased if the chairman would read that section aloud to all of us and point out one thing that is ambiguous in it.

Mr. WALDIE. I have read the section and it seems to me there is not much ambiguity in the section. I personally would be quite willing to change what the intent appears to be in that section. If there's ambiguity it's not substantial, but I think there is ambiguity in this particular sentence of that section, if you will refer to section 1005(f). It says, "Subject to the provisions of this chapter, the provisions of subchapter I of chapters 85, 87, and 89 of title 5 shall apply to employees of the Postal Service unless added to under this subsection."

Now, I suppose you would have to make the argument that, "added to under this subsection," has no reference to the first sentence of that subsection which says, "Compensation benefits and other terms and conditions of employment in effect immediately prior to the effective date of this section, whether provided by statute," if it refers to that sentence, compensation and other benefits in effect that are provided by statute, permits you to change by adding to statutory compensation advantages.

Mr. CHAPPELL. Yes, sir; but it says specifically, "those which were provided by statute prior to the effective date of this legislation."

Mr. WALDIE. Yes, right; but then it says that those provisions "can be varied, added to, or substituted for, under this subsection," which would seem that an argument could be made that you could vary, add to, or change under this subsection those benefits.

Mr. CHAPPELL. These are talking about applicability. It says apply to those and that shall be the way to provide. That is those things in effect as of the effective date of the law. There is no question about that. It says unless changed in this way. It says you can vary them, you can add to.

Now, "vary" means up or down.

Mr. WALDIE. Right.

Mr. CHAPPELL. Added to, is clear, or substituted for.

Mr. WALDIE. By statute.

Mr. CHAPPELL. No; this is talking about the contract.

Mr. WALDIE. I don't see that.

Mr. CHAPPELL. For substitution.

Mr. WALDIE. It says under the substitution.

Mr. CHAPPELL. No; it says under this subsection.

Mr. WALDIE. And under this subsection you would vary it by statute, rules, and/or regulations.

Mr. CHAPPELL. Well, sure, but the subsection says, "No variation, addition, or substitution with respect to fringe benefits shall result in a program of fringe benefits which on the whole is less favorable than on that specific date."

Mr. WALDIE. Well, all I think this colloquy proves is that you have two brilliant attorneys; you and me—that are arguing different positions and I expect the brilliant attorneys on the part of the Postal Service and organizations that have been negotiating this are subject to the same fallibilities that you and I may be.

Mr. Hogan?

Mr. HOGAN. Mr. Chairman, I just might say that, being a lawyer myself, anytime you get two, three, four, five lawyers together you get that many differences of opinion.

Mr. CHAPPELL. Mr. Hogan, I will admit it just looks clearer to me than it does to you fellows.

Mr. WALDIE. Gentlemen, are there other questions of these two witnesses? Thank you, Mr. Blaisdell and Mr. Cox.

Now, the next witnesses will appear jointly representing the postal unions: Mr. James H. Rademacher, president of the National Association of Letter Carriers; Mr. Bernard Cushman, chief spokesman and negotiator for postal unions; Mr. Chester W. Parrish, president of the Motor Vehicle Craft Division of the American Postal Workers Union; and Mr. Francis S. Filbey, general president of the American Postal Workers Union.

Yes, will you be seated and will you proceed in whichever order you desire? Are there any prepared statements that you desire to have included in the record?

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

The CHAIRMAN. The gentleman from California is recognized.

Mr. ROUSSELOT. Mr. Chairman, I am sure the body is ready to vote, so I will be brief. I rise in opposition to the amendment offered by the distinguished gentleman from California (Mr. WALDIE) which would require the Postal Service to increase its share of the cost of employee health benefits insurance for the following reasons:

First, the amendment that is proposed would cost the mail users over $100 million on top of the benefits already achieved through collective bargaining. The Federal Treasury is already in the hole.

Second, it would be inconsistent with the specific provisions of the Postal Reorganization Act.

Third and more important, it would undermine the necessary foundation of all successful labor relations; that is, those conditions of employment that are to be settled by agreement at the bargaining table and not elsewhere.

Now, the claim is made here by my friends, who also are saying they are the friends of the postal workers, that somehow the postal workers are improperly frozen in their ability to achieve health benefits. That is not true. This contract expires about a year from now. So we are not voting against health benefits today by refusing to intervene in the middle of a 2-year contract. All of the postal union employees and their leaders said:

> We appreciate what Congress has done in taking us out of the Congressional process to have to plead for raises. We have achieved great wage power through the bargaining process. We got what we wanted.

Now, the Members of Congress want to interject Congress into that established process. Many of my friends who are today here arguing they want to keep the Government out of collective bargaining are now saying, "Oh, but in this one little instance, because votes are on the line in 1972 and the postal workers are in hordes going to go out and work against me if I do not vote for this"—I say it is pure bunk.

Now, I want to speak to the Waldie amendment, because we all understand my good friend is running for Governor, and there are a great many postal workers in California. We all know that but the gentleman is doing so in an upside down manner by disrupting the bargaining process he says he is for.

I think it is wrong for the Congress, once it has said by law we will use the collective bargaining system, and then suddenly junk it.

Now I will say this: Vote for the Waldie amendment if you want to destroy the collective bargaining system. That is exactly what we will be doing.

Mr. Chairman, let me review the facts: I am opposed to any amendment to H.R. 12202 which would require the Postal Service to increase its share of the cost of employee health benefits insurance.

The amendment that is proposed would cost mail users over $100 million annually. It would be inconsistent with specific provisions of the Postal Reorganization Act. And it would undermine that necessary foundation of all successful labor relations, which is: that conditions of employment are to be settled by agreement at the bargaining table and not elsewhere.

Nothing is more important to the accomplishment of the purpose of the Postal Reorganization Act than successful collective bargaining. Successful collective bargaining is absolutely essential to a satisfactory system of employee relations in the Postal Service, just as satisfactory employee relations are absolutely essential to a viable postal service.

The basic collective bargaining obligations that the Congress wrote into the Postal Reorganization Act are set forth in the National Labor Relations Act. A major purpose of that act is to make collective bargaining contracts binding on both parties. Collective bargaining cannot be successful unless the parties understand that they will have to abide by the agreements they reach through the bargaining process.

Permitting postal employees—no matter how great their need—to gain greater benefits from Congress than those they have accepted through the bargaining process would be as destructive of sound labor relations as it would be to permit the Postal Service to win a reduction in bargained-for postal wages from Congress.

I am not alone in my opinion on this subject. Let me read some remarks made by a spokesman for the American Postal Workers Union, the largest of the postal unions. The legislative director of the APWU, in testimony before a Senate subcommittee holding hearings on a bill to amend the Randolph-Sheppard Act, said:

> The Postal Reorganization Act of 1970 opens to bargaining: wages, hours, and working conditions as in private industry. . . . Surely the Congress which approved the Postal Reorganization Act will not approve new paternalistic legislation to negate the authority so recently given to the U.S. Postal Service, and, incidentally, to vacate negotiation rights already won by postal unions. If this is the course to be followed, the bold legislation of 1970 will become a comic gesture with the Congress reasserting control in one area after another and again becoming the seat of battle between employees

and employer with respect to wages, hours and working conditions.

During the course of collective bargaining negotiations, the postal unions won some very substantial wage benefits. I am certain that the Postal Service would not have agreed to such benefits if they did not also obtain agreement to continue fringe benefit plans at a constant level. For a change to any one of the many interrelated parts of any labor-management agreement can undercut the basis of the entire agreement.

A vote for the Waldie amendment is a vote to destroy the collective bargaining procedure.

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

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

Mr. BRASCO. Mr. Chairman, I wanted to answer the question the gentleman asked of me when I was in the well. The gentleman's arguments in my humble opinion are irrelevant, because we are here under a special set of circumstances. The President made a decision that health benefits are a critical need to the working men and women of America, so he sent a special message to Congress mandating that every private employer give these benefits to private employees, notwithstanding their right to collective bargaining and the right to strike. We followed the President's lead by attempting to enact legislation that would do the very same thing for Federal employees.

Now my good friend, the gentleman in the well, says we will do it for all other employees and possibly, when other legislation comes, for those in the private sector, but we will only leave out the Postal employees. Does the gentleman say that is fair and not a vote against the Postal employees?

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

(By unanimous consent, Mr. ROUSSELOT was allowed to proceed for 1 additional minute.)

Mr. ROUSSELOT. Mr. Chairman, I want to answer my good friend, because he is absolutely incorrect in his implication that I want to hold back the postal workers. I want to make it clear I am for the postal workers but I am not going to be put in the position of voting for a procedure that intervenes in the middle of a wage contract, and that is exactly what we would do with the Waldie amendment.

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

Mr. ROUSSELOT. I yield to my friend, the gentleman from Iowa, who has a further comment.

Mr. GROSS. Mr. Chairman, I only want to point out that if this amendment is adopted the huge increase in the Government's contribution will have to be paid for out of a postal rate increase.

Mr. ROUSSELOT. But that does not seem to bother my friend, the gentleman from New York.

Mr. GROSS. I am sure it does not.

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

Mr. Chairman, I am one Member of this body who with a great deal of reluctance and at the insistence of the postal employees voted to create this U.S. Postal Service. Something had to be done at that point in time. I made a mistake. We have not improved the Postal Service, but we have done something that I consider to be binding until that basic law itself is amended.

People have been talking from an emotional and I share some of that point of view, but they have not been considering the law that we passed.

I have here title 39 of the United States Code, which has to do with the U.S. Postal Service. I want to read to the Members from the law, and I want them to hear what the law has to say about who has what authority.

Section 1005. * * *

(f) Compensation, benefits, and other terms and conditions of employment in effect immediately prior to the effective date of this section, whether provided by statute or by rules and regulations of the former Post Office Department or the executive branch of the Government of the United States, shall continue to apply to officers and employees of the Postal Service, until changed by the Postal Service in accordance with this chapter and chapter 12 of this title.

And chapter 12 of this title has to do with Employee-Management Agreements.

Subject to the provisions of this chapter and chapter 12 of this title, the provisions of subchapter I of chapter 85 and chapters 87 and 89 of title 5 shall apply to officers and employees of the Postal Service, unless varied, added to, or substituted for, under this subsection.

Which means that if there is going to be a change from the benefits which were in effect at the time this law became effective the change must be brought about by amending this basic law.

It says:

No variation, addition, or substitution with respect to fringe benefits shall result in a program of fringe benefits which on the whole is less favorable to the officers and employees than fringe benefits in effect on the effective date of this section.

It says nothing about what might happen after this section becomes effective. It only specifies what is initially required.

Mr. THOMPSON of Georgia. Mr. Chairman, will the gentleman yield?

Mr. WAGGONNER. The gentleman has had the floor. Let me make my explanation. I do not yield.

Mr. THOMPSON of Georgia. Let me ask a question.

Mr. WAGGONNER. I do not yield.

The CHAIRMAN. The gentleman from Louisiana has the floor.

Mr. WAGGONNER. It continues:

And as to officers and employees for whom there is a collective-bargaining representative, no such variation, addition, or substitution shall be made except by agreement between the collective-bargaining representative and the Postal Service.

The gentleman's question would probably have been: Does the Congress have the authority to change the law? Absolutely, the Congress has the authority to change the law. But if we are going to do it, then let us live by the basic law until we amend this basic law we are talking about here today. I will vote to amend that basic law.

I am not one who says their benefits are or are not enough. I really do not know. But I am saying that the only proper course to pursue is to amend the law wherein we created this U.S. Postal Service. And until we do the authority to negotiate any change with regard to a change in any of these benefits, which includes fringe benefits, lies between management and the negotiating authorities or bargaining units.

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

Mr. WAGGONNER. I am happy to yield to the gentleman from Iowa.

Mr. GROSS. That is why I thought I had a valid point of order, because the amendment amends title 5, not the act the gentleman is citing.

Mr. WAGGONNER. That is exactly what this gentleman is saying.

Mr. THOMPSON of Georgia. Mr. Chairman, will the gentleman yield?

Mr. WAGGONNER. I am happy to yield to the gentleman from Georgia.

Mr. THOMPSON of Georgia. Did the gentleman not read that there would be no less benefits?

Mr. WAGGONNER. Yes. If the gentleman had been listening——

Mr. THOMPSON of Georgia. It did not prohibit increasing them, but only prohibited decreasing the benefits.

Mr. WAGGONNER. Listen to it again and try to understand it. I believe the gentleman has the capability.

Mr. THOMPSON of Georgia. I have read it, and it specifically says no less benefits may be reported, not with respect to higher benefits.

Mr. WAGGONNER. Listen to it again:

No variation, addition, or substitution with respect to fringe benefits shall result in a program of fringe benefits which on the whole is less favorable to the officers and employees than fringe benefits in effect on the effective date of this section.

It does not say what will happen later. It says what the situation will be initially.

The point is: Amend this law if you want to do it.

Mr. WILLIAM D. FORD. Mr. Chairman, I rise in support of the amendment.

I yield to the gentleman from California.

Mr. WALDIE. Mr. Chairman, I wonder if we can get an idea of how many still desire to speak on the pending amendment. Apparently the gentleman from Michigan is the only one.

I thank the gentleman for yielding.

Mr. WILLIAM D. FORD. Thank you, Mr. Chairman. I rise to speak in favor of the Waldie amendment to include postal employees in this legislation.

It is an extraordinary exercise we are going through here, but I am absolutely fascinated to see the gentleman who just preceded me in the well and the gentleman from Iowa who started their remarks by reminding us that the Postal Reorganization Act was one of a poorly constructed mistake made by the last Congress. They indicate in one case, in the case of the gentleman from Iowa, that he thought it was a bad bill when he voted against it, and he still thinks

so. The gentleman from Louisiana agrees with me that it was not what it should have been and that he was persuaded to vote for it but now he thinks he made a mistake in doing so.

However, I think it is still a bad bill and that we ought to be consistent after identifying the legislation in this fashion. However, they agree on that and turn to you and read from it then as if it were a Holy Writ.

They say that they do not want to touch any part of this ill-conceived legislation for fear that they will be tampering with it and will hurt the intent that we legislated 2 years ago. We should not have done it, they say, but it is so great that we should not touch it now or improve it.

That does not make any sense to me. If you believe what the gentleman who preceded me in the well tells you, we could pass laws and say that no Congress in the future could ever amend it because we think it is so great. There is no place in the Constitution which gives us the authority to bind even yourselves in that way.

All of this argument about interfering with collective bargaining may be a convenient smokescreen for some people to hide behind who want to vote against the postal employees but who do not have the courage to do it without that smokescreen to hide behind.

Let me say it is baloney. There is no collective bargaining question here at all. If the employees had gone to the bargaining table and been denied some request of theirs and then they came to us in the Congress, I would have agreed with those who say that we should not interfere with it. They should not come over the heads of either labor or management, over the head of one or the other, and come to us in Congress and ask us to interfere in the collective bargaining process.

I might remind the gentleman from California when we were asking you not to interfere in the dock strike in California you were not as enthusiastic about keeping your fingers out of that collective bargaining process.

We are not interfering with the collective bargaining system here. We started out to legislate, as a matter of policy, that all Federal employees, regardless of whom they work for—and that includes the Wage Board employees, for whom we do not set wages here—would have some basic health benefits and over a period of time we would provide that all Federal employees would reach the level of 75-percent Government payment for their health benefits.

Only after the subcommittee considered the legislation did the Postal Service management come forward and say:

> We do not want our employees to be treated the same as all other Government employees.

If anybody has come to the Congress and asked for interference in the relationship, it has been the Post Office Department's management by asking that we legislate for everybody except their employees. I think we have a chance today to tell the postal management that their employees are Federal employees.

We might ask the question: Who runs the Postal Service in this country? Is it still the property of the public? Is it still something that belongs to the people of this country and which is going to be watched over and managed by those they elect to run their Government? Have we created an autonomous monster down the street that can go in any direction it wants to and whenever they feel they want to stop us from legislating on a matter of policy that affects them and their employees, by simply raising the specter of a violation of the Postal Reorganization Act.

I have to agree with the fact that there was some confusion, to say the very best you can say, about the clear-cut intent in the Postal Reorganization Act, and then those of you who oppose this will have to reject all these strained constructions that are being put on it today.

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

Mr. WILLIAM D. FORD. Yes, I yield to the gentleman from Iowa since I mentioned his name.

Mr. GROSS. The gentleman from Michigan is an astute labor attorney, and I am surprised that he did not recognize this monster when he saw it a couple of years ago. I do not see how he can possibly say that if this amendment is adopted that Congress is not intervening in collective bargaining on this new postal corporation.

Mr. WILIAM D. FORD. I would like to remind my good friend from Iowa that I put up a good bit of a fight in this well about the collective bargaining provision contained in this act, and I invite him to support my bill to give postal workers the right to strike so that they can have effective collective bargaining.

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

Mr. Chairman, I rise in support of the Waldie amendment. In my opinion, equity requires us to pass this legislation with the Waldie amendment attached to it. We all admit we made a mistake in giving away our congressional control over the extremely important Postal Service; however, laws are made to be improved upon whenever possible. The Waldie amendment provides a step in the right direction, the health, welfare, and morale of our postal workers is directly related to the type of service the public receives. A yes vote means fairness, equal treatment, and a better Postal Service. Thank you.

Mr. PETTIS. Mr. Chairman, I wish to state my strong support for H.R. 12202 and the amendment offered by my distinguished colleague, the gentleman from California (Mr. WALDIE) to include postal workers under the provisions of this bill.

The spiraling cost of health care and subsequent increase in health insurance coverage was most recently evidenced by the large raise in Federal health insurance rates which became effective the first of this year. With the Federal Government paying a set 40-percent of the cost for this coverage, a large chunk was taken out of Federal employee paychecks when these new rates went into effect.

Government workers have yet to achieve pay comparability with private sector employees and can ill afford to absorb this increase without additional Government contributions. President Nixon, in his health message to the Congress last year, recognized the essence of this problem and proposed adoption of national health insurance standards to require employers to provide shared-cost health insurance with a ceiling on employee contributions set at 35 percent by July 1973, and 25 percent by January 1976.

H.R. 12202 is designed to make the Federal Government a leader in following these guidelines. I urge my colleagues to approve this equitable and justified legislation to help Federal employees and retirees meet the rising costs of health insurance coverage and to approve the Waldie amendment to make postal workers eligible under this new plan.

I want to add that I would hope the passage of H.R. 12202 will give Congress the impetus to proceed with the enactment of identical standards and guidelines for private industry.

Mr. HARRINGTON. Mr. Chairman, I rise in full support of the amendment offered by the gentleman from California (Mr. WALDIE) to provide postal workers with the full Federal share of health benefit premium offered to other Federal workers under H.R. 12202.

The amended legislation will increase the Federal share of premiums from 40 to 75 percent for all Federal employees, including postal workers. This, incidentally, is the same share of premium the President has called for in the private sector.

The postal employees work as hard and as diligently as any employee in the private or public sector.

It would be both discriminatory and inequitable to prevent postal employees from receiving the increased Federal share of health insurance premiums. With the incredible increase in health costs facing this Nation, and with a commensurate increase in premium costs, we cannot here, in effect, legislate a pay cut for postal employees by ignoring their needs in this area. They are fully entitled to the increased Federal share.

I urge other Members to vote with me for the Waldie amendment.

Mrs. ABZUG. Mr. Chairman, I am pleased to rise in support of H.R. 12202, which would increase the Federal Government's contribution for employee health benefits from 40 percent to 55 percent, beginning this year, with a further 5-percent increase in each succeeding year until the Government share reaches 75 percent in 1976. In addition, I want to express my strong support for the Waldie amendment, which would include postal employees under the same program available to other Federal employees.

I want to state briefly the two rationales which lead me to support this bill and the Waldie amendment:

First, if the Federal Government is to recruit and keep qualified employees to do the people's business, it must keep pace with private industry in terms of benefits as well as salaries. These days, many private employers pay the full cost of health insurance; surely, the Federal

Government should pay more than 40 percent if it wants to continue to have the best workers in the work force.

Second, and more important, every American should be assured adequate medical care based solely upon his need for it. His wealth or his income should have nothing to do with it. To this end, I have cosponsored the Kennedy-Griffiths bill for national health insurance and have testified before the Committee on Ways and Means in support of such legislation. The bill before us takes one step, albeit a small one, toward that goal. It is the least we should do for the faithful workers who make our Government run.

I urge the adoption of the Waldie amendment and the passage of this bill.

Mr. DONOHUE. Mr. Chairman, I most earnestly hope that the great majority of this House will approve, with the addition of the amendment to equitably clarify the status of Post Office employees, this measure H.R. 12202 designed to more realistically adjust the Government's contribution to the cost of health insurance coverage for Federal employees and annuitants.

The Congress has been committed for many years to the concept of taking every reasonable action to assure that Government employment remains competitive with employment in private industry.

The Federal Government's assumption of a more proportionate share of essential health costs is now in order, since it is obvious that the present contribution is considerably less than the amount contributed by major private industry. At present, the Federal Government contributes 40 percent toward the cost of health insurance coverage and the Federal employee contributes the remaining 60 percent. The updated provisions of H.R. 12202 increase the Government's contribution to 55 percent and call for incremental increases of 5 percent each year beginning in January until the Federal Government is paying 75 percent of the total cost by 1976. This gradual increase of benefits will move in the direction of preserving competitive benefit attractions between Federal employment and private industry and will demonstrate that the Federal Government, as an employer, recognizes the essential need to continue to try to attract the highest qualified personnel for Government service.

In summary, Mr. Chairman, I believe that the provisions of this measure, with the amendment on behalf of the Postal employees are fair and reasonable and they will undoubtedly operate in the best, overall national interest. Therefore, I urge my colleagues here to resoundingly approve this bill.

Mrs. HICKS of Massachusetts. Mr. Chairman, I rise in support of H.R. 12202, the amendment to the Federal Employees Health Benefits Act and also in support of the amendment filed by Congressman WALDIE which will include in the benefits our postal service employees. This legislation will make three highly significant improvements in the act.

First of all, this bill would increase over a 5-year period the Government's contribution toward premium charges for the more than 8 million persons covered under the 40 different plans participating in the health insurance program. At the present time, the Government's share as an employer is pegged at 40 percent of the average high-option charge of six large representative plans. Under H.R. 12202, this share would be increased to 55 percent for the remainder of 1972, and in each subsequent year the percentage would be increased by an additional 5 percent until the Government contribution reached, in 1976, an amount equal to 75 percent of the average premium charge.

The bill would also permit certain retirees and survivor annuitants presently eligible for enrollment in the retired Federal employees' health benefits program to elect coverage under the regular FEHB program. As you know, when the Federal employees' health benefits program was established in 1960, coverage was extended to employees in active service and employees whose separation occurred on or after July 1, 1960. A special program was created to provide health benefits to retirees and survivor annuitants whose retirements rights were based upon separation prior to that date.

It has been estimated that a majority of those annuitants enrolled, or eligible to enroll, in the retired Federal employees' health benefits program are covered by medicare, which provides good basic coverage and enables the "retired" program to serve as a supplemental plan. However, for those individuals not eligible for full medicare coverage, benefits presently available under the retired Federal employees' health benefits program are seriously inadequate. H.R. 12202 would correct this situation by allowing these particular retirees to participate in the more comprehensive Federal employees' health benefits program, in lieu of their present coverage.

Another important provision in the bill would redefine the term "member of a family" for purposes of insurance coverage to include an unmarried child regardless of age, who is dependent upon the enrolled parent for more than half his support and who is a full-time student at an accredited educational institution. At the present time, a child ceases to be covered by his parents' enrollment when he marries or reaches age 22. This limitation creates a serious financial strain on families hard pressed to meet the costs of higher education for their children and simultaneously provide them with adequate health insurance protection.

For several years, I have been concerned about the discrepancy between health insurance protection afforded workers in private industry and that provided to our Federal employees. In recent years. the trend in private industry has been toward the employer assuming the major costs of employees' health insurance premiums and in many cases the full cost. Yet, the Federal Government has consistently lagged behind private industry in this regard, at one point in the 12-year history of the health program contributing as little as 24 percent toward the cost of aggregate premiums.

Last year, I introduced a bill which would have brought the Federal Government's contribution toward health insurance premiums more in line with the contributions made by private employers for their workers. This bill called for an increase in the Government's share from the present 40 percent to 66⅔ percent of the average high-option premium charge. The present bill, H.R. 12202, calls for an eventual increase to 75 percent of the average charges.

I have come to feel that this additional increase is urgently needed in view of conditions in the economy as a whole and in the health care sector in particular. We are all well aware of the serious inflationary problems affecting all sectors of our Nation's economy and the steps which have been taken through wage and price controls to counteract these problems. In the medical care area, prices have risen at a pace which far outstrips the increases for all other consumer items.

In 1970, the average health bill for each American was $324, more than twice what it was in 1960. Twenty years ago the average bill was less than one-fourth the 1970 amount. This growth represents an average increase of 7.3 percent per year, at a time when the average increase in industrial wage levels was growing at only 4.3 percent per year. As health care costs have risen, the portion of these costs not covered through health insurance has constituted a greater and greater burden. As premium charges rise to meet these costs, an even greater financial burden is imposed on the average breadwinner.

The Federal employee covered under the Government's health benefits program has not been immune to the effects of these incessantly rising costs. For example, the cost of insurance for the six out of every 10 Federal employees covered under the Blue Cross-Blue Shield plan rose by almost 22 percent in the last year alone. Combine this fact with the limitations imposed on scheduled pay increases for civil servants and you confront a situation of serious economic hardship.

I believe that in all fairness the Federal Government must not allow its employees and retirees to bear a disproportionate share of these spiraling health care costs.

I urge my colleagues to lend their enthusiastic support to H.R. 12202 and the Waldie amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from California (Mr. WALDIE).

TELLER VOTE WITH CLERKS

Mr. WALDIE. Mr. Chairman, I demand tellers.

Tellers were ordered.

Mr. WALDIE. Mr. Chairman, I demand tellers with clerks.

Tellers with clerks were ordered; and the chairman appointed as tellers Messrs. WALDIE, GROSS, BRASCO, and DERWINSKI.

The Committee divided, and the tellers reported that there were—ayes 197, noes 148, not voting 88, as follows:

[Recorded Teller Vote]

[Roll No. 127]

AYES—197

Abourezk	Garmatz	Nichols
Abzug	Gaydos	Nix
Adams	Gettys	Obey
Addabbo	Giaimo	O'Hara
Anderson, Calif.	Gibbons	O'Konski
	Gonzalez	O'Neill
Andrews, N. Dak.	Grasso	Passman
	Gray	Patten
Aspin	Green, Pa.	Pepper
Badillo	Griffin	Perkins
Baring	Griffiths	Peyser
Barrett	Gubser	Pike
Begich	Halpern	Podell
Bennett	Hammer-schmidt	Price, Ill.
Bergland		Quillen
Bevill	Hanley	Railsback
Biaggi	Hanna	Randall
Biester	Hansen, Wash.	Reid
Boggs	Harrington	Reuss
Boland	Harvey	Riegle
Bolling	Hathaway	Rodino
Brademas	Hechler, W. Va.	Roe
Brasco	Heckler, Mass.	Rogers
Bray	Helstoski	Roncalio
Brinkley	Hicks, Mass.	Rooney, N.Y.
Brooks	Hicks, Wash.	Rooney, Pa.
Brotzman	Hillis	Rosenthal
Burke, Fla.	Hogan	Rostenkowski
Burke, Mass.	Holifield	Roush
Burton	Horton	Roy
Byrne, Pa.	Howard	Roybal
Carey, N.Y.	Hungate	Ryan
Celler	Jacobs	St Germain
Chisholm	Johnson, Calif.	Sarbanes
Clark	Karth	Seiberling
Clausen, Don H.	Kastenmeier	Shoup
	Kazen	Shriver
Clay	Koch	Sisk
Corman	Kyros	Smith, Iowa
Cotter	Leggett	Steele
Daniels, N.J.	Lent	Stephens
Danielson	Link	Stratton
Davis, Ga.	Long, Md.	Stuckey
Davis, S.C.	McCloskey	Sullivan
de la Garza	McCollister	Thompson, Ga.
Delaney	McCormack	Thompson, N.J.
Dellums	McDade	Thomson, Wis.
Denholm	McFall	Thone
Donohue	McKay	Tiernan
Dow	McKevitt	Ullman
Downing	Meeds	Van Deerlin
Drinan	Melcher	Vanik
Dulski	Metcalfe	Vigorito
Duncan	Mikva	Waldie
Eckhardt	Mills, Md.	Wampler
Edmondson	Minish	Whalen
Edwards, Calif.	Mink	White
Eilberg	Minshall	Williams
Evans, Colo.	Mitchell	Wilson, Bob
Fascell	Monagan	Wilson, Charles H.
Fish	Moorhead	
Flood	Morgan	Wolff
Ford, William D.	Moss	Wyatt
	Murphy, Ill.	Wydler
Forsythe	Murphy, N.Y.	Yates
Fraser	Myers	Yatron
Frey	Natcher	Zablocki
Fulton	Nedzi	

NOES—148

Abbitt	Chappell	Goldwater
Abernethy	Clancy	Goodling
Archer	Clawson, Del	Green, Oreg.
Arends	Cleveland	Gross
Ashbrook	Collier	Gude
Aspinall	Collins, Tex.	Haley
Baker	Colmer	Hall
Belcher	Conable	Hamilton
Bell	Coughlin	Hansen, Idaho
Blackburn	Crane	Harsha
Bow	Daniel, Va.	Heinz
Broomfield	Davis, Wis.	Henderson
Brown, Mich.	Dellenback	Hosmer
Brown, Ohio	Dennis	Hull
Broyhill, N.C.	Derwinski	Hunt
Buchanan	Devine	Hutchinson
Burleson, Tex.	Dickinson	Jarman
Burlison, Mo.	Dingell	Jonas
Byrnes, Wis.	du Pont	Jones, N.C.
Byron	Edwards, Ala.	Keating
Cabell	Erlenborn	Keith
Caffery	Findley	Kemp
Camp	Fisher	King
Carlson	Ford, Gerald R.	Landrum
Carter	Frelinghuysen	Latta
Cederberg	Frenzel	Lennon
Chamberlain	Fuqua	Lloyd
McClory	Pelly	Skubitz
McClure	Pickle	Smith, Calif.
McCulloch	Pirnie	Smith, N.Y.
McDonald, Mich.	Poff	Snyder
	Powell	Spence
McEwen	Preyer, N.C.	Springer
McKinney	Quie	Stanton, J. William
McMillan	Rarick	
Mailliard	Rhodes	Steiger, Ariz.
Mallary	Robinson, Va.	Steiger, Wis.
Mann	Robison, N.Y.	Talcott
Martin	Rousselot	Taylor
Mathias, Calif.	Ruth	Teague, Calif.
Mathis, Ga.	Sandman	Waggonner
Mayne	Satterfield	Ware
Mazzoli	Saylor	Whalley
Michel	Scherle	Widnall
Miller, Ohio	Schmitz	Wiggins
Mills, Ark.	Schneebeli	Wylie
Mizell	Schwengel	Wyman
Montgomery	Scott	Young, Fla.
Mosher	Sebelius	Zion
Nelsen	Sikes	Zwach

NOT VOTING—88

Alexander	Fountain	Price, Tex.
Anderson, Ill.	Galifianakis	Pryor, Ark.
Anderson, Tenn.	Gallagher	Pucinski
	Grover	Purcell
Andrews, Ala.	Hagan	Rangel
Annunzio	Hastings	Rees
Ashley	Hawkins	Roberts
Betts	Hays	Runnels
Bingham	Hébert	Ruppe
Blanton	Ichord	Scheuer
Blatnik	Johnson, Pa.	Shipley
Broyhill, Va.	Jones, Ala.	Slack
Carney	Jones, Tenn.	Staggers
Casey, Tex.	Kee	Stanton, James V.
Collins, Ill.	Kluczynski	
Conte	Kuykendall	Steed
Conyers	Kyl	Stokes
Culver	Landgrebe	Stubblefield
Curlin	Long, La.	Symington
Dent	Lujan	Teague, Tex.
Diggs	Macdonald, Mass.	Terry
Dorn		Udall
Dowdy	Madden	Vander Jagt
Dwyer	Mahon	Veysey
Edwards, La.	Matsunaga	Whitehurst
Esch	Miller, Calif.	Whitten
Eshleman	Mollohan	Winn
Evins, Tenn.	Morse	Wright
Flowers	Patman	Young, Tex.
Flynt	Pettis	
Foley	Poage	

So the amendment was agreed to.

AMENDMENT OFFERED BY MR. SCOTT

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

The Clerk read as follows:

Amendment offered by Mr. SCOTT: Strike out the first section in its entirety and insert in lieu thereof the following:

"That section 8906(a) of title 5, United States Code, is amended by striking out '40 percent' and inserting in lieu thereof '50 percent'."

Mr. SCOTT. Mr. Chairman, under the present law the Government contribution is 40 percent of the cost of health benefits. The bill that is now before us, on page 2, provides that the Government contribution during this calendar year shall be increased to 55 percent with a 5-percent additional increment each year until it reaches a 75-percent contribution by the Government. I believe that this is one of the reasons why this legislation faces a possible veto by the President.

Mr. Chairman, my amendment provides that the Government would contribute 50 percent and the employees would contribute 50 percent to the cost of health insurance with no annual increment. This was the original intent of the legislation when it was enacted by the Congress in 1960; that is, an equal sharing of the cost of health benefit insurance. Over the years the ratio has been changed because the cost of hospitalization and health care has increased, and the cost of the insurance has increased.

Recognizing this change, during the 91st Congress this House passed a bill by a margin of 284 to 57 to provide equal sharing of the cost, 50 percent by the Government and 50 percent by the employee.

But in a compromise, in conference with the Senate, that equal sharing of cost between the Government and the employee was revised to the present 40-percent contribution by the Government.

I believe, Mr. Chairman, that not only is the equal sharing of the cost of health insurance by the employee and the Government consistent with the original intent of the Congress, but it is also fair and equitable.

Mr. Chairman, adoption of this amendment will change the prospects of the legislation being vetoed, because it is a fair proposal. I have no assurance from the administration, but because of the eminent fairness and equal sharing of the cost, I am very hopeful that we will be able to enact this measure into law by the adoption of this amendment.

Mr. WALDIE. Mr. Chairman, I rise briefly in opposition to the amendment. I commend the gentleman for the thrust of the amendment, which is to increase the Federal contribution to the Federal employees' health benefits premium, but the amount is considerably less than the increase proposed by the President for the private sector, which is the pattern we have suggested in the bill before the committee.

Mr. Chairman, I therefore ask for a no vote on the amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Virginia (Mr. SCOTT).

The question was taken; and on a division (demanded by Mr. SCOTT) there were—ayes 47, noes 36.

TELLER VOTE WITH CLERKS

Mr. WALDIE. Mr. Chairman, I demand tellers.

Tellers were ordered.

Mr. WALDIE. Mr. Chairman, I demand tellers with clerks.

Tellers with clerks were ordered; and the Chairman appointed as tellers Messrs. SCOTT, WALDIE, DULSKI, and MILLS of Maryland.

The Committee divided, and the tellers reported that there were—ayes 124, noes 219, answered "present" 1, not voting 90, as follows:

[Recorded Teller Vote]

[Roll No. 128]

AYES—124

Abbitt	Cleveland	Goodling
Abernethy	Collier	Haley
Archer	Collins, Tex.	Hammer-schmidt
Arends	Conable	
Ashbrook	Coughlin	Hansen, Idaho
Baker	Crane	Harvey
Baring	Daniel, Va.	Heinz
Belcher	Davis, Wis.	Horton
Bell	Dellenback	Hosmer
Bow	Dennis	Hunt
Broomfield	Derwinski	Hutchinson
Brotzman	Devine	Jacobs
Brown, Mich.	Dickinson	Jarman
Brown, Ohio	Downing	Jonas
Broyhill, N.C.	du Pont	Keating
Buchanan	Edwards, Ala.	Keith
Burleson, Tex.	Erlenborn	Kemp
Byrnes, Wis.	Findley	Latta
Camp	Ford, Gerald R.	Lennon
Carlson	Frelinghuysen	McClure
Cederberg	Frenzel	McCulloch
Chamberlain	Gibbons	McDonald, Mich.
Clawson, Del	Goldwater	

McKevitt
McKinney
Mailliard
Mallary
Mann
Martin
Mathias, Calif.
Mayne
Mazzoli
Michel
Miller, Ohio
Mills, Md.
Mizell
Montgomery
Nelsen
O'Konski
Passman
Pelly
Pike
Pirnie
Poff
Powell
Quie
Quillen
Rarick
Rhodes
Robinson, Va.
Robison, N.Y.
Satterfield
Schmitz
Schneebeli
Schwengel
Scott
Sebelius
Shriver
Skubitz
Smith, Calif.
Spence
Springer
Stanton, J. William
Steiger, Ariz.
Steiger, Wis.
Talcott
Teague, Calif.
Terry
Thomson, Wis.
Wampler
Ware
Whalley
Widnall
Wiggins
Williams
Wylie
Wyman
Young, Fla.
Zion
Zwach

NOES—219

Abzug
Adams
Addabbo
Albert
Anderson, Calif.
Andrews, N. Dak.
Aspin
Aspinall
Badillo
Barrett
Begich
Bennett
Bergland
Bevill
Biaggi
Biester
Blackburn
Blatnik
Boggs
Boland
Bolling
Brademas
Brasco
Bray
Brinkley
Brooks
Burke, Fla.
Burke, Mass.
Burlison, Mo.
Burton
Byrne, Pa.
Byron
Cabell
Caffery
Carey, N.Y.
Carter
Celler
Chappell
Clancy
Clark
Clausen, Don H.
Clay
Colmer
Conyers
Corman
Cotter
Daniels, N.J.
Danielson
Davis, Ga.
Davis, S.C.
de la Garza
Delaney
Dellums
Denholm
Diggs
Dingell
Donohue
Dorn
Dow
Drinan
Dulski
Duncan
Edmondson
Edwards, Calif.
Eilberg
Evans, Colo.
Fascell
Fish
Fisher
Flood
Foley
Ford, William D.
Forsythe
Fraser
Frey
Fulton
Fuqua
Gallagher
Garmatz
Gaydos
Gettys
Giaimo
Gonzalez
Grasso
Gray
Green, Oreg.
Green, Pa.
Griffin
Gross
Gude
Hall
Halpern
Hamilton
Hanley
Hanna
Hansen, Wash.
Harrington
Harsha
Hathaway
Hechler, W. Va.
Heckler, Mass.
Helstoski
Henderson
Hicks, Mass.
Hicks, Wash.
Hillis
Hogan
Holifield
Howard
Hull
Hungate
Johnson, Calif.
Jones, N.C.
Karth
Kastenmeier
Kazen
Kee
King
Koch
Kyros
Landrum
Leggett
Lent
Link
Lloyd
Long, Md.
McClory
McCollister
McCormack
McDade
McEwen
McFall
McKay
McMillan
Mathis, Ga.
Meeds
Melcher
Metcalfe
Mikva
Mills, Ark.
Minish
Mink
Minshall
Mitchell
Monagan
Moorhead
Morgan
Mosher
Murphy, Ill.
Murphy, N.Y.
Myers
Natcher
Nedzi
Nichols
Nix
Obey
O'Hara
O'Neill
Patten
Pepper
Perkins
Peyser
Pickle
Podell
Preyer, N.C.
Price, Ill.
Railsback
Randall
Reid
Reuss
Riegle
Rodino
Roe
Rogers
Roncalio
Rooney, N.Y.
Rooney, Pa.
Rosenthal
Rostenkowski
Roush
Roy
Roybal
Ruth
Ryan
St Germain
Sandman
Sarbanes
Saylor
Scherle
Seiberling
Shipley
Shoup
Sikes
Sisk
Smith, Iowa
Snyder
Steele
Stephens
Stratton
Stuckey
Sullivan
Taylor
Thompson, Ga.
Thompson, N.J.
Thone
Tiernan
Vanik
Vigorito
Waggonner
Waldie
Whalen
White
Wilson, Bob
Wilson, Charles H.
Wolff
Wyatt
Wydler
Yates
Yatron
Young, Tex.
Zablocki

ANSWERED "PRESENT"—1

Rousselot

NOT VOTING—90

Abourezk
Alexander
Anderson, Ill.
Anderson, Tenn.
Andrews, Ala.
Annunzio
Ashley
Betts
Bingham
Blanton
Broyhill, Va.
Carney
Casey, Tex.
Chisholm
Collins, Ill.
Conte
Culver
Curlin
Dent
Dowdy
Dwyer
Eckhardt
Edwards, La.
Esch
Eshleman
Evins, Tenn.
Flowers
Flynt
Fountain
Galifianakis
Griffiths
Grover
Gubser
Hagan
Hastings
Hawkins
Hays
Hébert
Ichord
Johnson, Pa.
Jones, Ala.
Jones, Tenn.
Kluczynski
Kuykendall
Kyl
Landgrebe
Long, La.
Lujan
McCloskey
Macdonald, Mass.
Madden
Mahon
Matsunaga
Miller, Calif.
Mollohan
Morse
Moss
Murphy, N.Y.
Patman
Pettis
Poage
Price, Tex.
Pryor, Ark.
Pucinski
Purcell
Rangel
Rees
Roberts
Runnels
Ruppe
Scheuer
Slack
Smith, N.Y.
Staggers
Stanton, James V.
Steed
Stokes
Stubblefield
Symington
Teague, Tex.
Udall
Ullman
Van Deerlin
Vander Jagt
Veysey
Whitehurst
Whitten
Winn
Wright
Young, Tex.

So the amendment was rejected.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. BEVILL, 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. 12202) to increase the contribution of the Federal Government to the costs of health benefits, and for other purposes, pursuant to House Resolution 927, he reported the bill back to the House with sundry amendments adopted by the Committee of the Whole.

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

Is a separate vote demanded on any amendment? If not, the Chair will put them en gros.

The amendments were agreed to.

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

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

PARLIAMENTARY INQUIRY

Mr. GROSS. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state his parliamentary inquiry.

Mr. GROSS. Mr. Speaker, am I correct in assuming that Members of Congress are covered under the provisions of this bill?

The SPEAKER. The Chair will state to the gentleman from Iowa that that is not a parliamentary inquiry.

Mr. GROSS. I thank the Speaker.

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

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

The yeas and nays were ordered.

The question was taken; and there were—yeas, 239, nays 110, answered "present" 1, not voting 83, as follows:

[Roll No. 129]

YEAS—239

Abourezk
Abzug
Adams
Addabbo
Anderson, Calif.
Andrews, N. Dak.
Aspin
Aspinall
Badillo
Baring
Barrett
Begich
Bennett
Bergland
Bevill
Biaggi
Biester
Blatnik
Boggs
Boland
Bolling
Brademas
Brasco
Brinkley
Brooks
Broomfield
Brotzman
Burke, Fla.
Burke, Mass.
Burlison, Mo.
Burton
Byrne, Pa.
Cabell
Caffery
Carey, N.Y.
Carter
Celler
Clancy
Clark
Clausen, Don H.
Clay
Conyers
Corman
Cotter
Coughlin
Daniels, N.J.
Danielson
Davis, Ga.
Davis, S.C.
de la Garza
Delaney
Dellums
Denholm
Diggs
Dingell
Donohue
Dorn
Dow
Downing
Drinan
Dulski
Duncan
du Pont
Edmondson
Edwards, Calif.
Eilberg
Evans, Colo.
Fascell
Fish
Fisher
Flood
Foley
Ford, William D.
Forsythe
Fraser
Frey
Fulton
Fuqua
Gallagher
Garmatz
Gaydos
Gettys
Giaimo
Gibbons
Gonzalez
Grasso
Gray
Green, Oreg.
Green, Pa.
Griffin
Gude
Halpern
Hamilton
Hammer-schmidt
Hanley
Hanna
Hansen, Wash.
Harrington
Harsha
Harvey
Hathaway
Hébert
Hechler, W. Va.
Heckler, Mass.
Helstoski
Hicks, Mass.
Hicks, Wash.
Hillis
Hogan
Holifield
Horton
Howard
Hungate
Hunt
Jacobs
Johnson, Calif.
Jones, N.C.
Karth
Kastenmeier
Kazen
Koch
Kyros
Leggett
Lent
Link
Lloyd
Long, Md.
McClory
McCollister
McCormack
McCulloch
McDade
McDonald, Mich.
McFall
McKay
McKevitt
McMillan
Mailliard
Mathias, Calif.
Mathis, Ga.
Meeds
Melcher
Metcalfe
Mikva
Mills, Ark.
Mills, Md.
Minish
Mink
Minshall
Mitchell
Monagan
Morgan
Mosher
Murphy, Ill.
Murphy, N.Y.
Myers
Natcher
Nedzi
Nichols
Nix
Obey
O'Hara
O'Konski
O'Neill
Passman
Patten
Pepper
Perkins
Peyser
Pickle
Pike
Podell
Preyer, N.C.
Price, Ill.
Quillen
Railsback
Randall
Reid
Reuss
Riegle
Rodino
Roe
Rogers
Roncalio
Rooney, N.Y.
Rooney, Pa.
Rosenthal
Rostenkowski
Roush
Roy
Roybal
Ryan
St Germain
Sandman
Sarbanes
Saylor
Schwengel
Scott
Sebelius
Seiberling
Shipley
Shoup
Shriver
Sisk
Smith, Iowa
Steele
Stephens
Stratton
Stuckey
Sullivan
Thompson, Ga.
Thompson, N.J.
Thomson, Wis.
Thone
Tiernan
Ullman
Van Deerlin
Vanik
Vigorito
Waggonner
Waldie
Wampler
Ware
Whalen
Whalley
White
Widnall
Williams
Wilson, Bob
Wilson, Charles H.
Wolff
Wyatt
Wydler
Yates
Yatron
Young, Fla.
Zablocki
Zwach

NAYS—110

Abbitt
Abernethy
Archer
Arends
Ashbrook
Baker
Belcher
Bell
Blackburn
Bow
Bray
Brown, Mich.
Brown, Ohio
Broyhill, N.C.
Buchanan
Burleson, Tex.
Byrnes, Wis.
Byron
Camp
Carlson
Cederberg
Chamberlain
Chappell
Clawson, Del
Cleveland
Collier
Collins, Tex.
Colmer
Conable
Crane
Daniel, Va.
Davis, Wis.
Dellenback
Dennis
Derwinski
Devine
Dickinson
Edwards, Ala.
Erlenborn
Findley
Ford, Gerald R.
Frelinghuysen
Frenzel
Goldwater
Goodling
Gross
Gubser
Haley
Hall
Hansen, Idaho
Heinz
Henderson
Hosmer
Hull
Hutchinson
Ichord
Jarman
Jonas
Keating
Keith
Kemp
King
Landrum
Latta
Lennon
McClure
McEwen
McKinney
Mallary
Martin
Mayne
Mazzoli
Michel
Miller, Ohio
Mizell
Montgomery
Nelsen
Pelly
Pirnie
Poff
Powell
Quie
Rarick
Rhodes
Robinson, Va.
Robison, N.Y.
Rousselot
Ruth
Satterfield
Scherle
Schmitz
Schneebeli

Sikes	Springer	Taylor
Skubitz	Stanton,	Teague, Calif.
Smith, Calif.	J. William	Wiggins
Smith, N.Y.	Steiger, Ariz.	Wylie
Snyder	Steiger, Wis.	Wyman
Spence	Talcott	Zion

ANSWERED "PRESENT"—1

Terry

NOT VOTING—83

Alexander	Galifianakis	Poage
Anderson, Ill.	Griffiths	Price, Tex.
Anderson,	Grover	Pryor, Ark.
Tenn.	Hagan	Pucinski
Andrews, Ala.	Hastings	Purcell
Annunzio	Hawkins	Rangel
Ashley	Hays	Rees
Betts	Johnson, Pa.	Roberts
Bingham	Jones, Ala.	Runnels
Blanton	Jones, Tenn.	Ruppe
Broyhill, Va.	Kee	Scheuer
Carney	Kluczynski	Slack
Casey, Tex.	Kuykendall	Staggers
Chisholm	Kyl	Stanton,
Collins, Ill.	Landgrebe	James V.
Conte	Long, La.	Steed
Culver	Lujan	Stokes
Curlin	McCloskey	Stubblefield
Dent	Macdonald,	Symington
Dowdy	Mass.	Teague, Tex.
Dwyer	Madden	Udall
Eckhardt	Mahon	Vander Jagt
Edwards, La.	Matsunaga	Veysey
Esch	Miller, Calif.	Whitehurst
Eshleman	Mollohan	Whitten
Evins, Tenn.	Morse	Winn
Flowers	Moss	Wright
Flynt	Patman	Young, Tex.
Fountain	Pettis	

So the bill was passed.

The Clerk announced the following pairs:

On this vote:

Mr. Broyhill of Virginia for, with Mr. Terry against.

Mr. Whitehurst for, with Mr. Price of Texas against.

Until further notice:

Mr. Annunzio with Mr. Anderson of Illinois.

Mr. Hays with Mr. Betts.

Mr. Matsunaga with Mr. Esch.

Mr. Stokes with Mr. Culver.

Mr. James V. Stanton with Mr. Hastings.

Mr. Teague of Texas with Mr. Kuykendall.

Mr. Jones of Alabama with Mr. Long of Louisiana.

Mr. Macdonald of Massachusetts with Mr. Morse.

Mr. Miller of California with Mr. Pettis.

Mr. Moss with Mr. Grover.

Mr. Pucinski with Mr. McCloskey.

Mr. Runnels with Mr. Eshleman.

Mr. Fountain with Mr. Winn.

Mr. Alexander with Mr. Kyl.

Mr. Anderson of Tennessee with Mr. Lujan.

Mr. Casey of Texas with Mr. Ruppe.

Mr. Dent with Mr. Johnson of Pennsylvania.

Mr. Evins of Tennessee with Mrs. Dwyer.

Mr. Flowers with Mr. Landgrebe.

Mr. Kluczynski with Mr. Vander Jagt.

Mr. Stubblefield with Mr. Veysey.

Mr. Staggers with Mr. Galifianakis.

Mr. Wright with Mr. Flynt.

Mr. Jones of Tennessee with Mr. Mahon.

Mr. Hawkins with Mr. Udall.

Mrs. Andrews of Alabama with Mr. Young of Texas.

Mr. Ashley with Mr. Conte.

Mr. Blanton with Mr. Whitten.

Mr. Carney with Mr. Collins of Illinois.

Mrs. Chisholm with Mr. Rees.

Mr. Hagan with Mr. Kee.

Mr. Roberts with Mr. Symington.

Mr. Mollohan with Mrs. Griffiths.

Mr. Steed with Mr. Bingham.

Mr. Slack with Mr. Curlin.

Mr. Scheuer with Mr. Patman.

Mr. Rangel with Mr. Eckhardt.

Mr. Purcell with Mr. Pryor of Arkansas.

Mr. TERRY. Mr. Speaker, I have a live pair with the gentleman from Virginia (Mr. BROYHILL). If he had been present he would have voted "yea." I voted "nay." I withdraw my vote and vote "present."

Mr. SPRINGER changed his vote from "yea" to "nay."

Mr. TALCOTT. Mr. Speaker, I voted "yea." I intended to vote "nay."

Mr. TALCOTT changed his vote from "yea" to "nay."

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. DULSKI. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous matter on the Waldie amendment and on the bill H.R. 12202.

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

There was no objection.

THE LATE HONORABLE ARTHUR E. SUMMERFIELD

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

Mr. RIEGLE. Mr. Speaker, I rise in sadness to draw the attention of my colleagues to the unfortunate death yesterday of former Postmaster General Arthur E. Summerfield.

Mr. Summerfield was a constituent of mine who lived and worked in Flint, Mich. As a hard-working member of the Eisenhower Cabinet for 8 years, he served effectively and with a great honor.

We in the Republican Party are especially indebted to him for his leadership within our party, including a period of distinguished service as Republican national chairman. He was a strong and creative leader for this country, the State of Michigan and the city of Flint.

We will miss him and his untiring efforts to help solve human problems. I know his many friends in the Congress on both sides of the aisle join me in extending the deepest sympathy to his wife and his family.

At the end of tributes from my colleagues I am attaching articles from the Flint Journal, the New York Times, the Washington Post, and the Detroit News for inclusion in the RECORD.

[From the Flint Journal, Apr. 26, 1972]

MILLIKEN LAUDS SUMMERFIELD

Gov. William G. Milliken made the following statement today upon hearing of the death of Arthur E. Summerfield:

"Arthur Summerfield was a man who, throughout his lifetime, possessed an alert, intense interest in the world around him.

"He was both a successful businessman and a public servant who cared much about the people in his country, his community of Flint and the state of Michigan.

"His driving desire for repeal of the auto excise tax was a recent testimony to his ability to combine awareness with action at a time in life when many are willing to accept more passive pursuits.

"Michigan and the nation will miss him."

FIRST JOB WAS SORTING MAIL

Arthur E. Summerfield Sr. began his working life handing out mail in an axle factory. The high point of his career, perhaps, was the eight years he spent as U.S. postmaster general, delivering mail to every home and business in the United States.

In between, he built a true family business.

In the beginning, his wife, Miriam, was his most valuable aide. When he became enmeshed in the national political scene, his son, Arthur E. Jr., "Bud", stepped into his car salesman's shoes.

Mr. Summerfield left school at 13 to go to work at the old Weston-Mott Co. as an office boy running errands and delivering mail for 12 hours a day.

He worked at Buick for a short period and was an inspector in the ammunition department at Chevrolet during World War I.

By 1919, at 19, he had married Miriam W. Graim and the two were involved in extensive do-it-yourself remodeling of their small home.

The war's end was followed by a business depression, however, and the Summerfields put their home up for sale.

Surprisingly, they made a small profit. They then bought another rundown home, remodeled and sold it, and were in the real estate business, buying small properties, improving them, and selling them.

Mrs. Summerfield minded the office, kept the books, and made appointments. In 1920 they added insurance sales.

In 1924, Mr. Summerfield founded the Summerfield Oil Co., which distributed Pure Oil products until 1937.

When the stock market crashed in 1929, the Summerfields took a chance and mortgaged their home in order to buy a Chevrolet franchise.

"Dad said the only chance he had to get something that good was a time when nobody else wanted it," his son said later.

The Summerfield Chevrolet Co. opened its doors at 2714-14 N. Saginaw on Jan. 4, 1936, showing off a line of 1930 model Chevys to the accompaniment of two singing groups, the Owen Sisters and the Wolverine Quartet.

Mr. Summerfield was president and general manager of the firm. R. Spencer Bishop, the late Flint banker, was vice president and a partner, Donald Maginn, Mt. Morris businessman was secretary-treasurer.

Mrs. Summerfield as before, was office manager.

The business grew, with several expansions and additions. In 1948, Mr. Summerfield added a Chevrolet dealership in Grand Rapids.

The Flint dealership was started with a single building with 10,000 square feet of space, a stock of parts valued at about $6,000, and 25 employes.

When the senior Summerfield went to Washington as Postmaster General in 1953, his son who started in 1946 as a service salesman, became president and general manager.

By that time, floor space had grown to nearly 50,000 square feet, the dealership was carrying a parts inventory worth more than $150,000, and is now one of the largest car dealerships in the country.

In recent years, Mr. Summerfield's son has been the majority owner in the Flint Chevrolet dealership and in truck dealerships in Gary, Ind. and Chicago. The elder Summerfield was board chairman of Summerfield Chevrolet. His son is the firm's president.

GOP LEADERS OFFER TRIBUTES TO SUMMERFIELD

National and local Republican leaders praised Arthur E. Summerfield today as a man who served his country well.

Michigan congressmen giving tributes to

Mr. Summerfield included U.S. Sen. Robert P. Griffin, U.S. Rep. Gerald R. Ford of Grand Rapids and U.S. Rep. Donald W. Riegle Jr., R-Flint.

Griffin is the minority whip in the U.S. Senate and Ford is the House minority leader. Both were close and longtime personal friends of Mr. Summerfield.

Riegle said Mr. Summerfield's death is a tremendous loss to Flint "because he was one of the most vital driving forces in community problem-solving."

Riegle said that although he and Mr. Summerfield sometimes did not agree on issues, they remained friends and that he "very much respected Mr. Summerfield and his point of view, and I'm deeply saddened by his death."

Riegle cited Mr. Summerfield's friendship with President Nixon and said that Mr. Summerfield often was instrumental in helping to obtain the Nixon administration's interest in Flint area problems.

"On a number of occasions I worked with him on different kinds of community projects and federal aid programs," said Riegle. "He was a terrific person to have on a problem-solving team. He leaves a big pair of shoes for the rest of us to try to fill."

Ford, who served in Congress throughout Mr. Summerfield's eight years as U.S. Postmaster General, often worked closely with him on Republican party matters.

"Art Summerfield was a truly dedicated American," Ford said today.

"He had firm convictions, unlimited energy, and a follow-through that usually brought results. Michigan and the nation have lost an outstanding citizen and I will miss him as a friend."

Griffin said he was greatly saddened to hear of Mr. Summerfield's death.

"He was a great American who served his country unselfishly and with distinction as a member of President Eisenhower's cabinet," Griffin said.

"Art Summerfield was a great fighter for the principles in which he believed.

"Michigan and the nation have lost a distinguished son. I have lost a friend."

David Laro, Genesee County Republican chairman, noted that Mr. Summerfield had good rapport with persons in Washington, D.C., in both political parties, enabling him to exert "a definite influence on the policies of this country by being able to approach the persons who are formulating those policies."

Said Laro: "We mourn the loss of Arthur Summerfield as a political and civic leader. Our respect for his extraordinary ability to achieve results in government regardless of the obstacles is unlimited.

"He worked for the good of the country."

Laro said Mr. Summerfield recently told him that his successful efforts in promoting the repeal of the 7 per cent federal excise tax on new car sales was "one of his proudest hours."

Mr. Summerfield is the one who went to Griffin and to the White House, and convinced them of the need for repeal of the tax, Laro said.

In his tribute, Griffin cited Mr. Summerfield's "great help to me in working successfully for the repeal of the auto excise tax."

Said Griffin: "He worked untiringly for his state and for a healthy automotive industry upon which so many depend for their livlihood in Michigan."

Riegle said Mr. Summerfield was one of the best of the nation's political strategists.

"He was a tremendously important man in the Eisenhower administration, even more so than he has been recognized as being publicly," Riegle said.

"President Eisenhower had tremendous respect for Mr. Summerfield, and the fact that he remained in the cabinet for eight years says much for his role in that cabinet.

"Politically, he played a very central role, first in General Eisenhower's nomination in 1952 and in the presidential campaigns of 1952 and 1956."

BY COMMUNITY LEADERS

Tributes for Arthur E. Summerfield came from leaders of the Flint community today.

Mayor Francis E. Limmer said Mr. Summerfield's death is a "great loss."

"He was a good door opener," Limmer commented, pointing out that Mr. Summerfield often made arrangements for local officials to meet with top federal officials.

"He often used his influence to bring people together to sit down and talk about a problem."

Harding Mott, president of the Mott Foundation, called Mr. Summerfield "a sinew of strength in the life of Flint for nearly half a century.

"It is a great tribute to his character," Mott said, "that when he was in high places both in government and business he never forgot the Flint community. His devotion and efforts on behalf of Flint will remain evident for years to come."

Lawrence P. Ford, president of the Flint Area Chamber of Commerce, said the city "will find it difficult to fill the void left by him.

"He was not only an inspiration to us but one we could always count upon."

Mr. Summerfield was "a real doer, not just a talker," Ford said.

Thomas R. Welch, executive director of the chamber, called Mr. Summerfield "one of the old breed."

"He said what he believed and you could either take it or lump it," Welch said. "He was a guy that could get something done. Not many people in the community could pick up the phone and call Washington like he could.

"I don't know of anyone that can take his place."

Charles Stewart Mott said today that the death of Arthur F. Summerfield was "a great shock."

"He was a very good friend and we were very fond of each other," said the 96-year-old Flint philanthropist. "Summerfield was a terrific worker. He was always working harder than he should."

Mr. Mott recalled that when he received the Big Brother of the Year Award from President Dwight D. Eisenhower, Mr. Summerfield introduced him to the president with this remark:

"It gives me great pleasure to introduce my first employer to my present employer—I carried the mail for both."

Mr. Summerfield was then postmaster general. As a youth, he had been an office boy, carrying mail, at the Weston-Mott plant in Flint which was owned by Mr. Mott.

"He was a wonderful friend and a great citizen," Mr. Mott said.

Laverne Marshall, secretary of the Flint Automobile Dealers Association, said that "we have lost a friend of every dealer in the country.

"He was a man of unbelievable energy, who was vitally interested in every problem we had. He never let up on anything."

ARTHUR E. SUMMERFIELD DIES AT 73

Arthur E. Summerfield, 73, who as U.S. postmaster general in the 1950's reached political heights never achieved by any other Flint man, is dead.

Mr. Summerfield died about 4 a.m. today at Good Samaritan Hospital in West Palm Beach, Fla. He had been in the hospital since April 6 with pneumonia. He had been troubled with a heart ailment in recent years.

His son, Arthur E. Summerfield Jr., reached by The Journal at the family's yacht at West Palm Beach, said services will be either Friday or Saturday at First Presbyterian Church in Flint. Burial will be in Sunset Hills.

Arrangements will be announced later by Dodds-Dumanois Funeral Home. Contributions are being made to the First Presbyterian Church Memorial Fund. There will be a memorial service at 10 a.m. Thursday at Summerfield Elementary School in Flint.

The younger Summerfield said President Nixon had called the family a few days ago to inquire about Mr. Summerfield's condition.

Mr. Summerfield was elected Republican national chairman in 1952 and directed Dwight D. Eisenhower's successful bid for president of the United States.

Mr. Summerfield had gone to Paris to urge Eisenhower to run for the presidency when Eisenhower was commander of Allied powers in Europe, in charge of the North Atlantic Treaty Organization armed forces.

When Eisenhower appointed him postmaster general, Mr. Summerfield became the only Flint man ever to achieve Cabinet status. He served in that position through the eight years of the Eisenhower administration.

Mr. Summerfield, founder of Summerfield Chevrolet Co., a large auto dealership at 2712 N. Saginaw, continued to be an important figure in politics and in civic and business endeavors until his death.

Preferring to work in the background, Mr. Summerfield was Flint's most influential citizen in liaison with the Nixon administration.

He had been a friend of Richard M. Nixon's since before Eisenhower's first presidential campaign, during which Nixon was the vice presidential candidate.

Mr. Summerfield stood solidly behind Nixon when some other political leaders talked of removing Nixon from the Eisenhower ticket as a result of a controversy over a Nixon campaign fund.

"Some people wanted to change vice presidential candidates," Summerfield recalled years later. "But I reminded them that this would require another national convention. And as national chairman, I was not going to call another convention."

Instead, he arranged the purchase of television time in which Nixon delivered his famous "Checkers" speech, successfully puncturing the issue and remaining on the ticket.

Mr. Summerfield's influence was felt in many ways locally, and often behind the scenes.

His influence was called the major reason for the federal government's decision to set aside $5 million for an urban renewal project in the Doyle School area north of downtown.

Another example came last year when a delegation of Flint citizens wanted to discuss a regional airport plan with federal officials. Mr. Summerfield was able to arrange a meeting of the group with John B. Volpe, secretary of transportation, and the chiefs of the Federal Aviation Administration.

Mr. Summerfield also was instrumental in helping the city reach an agreement with Chesapeake & Ohio to remove its tracks through downtown Flint. The track removal is scheduled to begin in August.

Last year he testified before the U.S. House Ways and Means Committee, urging repeal of the 7 percent excise tax on automobiles. Congress repealed the tax later in the year, and insiders said Mr. Summerfield was greatly influential in bringing that about.

Arthur Summerfield Jr. said today that his father developed parts of President Nixon's new economic policy announced last August and was the liaison man between the administration and Democratic members of Congress in getting the economic package through Congress.

Flint leaders have often said privately that Mr. Summerfield was Flint's most important

citizen, even in recent years, in terms of his stature with the federal administration.

He also remained active in business. Last year, Mr. Summerfield was named Michigan Automobile Dealer of the Year by the Michigan Automobile Dealers Association. He organized a group of 200 General Motors stockholders to "stand up and speak out" for GM management at the annual GM stockholder's meeting last year, in an effort to counter the voices of Campaign GM backers at the meeting.

Mr. Summerfield was reluctant to talk for publication about his many activities, but he was almost a legend in his lifetime among the city's civic leaders.

They recalled accounts of his powers in national and State politics and of his important role in the start of one of Thomas E. Dewey's runs for the Presidency.

Mr. Summerfield was born in Pinconning and came to Flint with his family when he was nine. His first job—delivering mail for the Weston-Mott Co. here—was recalled years later when he became postmaster general.

Before opening his Chevrolet franchise in 1929, he sold real estate and became an oil distributor.

Mr. Summerfield got his start in politics when he and a few other men organized a campaign for Republican presidential nominee Wendell L. Wilkie in 1940.

Three years later he was named finance director of the Republican Michigan Central Committee and set up a new financing plan which was later to be copied by other states.

Mr. Summerfield's energy and organizational ability led him up the ladder in the state and national Republican organizations until he became national chairman in 1952.

Besides his wife of 54 years, Miriam, and his son, Mr. Summerfield is survived by a daughter, Mrs. John A. MacArthur, Flint; five grandchildren and one great grandson.

NIXON MOURNS SUMMERFIELD

President Nixon issued the following statement today on hearing of the death of Arthur E. Summerfield.

"Mrs. Nixon and I join with fellow citizens across the country in mourning the death of Arthur E. Summerfield and in expressing our deepest sympathy to his family.

"He was a loyal and good friend. He was an ardent and dedicated Republican. He was devoted to his country, and in his service to both party and country he earned the high admiration of men and women from both sides of the political aisle.

"He will be remembered by history as a great American whose career was symbolic of the finest aspects of our national character."

The Summerfield party reported that President Nixon inquired about Mr. Summerfield's condition in a telephone conversation a few days ago with the family in West Palm Beach, Fla.

ARTHUR SUMMERFIELD—A "SELF-MADE MAN"

Arthur E. Summerfield's insatiable interest in politics carried him to the chairmanship of the National Republican Committee and the office of United States postmaster general.

He was the only Flint man ever to attain a presidential cabinet position, serving eight years during the administration of Dwight D. Eisenhower.

His wife, Miriam, remarked while Summerfield was postmaster general, that his life was "an example of a self-made man in the best American tradition."

Born in Pinconning March 17, 1899, Mr. Summerfield attended school in Bay City before coming to Flint with his family when he was 9 years old.

He completed only the eighth grade, a fact that was known for years by only a few and astounded many associates and friends when it came to light at a testimonial dinner in 1952.

For the story of his early business career, see accompanying article.

During the 1930s most of Mr. Summerfield's energies were spent building his business, the Summerfield Chevrolet Co., which he had opened in 1930. By 1936 he had twice enlarged his building and expanded his employment from 2 to 130.

An impromptu discussion in 1938 with James Roosevelt, son of President Franklin D. Roosevelt, during a visit to Washington may have played a part in sharpening Mr. Summerfield's interest in politics.

An appointment to talk with FDR's son for 15 minutes was set up by a Flint congressman after hearing some of Mr. Summerfield's views on economic and labor issues.

The discussion in the White House lasted 45 minutes, with Roosevelt reportedly agreeing on some points, taking issue with others.

But legend is that an incident in Flint in 1940 provided the impetus for Mr. Summerfield's active interest in politics.

The late Wendell L. Willkie appeared in Flint Oct. 1 as the Republican presidential candidate and was met at a rally in front of the IMA Auditorium by only a small gathering. In fact he was booed by many in the group.

"I did not like what I saw," Mr. Summerfield said later. Within an hour he and a handful of other men met to organize a campaign for Willkie in Genesee County. When Michigan returns for that election were tabulated, the county had won the state for Willkie.

Mr. Summerfield's political activities grew after the 1940 elections. Two years later he narrowly missed being the Republican nominee for Michigan secretary of state.

Early in 1943 Mr. Summerfield was appointed finance director of the Republican Michigan Central Committee. He was alarmed at political financing methods in which a few men and the candidates were paying most of the cost of campaigns.

With his business acumen, he set up a new financing plan which later was to be copied by other states. Under the "Summerfield Plan," Republican expenditures in Michigan were budgeted for the first time.

During the World War II years, Mr. Summerfield served as Michigan chairman of the automotive committee of the National Automobile Dealers Association. He recruited more than 5,000 skilled mechanics and several hundred officers for the Army Ordnance Department.

In 1944 he was elected Republican national committeeman at Chicago. For the post he had the support of the political machine of Gov. Harry F. Kelly as well as help from the labor ranks.

The following year friends began urging him to seek the nomination for governor of Michigan. He toyed with the idea, but never worked for the nomination.

In 1948 Mr. Summerfield attracted national political attention when his name was mentioned as a dark-horse possibility for chairman of the Republican National Committee.

He was gaining a wide reputation as a dynamic personality and a capable organizer who had performed with marked ability every duty assigned to him by the national chairman.

However, he said he did not want the job.

He became regional vice chairman of the National Republican Finance Committee in 1946. He was in charge of fund raising in Michigan, Wisconsin, Illinois, Indiana and Ohio.

Unanimously re-elected in 1948 as national committeeman, Mr. Summerfield was promoting the late Sen. Arthur E. Vandenberg for presidential nomination. But it was a difficult position because Vandenberg refused to become an avowed candidate.

In 1949 Mr. Summerfield was named executive chairman of the Republican National Strategy Committee, having demonstrated an ability to work with congressmen on policy and strategy.

He resigned a year later, however, because a younger element to which he belonged did not always agree with the policies of national chairman Guy G. Gabrielson.

In 1952, after delivering a bloc of Michigan votes instrumental in Dwight D. Eisenhower's selection over Robert A. Taft as presidential nominee, Mr. Summerfield was elected national chairman. He succeeded Gabrielson, who had been accused by Eisenhower leaders of showing favoritism toward Taft.

In directing Eisenhower's successful campaign, Summerfield set up an organization of half a million workers, at the same time recounciling the Taft and Eisenhower forces.

With the Eisenhower victory came Mr. Summerfield's appointment as postmaster general—a political height never before reached by a Flint man.

In December, 1952, a throng of 3,000 attended a testimonial dinner in the IMA Auditorium to pay Mr. Summerfield tribute. The president-elect, returning to the U.S. from abroad, told Mr. Summerfield by way of a recording:

"Through your contribution we will have a better government."

Shortly after Mr. Summerfield took over his new duties, a Southern newspaper asked the White House why he, rather than a postal career man, had been appointed postmaster general.

Replied the President's press secretary, James C. Haggerty:

"The President appointed Mr. Summerfield because he had faith in his business experience and ability and believes it was necessary to get a businessman into the Post Office Department so that a good job of rehabilitation and reorganization of that department could get under way immediately."

Although Mr. Summerfield was credited with improving efficiency in the department during his term, he reported disappointingly to Eisenhower after submitting his resignation in January, 1961—that the operating deficit had grown during the eight years of the administration.

Eisenhower told Mr. Summerfield the postal system under his direction "has been better and more efficient than ever before in our history."

"U.S. Mail," Mr. Summerfield's history of the U.S. postal service as told to Charles Hurd, was published in 1960 by Holt, Rinehart & Winston, as the postmaster general neared the end of his term.

Noting that the postal deficit from 1946 to 1960 totaled $6.8 billion, Mr. Summerfield declared in the book that the postal service "can and must be placed on a basis of paying its own way."

However, he went on. "It is unlikely to achieve this basis as long as it remains at the mercy of some members of the Congress who will use their power over it to suit their political ambitions and purposes."

He said the "staggering postal losses" were due to inflationary rises in costs of wages, transportation and supplies "without compensating increases in revenues."

During his early years in office, Mr. Summerfield became alarmed over use of the mails to send obscene literature and pictures around the country.

He fought a six-year battle against pornography peddlers, ending in a Chicago grand jury indictment early in 1961 of 81 persons for conspiring to send obscene materials through the mails.

He suffered a major disappointment, however, in one phase of his fight against obscene materials when a New York court held that the unexpurgated version of the novel "Lady Chatterley's Lover" was mailable. Mr. Summerfield had banned the book from the mails.

Among other marks of Mr. Summerfield's term were a stress on wider knowledge and use of commemorative stamps, appearance of red, white and blue postal vehicles and a post office modernization program.

Flint's main post office was constructed while Mr. Summerfield was postmaster general.

Mr. Summerfield believed that man with knowledge and talent should never be deterred from their responsibilities.

A few weeks before the 1964 Republican national convention he told a gathering of Berrien County Republicans:

"After these many years of experience and intimate knowledge of our national problems and policies, and working with the greatest leaders of our time, I cannot withdraw from this responsibility. No man in this position has a right to do so."

During the convention in San Francisco in July of 1964, Mr. Summerfield declared: "I'm deeper in national and Michigan politics now than I have ever been."

Mr. Summerfield had worked for the presidential nomination of Barry M. Goldwater for months before the convention, serving as co-chairman of the Goldwater finance committee for North Central States.

Following Goldwater's nomination, Mr. Summerfield commented in an interview here that he considered himself cast in the role of intelligence officer for the Goldwater forces. He disclosed that he was a member of the candidate's personal advisory committee.

Goldwater's defeat by President Johnson was a disappointing conclusion to Mr. Summerfield's political career.

[From the Detroit News, Apr. 26, 1972]

EX-POSTMASTER SUMMERFIELD DIES

(By Glenn Engle)

Arthur E. Summerfield, former Flint auto dealer who rose to national political power during the Eisenhower years and held the cabinet post of postmaster general, died today in West Palm Beach, Fla. He was 73.

The former chairman of the Republican National Committee died in Good Samaritan Hospital, which he had entered two weeks ago with double pneumonia.

Mr. Summerfield's death was announced in West Palm Beach by his son, Arthur E. (Bud) Summerfield, Jr.

A figure in Michigan Republican politics for more than two decades, Mr. Summerfield quit school at age 13 to deliver mail for the old Weston-Mott Co., in Flint. Forty years later, he was tapped by the late President Eisenhower for a key role in his eight-year Republican administration.

In the meantime he had been a real estate salesman, an oil distributor and finally the owner of one of the world's largest Chevrolet dealerships. He also became deeply involved in both state and national politics, figuring frequently in GOP controversy.

Mr. Summerfield's political career might have been extended had it not been for Barry Goldwater's crushing defeat for the presidency in 1964.

For months before the convention that nominated Goldwater, he served as cochairman of the Arizona senator's finance committee for North Central States. He also was a member of the candidate's personal advisory committee.

It was his alignment with the GOP's conservative wing that created friction with the more moderate Republicans who controlled the Michigan party.

In 1959 he came to Detroit ostensibly to demonstrate new post office machinery. While here he collaborated with other party fund raisers in a move to dump Paul D. Bagwell, the nominee for governor the previous year, before he could run a second time.

When that move was blocked by Henry Ford II, the group then sought to force Bagwell to drop Lawrence B. Lindemer as state chairman.

Relations between Mr. Summerfield and the state party powers became so strained that he, though still a Cabinet officer, only reluctantly was given a delegate's badge for the 1960 national convention.

As the Goldwater movement developed, Michigan Republican leaders accused him of skimming off badly needed campaign money for the conservative cause.

At the 1964 party convention in San Francisco, Mr. Summerfield sat impassively on the sidelines as the Michigan delegation staged a favorite son demonstration for Gov. Romney.

Born in Pinconning, Mich., March 17, 1899, he attended school in Bay City before his family moved to Flint when he was nine years old.

After his boyhood stint at Weston-Mott, he became chief inspector of the ammunition department at Chevrolet during World War I.

He married Miriam W. Graim in 1918. She served as his bookkeeper when he went into the real estate business.

In 1924 he started an oil distributing business, and five years later he opened the Chevrolet dealership that brought him wealth and influence.

Mr. Summerfield first evinced an interest in politics in 1940. Only a small turnout of Republicans met the late Wendell L. Willkie when he carried his presidential campaign to Flint late that year, prompting the auto dealer to set up a Genesee County organization in his behalf.

Two years later Mr. Summerfield narrowly missed being the Republican nominee for Michigan secretary of state. In 1943 he became finance director for the state GOP and the following year he was elected Republican national committeeman.

After toying with the idea of running for governor in 1944, he was named regional vice chairman of the National Republican Finance Committee in 1946. In this post he was in charge of fund raising in five Midwestern states.

In 1948 he was re-elected national committeeman and tried to promote the late Senator Arthur H. Vandenberg for the presidential nomination. Vandenberg's reluctance to run made the job difficult.

At the 1952 GOP national convention, Mr. Summerfield was believed to be solidly for Senator Robert A. Taft. But he remained outwardly neutral until almost time for the first roll call, then delivered the Michigan delegation to Gen. Eisenhower by a large margin.

The move was rewarded when he subsequently was elected to succeed Guy Gabrielson as Republican national chairman.

With the Eisenhower victory came Mr. Summerfield's appointment as postmaster general and a recognition never before accorded a Flint man.

In this post he fought a continuing war against pornography peddlers, winning some battles and losing others.

Mr. Summerfield held honorary degrees from the University of Michigan; Cleary College, Ypsilanti, which he served as a trustee; and Thiel College, Greenville, Pa. He was a 33d degree Mason.

Besides his wife and son, surviving is a daughter, Mrs. John E. MacArthur.

[From the Washington Post, Apr. 27, 1972]

EX-POSTAL CHIEF A. E. SUMMERFIELD DIES

(By Jean R. Hailey)

Arthur E. Summerfield, former postmaster general and once a power in Republican politics, died yesterday at West Palm Beach, Fla. He was 73.

He was hospitalized two weeks ago with pneumonia while vacationing there, a family spokesman said. The family home is in Flint, Mich., where Mr. Summerfield was a successful automobile dealer for many years.

He served as postmaster general during the two terms of President Dwight D. Eisenhower, from 1953 to 1961, and was considered a close friend and confidant to the chief executive.

The job went to Mr. Summerfield after he delivered a bloc of Michigan votes to Mr. Eisenhower at the 1952 Republican Convention. He was named Republican National Committee Chairman and then successfully directed Mr. Eisenhower's campaign.

Mr. Summerfield was credited with supporting Richard M. Nixon, then Mr. Eisenhower's running mate, after questions were raised about the Nixon campaign funds in California and some Republicans tried to start a "dump Nixon" movement.

Mr. Summerfield defended Mr. Nixon, and as GOP National Committee chairman, arranged for the purchase of television time for the famous "Checkers" speech.

In a statement released here yesterday, President Nixon called Mr. Summerfield a "loyal and good friend" and an "ardent and dedicated Republican."

His tenure as postmaster general saw many innovations in automation aimed at streamlining, modernizing and improving postal services. He never lost his faith in postal workers and once remarked:

"In the final analysis, it is people, not machines, not laws, nor buildings alone that make any service great."

Mr. Summerfield was deeply perturbed at the continuing operating deficit of the post office department and later in his book, "U.S. Mail," he said mail service "must be placed on a basis of paying its own way."

He added, however, "It is unlikely to achieve this basis as long as it remains at the mercy of some members of the Congress who will use their power over it to suit their political ambitions and purposes."

Mr. Summerfield was a warm, friendly man, always ready with a smile and a handshake. He left school at the age of 13 to take an office boy's job in Flint. In 1918 he opened a real estate office and oil dealership.

Prosperity finally came to him after 1929, when he opened a Chevrolet automobile dealership in Flint, which became one of the nation's largest. He also owned truck dealerships in Gary, Ind., and Chicago.

After establishing himself as a successful businessman. Mr. Summerfield became interested in politics and in 1940 campaigned for Republican presidential nominee Wendell Willkie.

He became the chief fund-raiser for the Michigan GOP in 1934, and a year later was elected to the Republican National Committee from his state.

He was asked to run for chairman of the GOP National Committee in 1946 but declined. In 1948, he led a group seeking the presidential nomination for the late Sen. Arthur H. Vandenburg but the move failed. The next year, he was named executive chairman of the GOP's national strategy committee, but resigned in 1950.

However, Mr. Summerfield's influence in party affairs continued to increase and by 1952 was so great that backers of both Mr. Eisenhower and the late Sen. Robert A. Taft of Ohio, who also was seeking the presidential nomination, tried to get his support.

He returned to Flint after leaving his Cabinet post but continued to participate in GOP affairs. In 1964 he worked on campaign finances for Sen. Barry Goldwater of Arizona, who was then making a bid for the presidency.

In recent years he remained chairman of the board of Summerfield Chevrolet, but had turned over much of its operation to his son, Arthur Jr.

In addition to his son, he is survived by

his wife, Miriam, and a daughter, Mrs. John MacArthur.

[From the New York Times, Apr. 27, 1972]

ARTHUR E. SUMMERFIELD IS DEAD; POSTMASTER GENERAL 1952–60—NATIONAL CHAIRMAN OF GOP, SERVED EISENHOWER TWICE AS CAMPAIGN MANAGER

WEST PALM BEACH, FLA.—Arthur E. Summerfield, Postmaster General during the eight years of the administration of President Dwight D. Eisenhower and former chairman of the Republican National Committee, died here today. He was 73 years old.

Mr. Summerfield, who managed the Eisenhower Presidential campaigns, entered Good Samaritan Hospital two weeks ago, suffering from double pneumonia, while vacationing here.

He is survived by his widow, Miriam, a son, Arthur S., a daughter, Mrs. John MacArthur, five grandchildren and one great-grandson.

REWARDED FOR LOYALTY

(By Murray Illson)

A highly successful merchandiser in the field of politics, Arthur Ellsworth Summerfield got his start as a salesman in real estate, sometimes selling lots after dark by the light of his car's headlights.

He became distributor in Flint, Mich., for the Pure Oil Company in 1924 and turned to the automobile sales business after losing heavily in the stock market crash.

The Summerfield Chevrolet Company, which he organized in 1929, grew rapidly. Within a few years, Mr. Summerfield had branches in other Michigan cities and eventually his agency became one of the biggest dealerships in the country.

His contributions to the nomination of General Eisenhower in 1952 made him one of the country's leading political figures.

He became chairman of the Republican National Committee the day after General Eisenhower's nomination. And when General Eisenhower was elected, Mr. Summerfield became Postmaster General, the post usually reserved for the winning party's leading political strategist.

PAINTED THE MAILBOXES

During his tenure he was credited with having the nation's drab green mailboxes painted red, white, and blue, introducing ball-point pens to post offices, sending the first "missile" mail and generally taking steps to modernize the postal system.

He approved more new stamps in 1960—his last year as Postmaster—than had been approved in any year in 20 years. By the end of December, 1960, 33 new issues of stamps were released. The previous high was 44 in 1940.

Among the 16 commemorative stamps released in 1960 were those for the Camp Fire Girls, the fifth World Forestry Congress, the 50-star United States Flag, the winter Olympic Games and the Boy Scouts.

Mr. Summerfield also revived the custom of issuing memorial stamps for Government officials. The 1960 stamps honored John Foster Dulles, Secretary of State under President Eisenhower; Robert A Taft, the Republican Senator from Ohio who had been General Eisenhower's principal rival for the G.O.P. Presidential nomination, and Senator Walter F. George, Democrat of Georgia.

Mr. Summerfield was an indefatigable foe of mail-order pornography and obscenity, which, in 1959, he described as a $500-million-a-year business. He reported that year that his anti-obscenity campaign had resulted in a record number of 315 arrests.

Mr. Summerfield suffered a notable defeat when the Justice Department, in June, 1960, decided not to ask the Supreme Court to reinstate the Post Office ban on "Lady Chatterley's Lover."

The following year, the private pornography collection Mr. Summerfield had assembled to fight obscenity was returned to Post Office files.

Mr. Summerfield was born in Pinconning, Mich., on March 17, 1899, the son of one of the earliest rural mail carriers in the state. At 13 he left grammar school to work as a "mailbag boy" in a nearby plant.

Later he worked for the Buick Motor Company and on the assembly line in the Chevrolet plant in Flint.

WORKED FOR WILLKIE

Mr. Summerfield entered politics in 1940 when he organized a campaign committee that helped Wendell L. Willkie carry the state that November.

In 1946 Mr. Summerfield made an unsuccessful bid for the gubernatorial nomination. He acquired prestige and political power despite the defeat, and when the Republican national strategy committee met in Chicago in 1949 to plan for the next year's Congressional campaigns, Mr. Summerfield was named chairman.

During the party's national convention in Chicago in 1952, Mr. Summerfield shrewdly held back his large block of uncommitted delegates from Michigan until the morning of the nomination, and then threw them behind General Eisenhower.

Mr. Summerfield, during his tenure as Postmaster General, experimented with several ways to speed the mails. On June 8, 1959, a Regulus guided missile carrying 3,000 letters landed on the Florida coast near Jacksonville after a flight of about 100 miles from the deck of a submarine in the Atlantic Ocean. Mr. Summerfield hailed the flight as the first known "official use of missiles by any Post Office department of any nation."

A year later, Mr. Summerfield demonstrated an electronic facsimile system to deliver first-class mail across the country in seconds. A letter put on a postal form could be transmitted over television microwaves.

However, in March, 1961, Mr. Summerfield's successor said that the facsimile system was being abandoned as too costly to operate.

A year ago, Mr. Summerfield headed a group of influential citizens in Flint, Mich., where the General Motors Corporation was born, to support the giant auto company against what were termed "vicious attacks from questionable sources and disruptive forces."

Members of the group said they were showing their support for G.M. because attacks on the auto company were "aimed at the vital fabric of all business and our government and our way of life." Mr. Summerfield was a large G.M. stockholder.

Mr. GERALD R. FORD. Will the gentleman yield?

Mr. RIEGLE. I am glad to yield to the distinguished minority leader.

Mr. GERALD R. FORD. Mr. Speaker, I appreciate the gentleman yielding to me.

I knew Art Summerfield very intimately since 1946. I had many political experiences with Art Summerfield from the time that I returned from military service in 1946 until just before he passed away. Those experiences covered a very wide range of political interest. I had my share of differences with Art Summerfield, but I can say very forthrightly that Art Summerfield's contribution to good government, going from his own area in Genesee County in the State of Michigan to the United States was very beneficial for the country.

He was an untiring worker and a dedicated person. He had the highest motives. I think his record both within Government and without is one that his family can well be proud of.

It was a record that was unselfish to the extreme.

I think it is tragic that even in his later years Art Summerfield could not do all of the things that he wanted to do because he still had the drive and the energy and the desire. Art Summerfield was truly a great American.

I extend to his lovely wife Miriam Summerfield and his family the deepest sympathies and condolences from my wife and myself.

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

Mr. RIEGLE. Yes, I yield to the distinguished majority leader.

Mr. BOGGS. I thank the gentleman for yielding.

Mr. Speaker, I would like to associate myself with the remarks which have been made by the gentleman from Michigan (Mr. RIEGLE), and by the distinguished minority leader.

I was very well acquainted with the late and the distinguished Arthur Summerfield. He was a man of great talent. But, most of all, he was a man of many friendships. No one would say that he was not partisan, because he was. However, he was partisan in the very best sense of the word.

He stood up very strongly for what he thought was right, but his friends were on both sides of the aisle.

In those days, as a member of the Committee on Ways and Means, I had frequent contact with him. He was an able man. He was a dedicated man. He was always a very fair man. Although he had many friends on the Democratic side of the aisle, he never took contrary advantage of any of us. He had the friendship of most of us.

I join with both of the gentlemen from Michigan in expressing the deepest sympathy to his wife and family.

Mr. RIEGLE. I thank the distinguished majority leader.

GENERAL LEAVE

Mr. RIEGLE. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days during which to extend their remarks on the life, character, and service of the late Honorable Arthur Summerfield.

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

There was no objection.

REPORT ON RESOLUTION RELATING TO PROVIDING FUNDS FOR EXPENSES TO THE SELECT COMMITTEE ON THE HOUSE RESTAURANT

Mr. THOMPSON of New Jersey, from the Committee on House Administration, submitted a privileged report (Rept. No. 92–1031), on the resolution (H. Res. 948) relating to the provision of funds for expenses incurred by the Select Committee on the House Restaurant, which was referred to the House Calendar and ordered to be printed.

(The resolution reads as follows:)

H. RES. 948

Resolved, That effective January 3, 1972, expenses incurred by the Select Committee on the House Restaurant, pursuant to H. Res. 317 not to exceed $29,500 including expenditures for the employment of clerical, stenographic, and other assistants, and for the procurement of services of individual consultants or organizations thereof pursuant to section 202(i) of the Legislative Reorganization Act of 1946 (2 U.S.C. 72a(i)), shall be paid out of the contingent fund of the House on vouchers authorized by such committee, signed by the chairman of such committee, and approved by the Committee on House Administration.

SEC. 2. The chairman of the Select Committee on the House Restaurant shall furnish the Committee on House Administration information with respect to the activities of the select committee intended to be financed from the funds authorized by this resolution.

SEC. 3. Funds authorized by this resolution shall be expended pursuant to regulations established by the Committee on House Administration in accordance with existing law.

PERSONAL ANNOUNCEMENT

Mr. FOLEY. Mr. Speaker, I was unavoidably absent from the Chamber during teller vote No. 127 on the Waldie amendment to H.R. 12202.

Had I been present, I would have voted "yea."

LEGISLATIVE PROGRAM

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

Mr. GERALD R. FORD. Mr. Speaker, I have requested this time for the purpose of asking the distinguished majority leader the program for the rest of this week, if any, and the schedule for next week.

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

Mr. GERALD R. FORD. I yield to the majority leader.

Mr. BOGGS. I appreciate the gentleman yielding.

In reply to the question of the distinguished minority leader, there is no further legislative program for this week. However, as previously announced, we do have our annual reunion day tomorrow. The House will meet at noon, as usual, tomorrow, and then recess for the remarks of our returning former colleagues.

It is my intention to ask to go over until Monday when the House adjourns on tomorrow.

The program for next week is as follows:

On Monday there will be the call of the Consent Calendar and the consideration of the following four suspensions:

S. 2713, care for narcotic addicts;

H.R. 12652, Civil Rights Commission extension;

H.R. 9676, land transfer to Tennessee; and

H.R. 13334, Treasury Department positions.

On Tuesday there will be the call of the Private Calendar.

On Wednesday there will be the following bills for the consideration of the House:

H.R. 13591, National Institute of Arthritis, Metabolism and Digestive Diseases, under an open rule, with 1 hour of debate;

H.R. 13089, accelerated reforestation of national forests, subject to a rule being granted, and H.R. 14015, pear marketing orders, also subject to a rule being granted; and

For Thursday and the balance of the week, House Joint Resolution 1174, the dollar devaluation appropriations.

Of course, conference reports may be brought up at any time, and any further program will be announced later.

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

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

Mr. GROSS. Mr. Speaker, I would ask the gentleman from Louisiana whether we have complete assurances now that there will be no business whatsoever transacted tomorrow?

Mr. BOGGS. The gentleman is correct.

Mr. GROSS. Mr. Speaker, I thank the gentleman from Michigan (Mr. GERALD R. FORD) for yielding to me, and I thank the gentleman from Louisiana (Mr. BOGGS) for his response.

DISPENSING WITH CALENDAR WEDNESDAY BUSINESS ON WEDNESDAY NEXT

Mr. BOGGS. Mr. Speaker, I ask unanimous consent that the business in order under the Calendar Wednesday rule be dispensed with on Wednesday next.

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

There was no objection.

ADJOURNMENT FROM TOMORROW TO MONDAY, MAY 1, 1972

Mr. BOGGS. Mr. Speaker, I ask unanimous consent that when the House adjourns tomorrow it adjourn to meet on Monday next.

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

There was no objection.

SEVENTY-NINE DAYS AND NO TAX REFORM PROPOSAL FROM THE PRESIDENT

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

Mr. GIBBONS. Mr. Speaker, after the momentous events of August 15 of last year, President Nixon told Congress that he would submit in 1972 a "tax reform program."

On February 7 the distinguished chairman of the House Ways and Means Committee asked the President to submit this tax reform program to Congress by March 15 so that action on his proposals could be taken this year.

It has been 79 days since that request was made by Mr. MILLS and Congress has yet to see a single proposal from the President which would distribute the Federal tax burden more equitably or make our tax laws less complicated and confusing.

In fact, highly placed administration spokesmen continue to state publicly that there is no need for tax reform—that, in fact tax reform could be "a dangerous step."

It is hard for the American taxpayer and for many of us in Congress to understand just why tax reform would be a "dangerous step"—especially as we see more and more evidence that our tax laws have the effect of shifting the tax burden from the well-to-do to those who are less able to pay.

I would like to point out just two more examples of the inequity of our tax laws and again urge the President to follow through on his promise and submit a meaningful tax reform proposal to Congress—now.

First, I would like to insert in the RECORD some notable examples of how American businesses "eased their tax load" last year at the expense of other American taxpayers. These examples appeared in the April 15 issue of Business Week.

Second, I would like to insert a recent Washington Post article showing how Philadelphia Eagles owner Leonard Tose was able to avoid personal income taxes for 1969 and 1970, although he received hundreds of thousands of dollars in income during those years.

I submit, Mr. Speaker, that our tax laws are not getting any better with presidential or congressional neglect, and there is no time like the present to do something about them.

The items follow:

[From Business Week, Apr. 15, 1972]

HOW SOME COMPANIES EASE THE TAX LOAD

Annual reports, in the chairman's letter to shareholders, invariably contain a sentence or so about the hefty tax bill the company had to pay. Last year, some companies still eligible to use the 1968 investment tax credit and other tax law provisions, were able to trim their tax load. Notable examples include:

U.S. STEEL CORP.

The 1968 investment tax credit, mineral depletion allowances, and deferred taxes provided in previous years on foreign income totaled $57.9-million for Big Steel in 1971. Estimated U.S. and foreign income tax for 1971 also came out to $57.9-million. The coincidence, attested to by U.S. Steel's auditor, Price Waterhouse & Co., meant that the U.S. and foreign tax bill was entirely offset by the allowable deductions and credits. But U.S. Steel did pay $149-million in state, local, and miscellaneous taxes.

WESTERN UNION CORP.

Last year marked the eighth year in a row that it paid no federal income tax even though it turned a profit in each of those years. The maneuver is completely within the tax laws. For one thing, the company uses accelerated depreciation for tax-reporting purposes. It also uses utility-accounting procedures. These permit expensing interest charges on the tax books while capitalizing part of them for accounting and financial purposes. Employee overhead on new plant construction is capitalized in the same way. Thus, Western Union has had a tax shelter for net income since 1963.

MESA PETROLEUM CO.

The Amarillo (Tex.) oil company turned in a whopping 90% earnings increase last year over 1970's profit figure of $6.7-million. Its tax bill for 1971 was only about $200,000, because of a 10% minimum tax on statutory items principally statutory depletion. Mesa paid no other tax, mainly because of intangible drilling costs and other exploration expenses such as lease rentals. They totaled more than its $12.7-million income.

TEXAS OIL & GAS CORP.

The 1971 fiscal earnings picture of this Dallas-based company was brightened by a 29% boost over 1970. But it paid no federal tax other than a nominal amount of minimum tax on preference items included in operating and general expenses. The reasons: deductions for intangible costs of drilling and other development activities, as well as a tax loss carryforward.

FLYING TIGER CORP.

Bottom-line figures for this cargo airline and equipment-leasing company registered an impressive 94% gain in 1971 over 1970. A healthy investment tax credit mixed in with a substantial figure on depreciation of leased equipment outweighed the company's 1971 tax liability. The two deductions are robust enough so that Flying Tiger probably will not pay any taxes this year or next.

WESTVACO CORP.

A combination of factors put the company on the credit side of the tax ledger in the amount of $600,000 for 1971 compared with 1970 when it made provisions for paying $3.4-million. For one thing, earnings slid from $17-million to $4-million and the bulk of 1971 profits were from foreign operations. Taxes on the foreign income were more than offset by the investment tax credit of $880,000 Westvaco took last year. This wiped out any 1971 federal tax liability.

REVERE COPPER & BRASS INC.

The federal income tax credit of $501,000 reported by Revere is due to a roller coaster dip in 1971 profits from $1.62 per share to 58c. The 58c dwindled when operating and startup costs at a new aluminum smelter—equal to 32c per share—were charged against income. Coupled with weak metals prices, the company would have been in the red if it had not been eligible to take a $1.5-million investment credit on the new plant.

[From the Washington Post, Mar. 5, 1972]

TOSE'S TAX GAINS BARED IN COURT

(By Dave Brady)

Leonard Tose's refusal to sell the Philadelphia Eagles back to former owner Jerry Wolman was more understandable after a recent court hearing.

Testimony elicited from Tose in a $100,000-a-year support suit brought by his wife disclosed that although he earned $80,000 annually from two other firms and the Eagles showed cash-flow profits of $412,000 in 1969 and $570,445 in 1969 and 1970, he paid no personal income taxes in those two years.

Tose was able to more than offset his income by depreciating the value of the Eagles' "useful lives" over a span of six years, thus showing losses on his tax returns. He has a 35,715 percent interest in the profits or losses of the football club.

At the end of the six-year depreciation schedule, Tose could sell the Eagles, be subject to capital gains taxes, and the next owner could begin a new depreciation schedule.

Wolman sold the Eagles to a group headed by Tose in 1969 for $16.1 million. Wolman was in financial difficulty with other interests at the time, but entered into an agreement by which he could buy back the Eagles.

When Wolman later tried to reacquire the Eagles, Tose refused to sell, contending that Wolman had not conformed to the stipulations of the contract.

Tose does not win 'em all. He settled the suit by his wife by paying what she asked.

RETIREMENT FUNDS: PRIVATE AND PUBLIC

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

Mr. ERLENBORN. Mr. Speaker, late in February, the Senate Labor Subcommittee released its interim report on its study of private welfare and pension plans. Shortly afterwards, an editorial appeared in the Wall Street Journal which presented some thought-provoking comments on how the Federal Government might best protect private pension funds; but it also put forth a question seldom raised: How healthy are government retirement funds?

It is for this reason that I call this editorial to the attention of my colleagues:

[From the Wall Street Journal, Mar. 20, 1972]

PENSION PROBLEMS

President Nixon and many Congressmen favor new federal standards for private pension fund administration and it would be hard to argue that a need doesn't exist.

Some care should be exercised in meeting it, however, and it wouldn't hurt to give some attention to public sector pension policies at the same time.

There can be little doubt that workers are sometimes victims of their own misconceptions about the pension programs that cover them and that employers and unions sometimes contribute to the misconceptions in their eagerness to make labor settlements look good. There also are cases of inadequate funding and fund management. Workers who late in life find that their pension expectations were illusory have a gripe that often is justified.

President Nixon made his latest proposals for regulating pension funds in December. A Senate Labor subcommittee came up with even broader and stronger recommendations recently.

The President proposed, among other things, a federal minimum standard for "vesting." Vesting gives qualified employes rights to their pensions, or a part of them, even if they leave the company or it goes out of business. Some of the strongest criticisms of present regulation has come from workers who have been laid off after long service and left without pension rights.

The President suggested a "rule of 50" federal standard which would require that pensions become half vested when an employe's age and the number of years he has been in the pension plan add up to 50. The amount vested would increase annually until the pension became fully vested five years later.

The President says his new minimum standards would insure that 92% of workers 45 and older who belong to private plans would have fully vested pensions, compared with only 60% presently. He also proposed tax benefits for self-employed workers and others who want to save for their own pensions. He further wants stricter federal reporting and disclosure requirements applied to managers of pension funds with the objective of insuring that they are administered only for the benefit of employees.

The Senate Labor subcommittee made similar recommendations but went even further by recommending that federal law set systematic requirements for funding pension plans. It also advised steps aimed at making various pension plans more compatible so that employees would have less difficulty transferring pension rights when they change jobs.

All of these proposals are worthy of serious consideration in Congress, but it should be cautious consideration. The record of private employers and unions on this issue is not so dismal as to justify punitive treatment. It will serve little purpose if the effect of new legislation is to saddle some employers with legal requirements that are too expensive for them to meet. Over-ambitious legislation could lead to a new form of federal administration of private compensation, something we have too much of already in the form of wage controls and minimum wage laws.

The emphasis, rather, should be on regulation designed to insure that promises are kept and that fund management is in the interest of the workers it is meant to serve. The size and scope of the promises must be left in the hands of the employers and the collective bargaining process, since no regulator can decide what each employer can afford.

Interestingly enough, some of the worst abuses of candor where pensions are concerned are committed not by private employers or unions but by state and local governments and by Congressmen themselves in their efforts to sweeten the federal Social Security program. Some of the pension plans state and local governments have granted to public employe unions in recent years have been unfunded plans, which means that some future generation of taxpayers is meant to bear the cost.

And Congressmen seemingly are becoming increasingly prone to play politics by promising ever more generous federal Social Security benefits, even at the expense of a bigger budget deficit. Promising pension goodies without making provision for paying for them is a fault not limited to the private sector.

We favor greater candor where pensions are concerned, and stiffer regulations may be the way to get that. While they are pondering such regulations, however, the Congressmen would do well to at the same time ponder ways to bring greater order to pension programs administered by government. That, in fact, may be the greater of the two needs.

NIXON ADDRESS NOTEWORTHY NOTWITHSTANDING NETWORKS

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

Mr. DEVINE. Mr. Speaker, last night the President of the United States made a magnificent nationwide television address.

Mr. Nixon delivered a calm, sincere, reasoned statement that certainly clarified our posture in Southeast Asia and should develop confidence as well as unity across America.

Of course, there will be some radicals, apologists for the Communists, and a few emotionally unstable and politically ambitious that are never satisfied, but the President has leveled with the public about the naked, unprovoked aggression of the invaders from North Vietnam, and our response.

Nevertheless, Vietnamization will continue. We will reduce our ground troops to 69,000 by next Monday, and 20,000 more by July 1; just 60 days, later down to only 49,000—or a half million less than the Kennedy-Johnson high.

Meaningful negotiations will resume in Paris if the enemy will permit productive talks for peace and not resort to their phony propaganda; halt their invasion and return the POW's.

The President properly made it clear naval and air attacks will continue and will not terminate until the invasion stops.

It should be obvious to everyone, Mr. Speaker, that if we permit a major power to support a smaller one in overriding the freedoms of a nation, the world will be permanently jeopardized, and it would happen again and again. Predictably in the Middle East next.

The President demonstrated his greatness and high purpose by having the courage to reject the easy course of appeasement and protect the integrity of and the respect for the office of the Presidency.

As usual, Mr. Speaker, the arrogant, self-satisfied network commentators on CBS demonstrated their utter lack of integrity and intellectual dishonesty in their quote "analysis" unquote, following the President's telecast. I would hope CBS would play back over and over again the disgusting performances of the Doom and Gloom Boys, Dan Rather, Eric Severied, and Marvin Kalb. With the precision of a surgeon, they dissected and shredded the President's remarks before the public even had an opportunity to form their own opinion. If anyone has any doubt whatsoever about the authenticity of charges of bias, prejudice, and lack of objectivity, here was a performance worthy of an "Oscar" or whatever award the television industry bestows for this sort of disgraceful invective.

SENATOR McGOVERN'S COMMENTS ON PRESIDENT NIXON'S ADDRESS

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

Mr. GOLDWATER. Mr. Speaker, I rise today to speak to my distinguished colleagues because I feel that a vicious, unjust attack has been made on our President.

Senator GEORGE McGOVERN, last night, showed himself to be the greatest hypocrite in American politics today. He has accused President Nixon of sending 20,000 men to their deaths in Vietnam since his election in 1968. Senator McGOVERN's irresponsible attack totally ignores the fact that more than 30,000 Americans died in Vietnam during the 8 years of Democratic administrations; he also ignores the fact that when President Nixon took office he inherited a war that a Democratic President had left in fever pitch.

When President Nixon took office in 1969, the death rate in Vietnam had soared to more than 15,000 in 1968; President Nixon began his Vietnam policy and the death rate began to decline dramatically and has been declining ever since. Senator McGOVERN's irresponsible attack does not point out that President Nixon has dropped U.S. troop strength from 500,000 to 50,000—with further reduction scheduled—this has been a 1,000 percent decrease.

Senator McGOVERN has steadfastly refused to acknowledge the terror tactics being utilized by the Communists; he has not expressed any concern over the North Vietnamese invasion of South Vietnam. He is simply using the war as his central issue and he is now instigating the resurrection of the war as an emotional issue.

It is interesting to note, too, that Senator McGOVERN was consistently prowar during the Democratic administrations. His prowar attitudes was clearly demonstrated in 1964 when he voted in favor of the Gulf of Tonkin resolution, and the record shows his support of the war right through 1968. Lastly, to show the hypocritical nature of this man, Senator GEORGE McGOVERN supported Socialist presidential candidate Henry Wallace in 1948. At that time, he declared that anyone who opposed the views of Henry Wallace was Fascist. It seems the judgment of Senator GEORGE McGOVERN is clearly questionable, at best.

THE PRESIDENT'S SPEECH WAS A STRAIGHTFORWARD RECITAL OF SOME ESSENTIAL TRUTHS

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

Mr. SIKES. Mr. Speaker, the President's speech was a straightforward recital of some essential truths. He gave an accounting of the events leading up to the Communist invasion and he portrayed again the enemy's callous disregard for all efforts for an honorable and responsible peace. He deserves the support of the American people in this major effort to insure the success of Vietnamization. The outcome of years of effort may well rest on the events of the next very few weeks. This is no time for discord at home.

I endorse the resumption of the Paris peace talks, but only for a limited time to determine whether the Communists at long last want peace.

I support the continued bombing of military targets wherever they exist. A massive effort is necessary to help offset the fury of the Communist attack.

The President is right in saying we will not be defeated and we will not surrender our objectives, and he was right in warning what will happen elsewhere in the world if the Communists are successful in Indochina.

VIETNAM MYOPIA

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

Mr. RYAN. Mr. Speaker, tragically, the President's address to the Nation on his Vietnam policy last night merely echoed the same litany of disaster that we heard time and time again during the Johnson years. I opposed that policy then. And I oppose it now.

After so many years, after so many lives, you would think that this administration would have learned that bombing is not the path to peace. You would think that it would realize that the corrupt military dictatorship of General Thieu does not promote the self-determination of the Vietnamese people. You would think that it would learn that the only course for this Nation to take is to extricate itself entirely from this dreadful war immediately.

But this administration—rather than learning from the mistakes of the past—is intent on repeating them. It is following a policy that can only lead to further death and destruction.

That policy must stop.

And it is the Congress that must stop it.

For far too long this House has closed its eyes to its responsibilities to the Constitution and to the people of this land. Time and time again it has written a blank check for military adventurism in Southeast Asia. No more. This House cannot turn its back on ending this war any longer. It is imperative that by legislative action the bombing be stopped, our troops brought home—now.

PRESIDENT ONCE AGAIN TAKES TO THE AIR IN VAIN ATTEMPT TO EXPLAIN HIS POLICY IN SOUTHEAST ASIA

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

Mr. O'NEILL. Mr. Speaker, last night the President took to the air waves once again in a vain attempt to explain his policy in Southeast Asia to the American people. It has been 4 years now since the President made his promise that he had "a plan to end the war." While ground troop levels have decreased, the war has taken a dangerously heightened turn in recent days. The bombings of Haiphong and Hanoi represent reckless actions, which can accomplish nothing but the further proliferation of the war, and the real possibility of a major world conflict. Three years of intensive bombing have not materially changed the war or secured victory for the South Vietnamese. It failed to even frustrate the Tet offensive of 1968. Can Mr. Nixon really believe that the resumption of such bombings will accomplish the dual purpose of saving South Vietnam and blasting away the impasse at the Paris peace talks?

The administration has carefully masked the reescalation of the war through troop reduction schedules, while continuing to beef up our naval and air strength in Vietnam.

The President's message came through loud and clear: The American people can expect the prolongation of the war on a new level of intensity until the North Vietnamese relent, or until the South Vietnamese demonstrate they can go it alone, which they have been unable to do for 4 years, and which the latest fighting confirms.

American policy as announced by the President means the continued support of a corrupt and unstable Thieu regime at any cost and the continued sacrifice

of both the lives of Americans and the lives of South Vietnamese in an effort to "prop up" the government of South Vietnam.

In over 3 weeks of fighting, the South Vietnamese forces have been losing battles which the American advisers predicted they would win, and which they needed to win to repel the North Vietnamese. Without American support from the air and from the sea, the South Vietnamese would have been unable to hold on, which reveals the tragic forseeability of permanent American presence in Southeast Asia. In the first week of the fighting, American assistance consisted of close support tactical operations. In the second week, B–52 bombers were added in a region running 30 miles into North Vietnam. During the third week, the B–52's were unleashed where they have never operated before—over Haiphong, North Vietnam's principal port and supply center. These developments indicate conclusively that South Vietnam's future is totally dependent on U.S. air and naval support. These developments indicate further that Vietnamization has been a dismal failure, a delaying tactic to gain the administration time with the American public over the war issue, and that without indefinite tactical and economic support Vietnamization will be a shambles.

The President's message last night makes it abundantly clear that the American involvement is by no means coming to an end, that instead it has received a renewed and added stimulus, and the reports of the fighting this week spell out the continued presence of American forces in Southeast Asia. The peace for generations to come about which the President repeatedly speaks is in realty nothing but a commitment to continued warfare and bloodshed.

The United States is being forced into an indefinite and grinding support of the Government of South Vietnam, at a tremendous cost to domestic progress. Vietnamization has not resulted in the South Vietnamese standing alone as promised by the President.

While the President prolongs and extends the war against the wishes of the majority of American citizens, it is incumbent upon the members of the legislative branch to take action—immediate and final action—to cut off funding of the war, to force the negotiation of peace, and to wrest the reins of control from the executive in its unconstitutional gambit to run a war without the consent of the elected representatives of the people.

NATIONAL AWARENESS ADVISORY COUNCILS

The SPEAKER. Under a previous order of the House, the gentleman from New York (Mr. HALPERN) is recognized for 5 minutes.

Mr. HALPERN. Mr. Speaker, today, communication—the lack of it, the improvement of it, the expansion of it—has become one of the most discussed topics by government officials and the public.

Although the electronic media, satellites, and other almost miraculous improvements in technology have made instantaneous global communication a reality, people are increasingly concerned over the adequacy and the accuracy of what they see and hear. They are concerned over the relevance of this data for decisionmaking in a democracy.

The President is vitally concerned that he present himself and his message to the people as he wants them to be seen. All of us in the Congress want our decisions on major issues to be presented to the public in undistorted form.

The President and all other elected officials want to be certain that they know at all times what the people are concerned about. What are the topical issues, what are the discontentments, and the swelling hopes and aspirations that the executive and legislative branches must act upon to properly represent the people?

The legislation that I am proposing would be a radical step forward in creating machinery that will guarantee that the President and the Congress are fully informed at all times of the people's immediate concerns. There will be a new department of government reporting directly to the President, to be called National Awareness Advisory Council.

The National Awareness Advisory Council would provide the executive and legislative branches with the means to effectively communicate with the American people with real problem-solving techniques which they can employ on a neighborhood level.

The national council would be made up of many local councils. Any group of people numbering at least 500, no matter how radical, conservative or middle-of-the-road their philosophy, could form such a local council, and be assured a voice on the national level and therefore have direct access to the President and Congress.

Thus, participatory democracy, upon which this Nation was founded, can once again be restored to our people in spite of our Nation's size, and ethnic, political, and geographic fragmentation.

Anyone who has taken part in a New England town meeting, where even today true participatory democracy is a living reality, realizes how meaningful this kind of person-to-person communication on the part of the governed and the local government officials can be.

There will be a "give and take" between Washington and the average citizen that can benefit both and often bypass local self-interested stumbling blocks.

This "give and take," this reciprocal communication on vital issues is an effective—probably the only effective—remedy to the estrangement from the center of change and power in our society that is felt so poignantly, particularly by our young people and to some degree by many other segments of American society today.

Youth today are to a large extent in the grip of a burning rage, because of their feelings of futility and powerlessness in the face of what they regard as a monolithic structure in Washington that is indifferent to their needs and desires, and unresponsive to them as a group.

We saw this during the melee that accompanied the Democratic National Convention in 1968; we see it in the vicious pipe bombings and other acts of violence on college campuses and military installations. Enactment of the National Awareness Advisory Council bill will be an effective step in relieving this pent-up frustration. Young people—indeed all Americans—will soon realize that once their authentic voice is heard by the President and the Congress, realistic action can be taken.

The councils would have no other power than advisory, and would be independent of municipal, State, and Federal Governments. Their primary aim, really, would be to stay aware of situations to be freely communicated to the decisionmaking powers of the Government so that evaluation and decisionmaking can be accomplished, untainted by bureaucratic filtration.

The delegates would have no decisionmaking authority regarding any Federal funding. This would only impair the communication function of the National Awareness Advisory Council and possibly stimulate empire building and corruption.

I urge the support of all legislators for this bill. In an age when alienation from the center of power is creating disillusionment among our citizens, especially the youth, we urgently need a new system of communication between the people and the power. Only if such realistic two-way dialog is restored can we maintain credibility in the institutions of government.

I include the following:

CONCEPT: NATIONAL AWARENESS ADVISORY COUNCIL

GENERAL DESCRIPTION

The system of Awareness Advisory Councils is a concept which originated at Odyssey House. A congressional bill embodying this concept is being drafted by the Legislative Counsel's Office of the United States Senate. A new federal agency is created similar to others in the Executive Branch of government such as the Office of Science and Technology or the Council for Urban Affairs.

The primary purpose of this new agency is to provide the Executive and Legislative Branches with the means to effectively communicate with the people of the United States. The Director of the National Awareness Advisory Council reports directly to the President.

In this age, where direct and meaningful communication has become an integral and paramount part of our business and private lives, there is a serious factual and credibility gap between the Federal government and the ordinary citizen. The Awareness Advisory Councils provide the people of our country with real problem-solving techniques which they can effectively employ on a neighborhood level based on self help and people working together in groups.

STRUCTURE

The Awareness Advisory Councils are structured on four levels:

The first or the closest to the man or woman in the street is the local or neighborhood base which draws its members from very small geographic or situational areas containing approximately 500 adults over the age of eighteen. However, any citizen can belong to only one local awareness council.

For example, a citizen can elect to belong to an awareness council either where he or she works, prays or lives. Assuming a population base of 100,000,000 adults, approximately 200,000 local councils can be established.

They meet once a month to discuss those problems which affect them in their community such as crime in the street, garbage collection, or even neighborhood petty graft.

A local council selects one delegate to meet on the second level, known as the regional council. Each regional council is comprised of 100 delegates, each of whom represents his or her local council. Thus, a single regional council represents blocks of 50,000 people. Approximately 2,000 regional councils can be established.

A regional council sends one delegate to meet on the third level, known as the national council. Each national council is comprised of 50 delegates each of whom represents his or her regional council. Thus national councils represent blocks of 2,500,000 people. Approximately 40 national councils can be established, which by their very design will transcend state lines.

One delegate from each of the 40 national councils is voted to be a councilman sitting on the National Awareness Advisory Council, the fourth level, located in Washington, D.C.

The national delegates receive salaries of $15,000 per annum plus staff and office expenses of $30,000. Councilmen elected to the National Awareness Council are paid $30,000 per annum and expenses of $100,000. The National Awareness Advisory Council representatives receive only the higher salary, but expense money sufficient to maintain both their regional and national offices. Strict accounting practices are included.

No delegate may be elected for more than four consecutive one year terms. It is imperative that the National Awareness Advisory Council consists of 40 average citizens.

POWERS

All councils must not have any direct power other than advisory. They must be independent of municipal, state and federal governments. Their primary goal is to be aware of situations to be freely communicated to the Executive and Legislative branches so that evaluation and decision-making can be accomplished untainted by bureaucratic filtration, that process by which information which begins at the bottom as a whole is filtered through the mesh of communication until it reaches the top only in part.

The delegates have no decision-making authority regarding any federal funding. This would only impair the communication function and stimulate empire building or corruption.

The local councils meet on the first Monday of each month to problem-solve, pass resolutions, institute local programs and receive information from the Executive Office as well as other public agencies.

ADMINISTRATION

The entire agency structure is headed by the Director of the National Awareness Advisory Council. He or she is appointed for a term of six years to bridge Presidential administrations, but serves at the will of the President. The Director receives a salary of $75,000 per annum plus administration expenses of $25 to $50 million. These funds are to be used to coordinate the information flow between all segments of the Executive and Legislative Branches and the local geographic areas.

Questions from the local citizenry can be quickly and efficiently answered. Small groups with creative, innovative ideas can learn where to be funded and put in touch with those agencies of the Federal Government which can aid them in developing meaningful programs. There can be a "give and take" between Washington and the American citizen that can benefit both and often bypass local self-interested stumbling blocks.

It is anticipated that the Executive and Legislative Branches will make use of these channels of communication to facilitate and promote a realistic understanding of problems at all levels of public interaction.

SUMMARY

The councils are designed to afford our people a greater sense of participation and involvement in the machinery of government. Simultaneously, the Chief Executive has immediate access to the views of his fellow Americans. He no longer remains the prisoner of his own office.

The system of the Awareness Advisory Councils creates a vehicle by which the President can dialogue with his constituents. No longer is there only the sterile one way monologue of the television and news media. Corrective, constructive feedback is afforded by which both the President and legislators can know quickly whether they have been understood and correctly interpreted. Reasons behind difficult decisions such as Cambodia or the cut-backs in Federal Aid can also be explained.

The time for authoritative monologue has ended—meaningful dialogue must be established if the American way of life is not to be destroyed by a revolutionary vocal minority and a passive silent majority.

BILL TO RECOMPUTE RETIRED MILITARY PAY

The SPEAKER. Under a previous order of the House, the gentleman from California (Mr. TALCOTT) is recognized for 3 minutes.

Mr. TALCOTT. Mr. Speaker, recently I introduced legislation (H.R. 14643) to authorize the recomputation of retired pay for military personnel. This bill is recommended by the President and is intended to rectify a longstanding inequity and to ameliorate a serious breach of faith by our Government with our retired military personnel in 1958.

This bill, when enacted, will allow those who retired prior to January 1, 1971, the privilege of recomputing their retired pay at age 60 if they have less than 25 years service and at age 55 with more than 25 years of service.

Retired pay for military personnel for years had always been computed as a percentage of the current pay of active duty personnel. Since time immemorial men were recruited to serve, and did serve, in the Armed Forces with the clear understanding that their retired pay would be based on a certain percentage of the pay of their counterparts on active duty.

However, in 1958, before I was elected, the Congress, without notice to those who joined, served and retired relying upon the understanding pertaining to retired pay, abolished the percentage recomputation and established a cost-of-living formula to compute retired pay.

The Congress did not bother to repeal title X, section 6149, of the United States Code which guaranteed recomputation as a legal right. Finally, in 1963, this section was repealed and those who retired after passage of the 1958 act and before passage of the 1963 act were given the benefit of recomputing on the basis of the 1958 act. After 1963, however, they were denied this right. So today one man who retires prior to a pay raise will receive one level of retired pay, while another man with exactly the same length of service and exactly the same grade will receive a greater sum simply because he retired at a later date.

Retired pay is earned pay. Servicemen contribute to their retirement system by accepting much lower pay while on active duty. If they leave the service early, they lose retirement benefits; neither they nor their dependents acquire any equity. The retiree is always subject to recall to duty by the President. Retirement pay is actually deferred pay.

In 1963 the Defense Department admitted that this right to recompute had been both a moral and a legal obligation for more than 100 years. Defense Department officials stated that, although the military retirement system is not a contributory system, military men, by accepting lower active-duty pay, do indirectly but effectively contribute to their retirement.

Because retired pay is truly earned pay, as the Department of Defense has admitted, all retired personnel should be treated equitably and there should be no dual standards or varying formulas as now exist. Retired military personnel are entitled to comparable treatment with retired Federal civilian personnel.

My bill is intended to partially rectify the inequity and to partially reinstate the broken agreement which our Government owes to its retired military personnel.

I have voted for full recomputation. However, I am convinced that full recomputation is neither feasible nor practical now. Our full recomputation proposals have died in the Senate.

Some recomputation is necessary, fair, and achievable. We cannot wait for a more propitious time in the vain hope of full recomputation. The cost of full recomputation would be prohibitive now.

Retirees had a right to hope for more; however, this proposal appears to be the most practicable and achievable solution to the very complex and controversial problem of recomputation of retired pay.

I am hopeful that both the Congress and the affected retirees will accept this proposal. I urge the early consideration and inactment of my bill, H.R. 14643.

SOVIET UNION'S TECHNOLOGICAL-MILITARY DRIVE

The SPEAKER. Under a previous order of the House, the gentleman from New York (Mr. KEMP) is recognized for 15 minutes.

Mr. KEMP. Mr. Speaker, at this moment in history, when so many of my colleagues find this Nation's defense posture bloated, overgrown, and extravagant, it is useful to interject some realism into the debate, to make a contribution of substance, void of emotionalism and irrelevancy, to what has become a thoughtless exercise in ideological abstraction.

The reality is that the U.S. defense position faces a crisis of technology. The often-heralded Blue Ribbon Defense

Panel, despite its lack of enthusiasm for many DOD operations, felt compelled to issue a supplemental report to the President on "The Shifting Balance of Military Power." Perhaps the most alarming conclusion to be reached by that Panel is the seriousness of the threat to U.S. technological superiority.

Let us face it: America is facing an undeniable trend toward simplism and philosophic dogmatism. That trend can be seen in the perceptions of some Americans toward the military threat posed by the Soviet Union. If we can curb the conspicuous impulse toward simplism, we might find Aviation Week & Space Technology's five-part series entitled "Soviet Union's Technological-Military Drive" enlightening.

It is my hope that a new sense of reasonableness can enter the perennial debate between those who are sensitized to the realities of the military threat and those whose disgust with certain military activity and procedure—that is, Vietnam, procurement practice—has led them to categorically dismiss many legitimate defense concerns. The distaste in some quarters for all things military is perhaps the most disastrous and far-reaching result of the Vietnam war. The aberrations of Vietnam involvement cannot allow this body to obfuscate the very real need for reasoned and objective deliberations concerning U.S. defense posture and preparedness.

I recommend the Aviation Week & Space Technology series for its definitive analysis of a defense reality which no one should lightly dismiss. A reading of the series makes it abundantly clear that national defense cannot become an aspect of the Nation's agenda to be dealt with simplistically or as a vehicle for liberal philosophic rededication. With this preface, I insert the series in the RECORD at this point:

[From Aviation Week & Space Technology, Oct. 4, 1971]

THE GROWING THREAT—1: SOVIET UNION'S TECHNOLOGICAL-MILITARY DRIVE

Soviet Union is pushing to achieve a clear technological-military superiority over the U.S. by 1974–75.

At the present rate of advance by the Soviets and the decline by the U.S., the USSR should succeed, further eroding this nation's flexibility in foreign affairs and posing a threat to domestic policies as well.

Soviet political - military - technological moves into former areas of U.S. supremacy reach across the board, from political strategy to new military hardware and research and development. "The Russians are doing all the things a nation would do if it wanted to be the number one military power with clear, unequivocal strategic superiority," notes one veteran analyst of Soviet military developments. Among the things it is doing on new weapons development:

Active development of a new faster-burning, higher-velocity, anti-ballistic-missile system to augment the currently operational SA–7 Galosh. System requires a relatively small radar that will permit easier deployment throughout the Soviet Union in line with the traditional Russian concept of defense in depth. Current Galosh ABM operational system is clustered around Moscow.

New IBM silos—about 40—recently detected by U.S. reconnaissance satellites in the Moscow area may have been constructed to accept this missile. A lesser possibility is that they are for an improved version of the Galosh now in the flight-test stage and nearing operational status.

Present first-generation Galosh deployed around Moscow at four sites with a total of 64 missiles must be fired from a vehicular launcher, making it relatively vulnerable to attack. The improved Galosh has a controlled coast capability plus a restartable engine, providing it with a wide degree of flexibility in countering a number of threats, including incoming multiple-independently-targetable re-entry vehicle (MIRV) warheads.

Development of a new land-based intercontinental ballistic missile, probably with a mobile capability, to supplement the four Soviet ICBM systems now deployed. U.S. satellites also have detected 54 new-type ICBM silos near Moscow. These silos have been built into already-existing complexes for the variable-range SS–11 ballistic-missile system.

There is some speculation that they might be only for more solid-propellant SS–11s. But, their size indicates that they were built to accept a much larger weapon than the one-megaton SS–11. The silos are 4 ft. larger in diameter than the SS–9.

New silos could be designed to accept a completely new ICBM or to house the 20-megaton SS–9 Scarp in more-hardened sites than the ones currently operational.

Development of an advanced variable-geometry strategic bomber with supersonic dash speeds at low altitude (AW&ST Sept. 13, p. 16). Designated Backfire by North Atlantic Treaty Organization cataloguers, the Tupolev-designed aircraft has a gross weight of 272,000 lb. It is powered by two uprated versions of the Kuznetsov NK 144 afterburning turbofan engine originally developed for the Tupolev Tu–144 supersonic transport. Thrust of the NK 144s on the Tu–144 is 38,500 lb. each. Two prototypes of Backfire currently are flying. It has an unrefueled combat radius of well over 3,000 mi. Western observers believe the aircraft could be operational in two-three years.

Development of a new 3,000-mi.-range submarine-launched ballistic missile (SLBM) designated Sawfly to replace the present 1,300-mi.-range Serb carried by Soviet Yankee-class nuclear submarines. New missile has substantially better accuracy than the Serb, which will further increase the threat to the bomber bases of the U.S. Air Force's Strategic Air Command. It also could have the capability of following a low-trajectory flight profile to minimize the available warning times to the nation under attack.

Development of a new family of tactical fighter aircraft to augment an already-formidable arsenal. The most advanced, a swing-wing Mikoyan design bureau aircraft known as Fearless, has been designed specifically to counter the USAF/McDonnell Douglas F–15 and Navy/Grumman F–14 air-superiority fighters. Fearless has a projected combat radius of about 300 naut. mi. and a gross weight of about 40,000 lb.

Continued development and deployment of a variety of cruise missiles with ranges up to 450 mi. for Soviet surface ships and submarines. The missiles are designated specifically to attack US. Navy surface ships from points beyond the range of the latters' conventional guns or attack-submarine escorts. Their accuracy is good.

Technologically, the U.S. still maintains a three-four year lead in most areas. Since the late 1960s, however, the Soviets have been spending an average of 10–13% more annually on military-related research. As a consequence, they have pushed ahead of the U.S. in some areas and may close the remaining gaps by the late 1970s. Fields where they have taken the lead include:

Mathematical sciences.

Controlled fusion.

Energy accelerators.

Anti-satellite intercept. Soviets have successfully intercepted satellites in two of the four attempts made and observed by the U.S. thus far. An operational system could pose a serious threat to U.S. reconnaissance satellites and, consequently, this country's intelligence gathering capability.

Fractional orbital bombing systems, which would permit the Russians to launch warheads against the U.S. on an orbital trajectory around the South Pole, severely straining the nation's detection capabilities.

Large payload boosters.

Remotely controlled space systems.

Electro-geomagnetic research.

Required research-development production leadtimes for advanced weaponry coupled with the slow pace of the U.S. government bureaucracy provide little hope that the U.S. could reverse this trend toward Soviet military supremacy by the mid-1970s. The present U.S. lack of desire is stimulated by an anti-military-isolationist feeling engendered in Congress and major segments of the population by the protracted war in Vietnam.

Negotiations at the strategic arms limitation talks (SALT) aside, the Soviet Union has given no indication that it will slacken its technological-military push to the point of permitting the U.S. to regain the parity it is rapidly losing.

The Russians, with their larger warheads, already enjoy a megatonnage advantage over the U.S., although this nation still maintains a superiority in the numbers of actual warheads in the operational inventory, primarily because of the MIRVed Navy/Lockheed Poseidon fleet ballistic missile and USAF/Boeing Minuteman 3 ICBM.

Accuracies of the Poseidon and Minuteman also are believed to be better than those of their Soviet counterparts. But, the Russians are making a major development effort to increase their capabilities in this area, particularly for the SS–9, for which they are developing a MIRV capability. Three launch tests of an SS–9 with MIRV warheads have been detected by the U.S. so far.

The U.S. is standing pat at 1,054 ICBMs—1,000 Minuteman and 54 Martin Titan 2s—while the Soviets continue to deploy. In 1965, the Soviets had 224 ICBMs on operational status. Today, the figure is just over 1,500.

This country continues to lead in the number of deployed SLBMs—656 Lockheed Polaris and Poseidons on 41 submarines as opposed to 350 Russian missiles in this category. But, the U.S. has halted its ballistic-missile-submarine construction program, while the Soviets are building at a rate of eight Y-class vessels a year, each with 16 missile tubes. If this production pace continues, the U.S. advantage in SLBMs, if not in warhead numbers, will have vanished by 1974.

Perhaps of more concern than the actual development-deployment of hardware is the shifting emphasis by the Soviet leadership over the past few years in its projected techno-political-military concept in the use of its force.

This technical-philosophical change has been reflected in its concept of hardware requirements, a technical design switch reflecting a new global strategic concept. Tactical aircraft through the MiG–21 series, for instance, originally were designed primarily to meet a requirement for a short-legged, relatively-unsophisticated air defense fighter to defend the homeland.

Then followons, such as the high altitude Mach 3 MiG–23 Foxbat in its tactical configurations, have much longer ranges and greater avionic capability.

After a number of years of permitting its strategic bomber force to dwindle in numbers and quality, the Soviet leadership has ordered the Backfire into development, further complicating U.S. defensive options.

Similarly, the Russian navy has been transformed in the past few years from a defensive coastal force to a wide-ranging ocean power specifically tailored to challenge the U.S. Navy's dominance as a tactical and strategic threat.

With successive U.S. administrations absorbed by commitment to the war in Southeast Asia and with Great Britain's policy of abandoning its once-formidable presence east of the Suez, the Soviets have moved to fill the resultant gaps. Their former inward-looking military—as opposed to political—defensive posture was concerned primarily with defending the Soviet homeland and its East European buffer satellites. This has changed. The Russians have become militarily offensive minded.

Ballistic missile buildups aside, which could be termed either offensive or defensive in nature, the increasing Russian navy, merchant marine and military-aid buildups over the past few years offer a case history. Following is a rough chronological record of the Soviet navy's evolution from a purely defensive force to an instrument of world-wide strategic influence:

Continuous operations in the Mediterranean, long dominated by the U.S. Navy's Sixth Fleet, were begun in 1964, leap-frogging NATO's southern flank and providing Russia an additional political-economic wedge into the African and Asian littorals of that sea. Soviet influence, particularly within the United Arab Republic, was further accelerated by the Arab-Israeli war in 1967.

The consequent tensions and economic-hardware needs of dependent Arab nations have increased to a point where Russian influence is dominant in several countries. At the height of a potentially-explosive Arab-Israeli reconfrontation a year ago, the Russian Mediterranean fleet numbered 70 combat vessels as opposed to 60 for the U.S.

A recent internal Soviet document evaluating that country's worldwide strategic pluses and minuses noted happily, "We now control the oil in the Middle East." Militarily and economically, West Europe is dependent upon receiving the bulk of its oil supplies from the Middle East.

Periodic naval operations into the western Pacific were begun in 1963, primarily surface-ship exercises in support of submarine operations.

Extended support operations in the central Atlantic were initiated in 1967, with deployments to West Africa and Communist Cuba in the Caribbean beginning in 1969.

Continuous, if limited, naval presence has been maintained in the Indian Ocean since 1969 after a probing beginning in 1968.

The U.S., operating under the restraints of stringent defense budgets and the continuing costs of the war in Southeast Asia, has some comparable weapon systems to the new Soviet hardware developments, either operational or under design. The new Russian ABM, for example, appears to resemble the Martin Sprint quick-reaction missile designed for terminal defense in the controversial Army Safeguard system. The new Soviet SLBM under development appears to be roughly comparable in range and accuracy to Navy Poseidon now being deployed. It is not known if it will have MIRV capability.

The U.S. also has made studies on a mobile land-based ICBM, but any eventual deployment is doubtful. This is partially for financial reasons but also because of a growing Pentagon conviction that such weapons of the future should be sea-based to reduce vulnerability and to force any initial enemy ICBM attack from the continental U.S.

USAF has its advanced variable-geometry strategic bomber, the North American Rockwell B–1. But, it is in the early development stage and faces a political battle within Congress as to whether a new manned bomber is necessary. Two Backfires are flying.

After a long hiatus, the U.S. also has two modern fighter developments under way, the F–14 and F–15. They probably can counter the aircraft in the present Soviet aircraft inventory, except for possibly the Foxbat. U.S. officials hope they will be at least equal to the Russian designs under development.

In the Navy cruise missile field, the U.S. has no comparable weapons specifically designed for that purpose, although Defense Secretary Melvin R. Laird recently indicated that he will give approval for future development of such a system for use on attack submarines. In addition, the Navy also has awarded a development contract to McDonnell Douglas Corp. for the Harpoon anti-ship missile that will be designed to be fired from either surface ships or aircraft (AW&ST June 28, p. 23). Maximum design range of the Harpoon will be approximately 75 mi. The Russians, on the other hand, have anti-ship cruise missiles deployed on 20 major surface ships, 65 submarines and 160 patrol craft.

Within the context of the present political environment in this country, the future of all the new U.S. programs under their current schedules is risky at best.

The current public distaste in some quarters for almost all things military may be the most tragic legacy to the U.S. of the increasingly unpopular war in Vietnam, a conflict muddied by political debate and past secrecy that has endured beyond the patience of an impatient nation. Poor military-industry management of some recent major hardware programs and the implied inefficiency involved have further blunted this nation's willingness to support a defense effort of a magnitude required to keep pace with the Soviets.

The Russians currently are spending the equivalent of $78 billion a year on defense. Their major aim is to develop and produce weapon systems that will provide them with a strategic and tactical force clearly superior to that of the U.S., qualitatively and quantitatively.

Their intent in the strategic area is to develop a nuclear first-strike offensive capability and the defenses that would assure minimum losses from a U.S. response. For their political-economic purposes of expansion and influence, the mere fact that they have such a capability will place the U.S. in a poor position to counter their moves. This country's ability to respond to Soviet pressures in Europe and the Middle East already is severely limited.

Knowledgeable U.S. officials say this country would have to support an annual defense budget of at least $75 billion in current dollars above and beyond the costs of the war in Southeast Asia to counter the Soviet initiative. The Fiscal 1972 budget requests now before Congress, including the costs of the war, total $76 billion, but over 50% of this is channeled into manpower costs. Current Pentagon five-year projections of defense spending do not envision significantly higher levels, although manpower costs will continue to consume an increasing percentage of the budget.

The Soviets want to place the U.S. in the position in which they found themselves in the fall of 1962. In an effort to offset partially the then-overriding U.S. inventory of ICBMs, Soviet Premier Nikita Khrushchev attempted surreptitiously to establish a network of medium-range ballistic missiles in Communist Cuba. Their emplacements were detected by U.S. recon aircraft

The U.S., with its strategic weapon and geographical advantages, demanded that they be removed—and they were. This country had the necessary military muscle to force the Khrushchev government into a humiliatingly public backdown. The Russian military was even more humiliated. Its reaction was partially responsible for the fall of the Khrushchev government, and the military has enjoyed a dominant position in national affairs ever since.

More importantly, the Soviet military hierarchy pushed through an accelerated development, deployment strategy designed not only to preclude future Russian embarrassments of such a magnitude but also, if possible, to place the U.S. in the position in which they found themselves in 1962. They are now nearing their goal.

[From Aviation Week & Space Technology, Oct. 11, 1971]

THE GROWING THREAT—2: SOVIETS STRESSING OFFENSIVE MIX OF STRATEGIC ARMS FOR WHICH THE UNITED STATES HAS LITTLE DEFENSE

Soviet strategic threat to the U.S. is based upon a mix of offensive weapons against which the U.S. has little defense.

Backbone of the present Russian operational inventory is composed of the SS–9 Scarp and SS–11 Savage landbased intercontinental ballistic missiles (ICBMs) plus the 1,300-mi.-range Serb fleet ballistic missile.

On the near horizon are a number of advanced developments. These include the Tupolev-designed Backfire Mach 2 strategic intercontinental bomber (AW&ST Sept. 13, p. 16), a mobile landbased ICBM (AW&ST Oct. 4, p. 12) and a 3,000-mi.-range Sawfly successor to the Serb with improved accuracy.

Qualitatively, the major threat to the U.S. is the 20-megaton-warhead SS–9, which, in an alternate configuration, can carry three five-megaton multiple-reentry vehicle (MRV) warheads. Current operational inventory for the SS–9 is 276 missiles.

MRV warheads on the liquid-propellant SS–9 have been test-fired since 1969, and three of these tests have incorporated more complex multiple-independently-targetable reentry vehicle (MIRV) warheads.

Present MIRVed SS–9 does not have the accuracy to pose an immediate direct threat to the siloed U.S. Air Force/Boeing Minuteman force of 1,000 ICBMs. But Defense Dept. officials believe the Soviets will have developed a sufficient accuracy on the MIRVed SS–9 to do so by 1975–76, further weakening this country's stance of strategic deterrence.

In addition to its assigned roles as a "city buster" with its 20-megaton warhead and as a potential Minuteman destroyer with its multiple reentry vehicle, the SS–9 in a third version, designated Mod. 3, serves as the booster for Russia's fractional orbital bombing system (FOBS).

The FOBS version of the Scarp is designed to dispatch warheads against the U.S. on a south polar orbit to further complicate this country's detection and early warning problems. The Russians have been test-firing the FOBS since 1967 (AW&ST Oct. 16, 1967, p. 26). Most recent test, under the guise of a Cosmos scientific satellite, was made in August (AW&ST Sept. 6, p. 11).

Quantitatively, the current Soviet strategic offensive arsenal is dominated by the Minuteman-sized SS–11 Savage solid-propellant variable-range ballistic missile. Maximum range of the one-megaton-warhead SS–11 is 5,500 mi.

The Soviet force is just over 1,500 operational intercontinental ballistic missiles including 970 solid-propellant SS–11s. Of these, approximately 100 are targeted against countries of the North Atlantic Treaty Organization. This is a two-stage version of the normally three-stage Savage. It bears the North Atlantic Treaty Organization designation of SS–14 Scapegoat.

Another three SS–11 complexes have been constructed at sites near the Mongolian border in response to the continuing fractious

relations with Communist China and that country's own evolving nuclear capability.

The remainder are targeted against the U.S.

Aside from the SS–9 and SS–11, the present operational ICBM inventory is composed of:

190 SS–7 Sadlers, each with a warhead of between 5–10 megatons.

65 solid-propellant SS–13s, each with a warhead of about one megaton. All 65 are located at the Plesetsk missile test site near Archangel in the Soviet Arctic.

The SS–13, which may have been developed in competition with the SS—11, experienced a number of failures in its guidance and propellant systems during early test launches from Plesetsk. Recent firings, however, have been successful, and it probably has been assigned a role as a back-up system to the SS–11.

These missiles can now effectively blanket all U.S. and NATO urban industrial complexes. In addition, the Soviet Y-class ballistic-missile submarines operating on continuous patrol off both the Atlantic and Pacific coasts of the U.S. can cover 95% of the targets in this category in the U.S.

The building of the Y-class submarine force has attained a top priority in the Soviet military construction program. They are now being launched from two Russian shipyards at a rate of eight submarines a year. The larger yard is located at Severodvinsk in northern Russia, the second in the Soviet Far East. The Russians also have a number of diesel-powered G-class and nuclear-powered H-class ballistic-missile submarines. Each carries three missiles with a range of 650 naut. mi. Total number of submarine-launched ballistic missiles now operational in the Soviet inventory is 350 compared with 656 for the U.S.

The Soviets are building an average of 20 nuclear submarines a year, including the Y-class.

In contrast, the U.S. is building five nuclear-powered submarines a year, all of them in the attack class. This country, which gained an early lead over the Soviets in the ballistic-missile category, froze the number of Lockheed Polaris-Poseidon missile submarines at 31 in the mid-1960's.

The defense-minded Soviets, confronted by the bomber and missile striking force of the USAF Strategic Air Command, traditionally have maintained a quantitative superiority over the U.S. in defensive developments. They have 64-first-generation SA–7 Galosh anti-ballistic missiles deployed around Moscow at four sites for ICBM defense. A newer ABM with substantially better reaction times is under development (AW&ST Oct. 4, p. 12).

Two sites for the controversial U.S. Safeguard anti-ballistic missile system are in the early stages of contruction.

For bomber defense, the USSR has approximately 10,000 surface-to-air missile launchers deployed throughout the Soviet Union as compared with 1,136 launchers in the U.S. The Russian surface-to-air missile complexes include three basic types, the SA–2 Guideline for high-altitude defense, the SA–3 Goa for low-altitude and the SA–5 Griffon, or Tallinin system, which also may have some ABM capability. Maximum intercept altitude of the Griffon is 95,000 ft.

The Soviets also have maintained their force of interceptor aircraft and related systems at high state of readiness and modernization. The U.S., faced until the appearance of Backfire with a Russian strategic bomber force that had been dwindling in quantity and quality, has permitted its interceptor strength to dwindle to a handful of General Dynamics/Convair F–106s. Russians at the moment have a fleet of only 145 strategic heavy bombers composed of the four-turboprop Tupolev Tu-95 Bear and the four-turbojet Myasischev M–4 Bison. These are augmented by 50 tanker versions of the Bison. Overall, the USSR has 3,200 operational interceptors, the U.S., 599.

Latest strategic interceptor in the Soviet arsenal is the Mach 3.5 Mikoyan MiG–23 Foxbat in one of the three versions being produced. In addition to its strategic role, Foxbat is being configured to operate as a tactical air-superiority fighter and as a ground attack aircraft.

In its strategic configuration, the Foxbat, with an operational altitude of 75,600 ft., is equipped with down-looking radar to detect any intruding bomber force below. Probable range of the radar is on the order of 50 mi. It also carries four semi-active-homing A–A–2–2 air-to-air missiles with a maximum range of about 35 mi. A–A–2–2 is an advanced version of the Atoll now carried by MiG–21 and Su–7 fighters.

The 62,400-lb gross weight MiG-23 made its first public appearance at the 1967 Moscow air show (AW&ST July 17, 1967, p. 26). It is being produced at a rate of three aircraft per month

In the meantime, the first-line operational Soviet strategic interceptor is the two-place Tupolev Tu-28P Fiddler, which has a combat radius of 800–1,000 mi. The Mach 1.7 Fiddler, carrying a single Ash air-to-air missile under each wing, has a gross weight of 82,000 lb.

There are now 126 Tu–28s in the Soviet inventory, and production is continuing at the rate of three aircraft per month.

The Fiddler is being employed extensively in the Soviet Arctic, closely monitoring SAC Boeing B–52 strategic bombers probing Russian defensive reactions. Here, the Tu–28 works closely with the Tu–114bis Moss airborne warning and control system (AWACS) version of the Tu–95. The Moss provides early detection and, in an actual engagement, would make initial target priority selection for the Tu–28s.

There currently are 10 Moss AWACS aircraft assigned to work with the Tu–28 in the Arctic area. From their Arctic flight paths, the Moss radars can probe deeply into the U.S. air traffic area, even monitoring flights from Dover AFB, Del.

Other Moss aircraft are deployed to operate with the Baltic Fleet of the USSR. "They [the Russians] already have an operational AWACS," one U.S. official recently lamented, "while we're just beginning to build one."

In their continuing building program, the Soviets also have been whittling away steadily at the U.S. Navy's surface ship superiority. In the past five years, for example, they have built more than twice as many combat vessels—200-plus to 98. Their present total in the major combat ship category stands at 217 as compared with 245 for the U.S. The latter total will continue to dwindle under current planning.

More significantly, the average age of the ships of the Russian fleet is 10 years. Less than 1% are over 20 years. U.S. ships have an average age of 16 years, and over half of the fleet is more than 20 years old. The U.S. surface fleet is out-missiled and out-gunned.

Yet another advantage the Soviets enjoy over the U.S. is an organizational structure that permits quick responses to aerospace hardware requirements with a minimum of overlapping managerial controls. Strong points of the present Russian aviation requirement - through - production cycle include:

Top-level government recognition of the important role of airpower, civil as well as military.

Continuity of control for both the industry and the air force customer.

Separation of design and manufacture.

Emphasis on prototype competition.

Strong capitalistic incentives for successful designers.

The minister of aviation is a member of the ranking Council of Ministers in the Soviet government hierarchy. His ministry, the Ministry of Aircraft Production, is responsible for all Soviet aviation development and production.

When the military establishes a requirement for a new aircraft, it is first submitted to the ministry for approval. If approved, the requirement is passed on to the ministry's Central Design Office for initial studies and then issued to two or more of the country's semiautonomous aircraft design bureaus for preliminary design. An evaluation group composed of representatives of the air force and the ministry's Central Aerohydrodynamic Institute (TSAGI), an orgnaization roughly equivalent to the old National Advisory Committee for Aeronautics, then selects the best of these designs for prototype construction.

The design bureaus draft only the minimum number of engineering drawings required to build the prototype in order to hold down costs and to reduce the time required to get the aircraft into the air for a competitive evaluation.

A production decision is made after extensive ground and flight-test evaluations by the government's Flight Test Institute. At this point, more-detailed engineering drawings incorporating all changes dictated by the tests are drafted and released to a series production plant for the actual manufacture of the aircraft. Ultimate design control however, is retained by the design bureau.

The system has its drawbacks. Designers, for example, must work within the constraints regarding approved materials and manufacturing techniques issued by and Central Aerohydrodynamic Institute. Such a policy restricts innovation. On the other hand, it insures the design of a relatively simple aircraft with few frills developed and produced to perform the mission or missions required, no more, no less.

[From Aviation Week & Space Technology, Oct. 18, 1971]

THE GROWING THREAT—3: SOVIETS PUSH ADVANCES IN FIGHTERS

Soviet Union is introducing an advanced generation of fighters to its tactical air force equal or superior to anything the U.S. now has deployed, while pushing prototype development of several even newer aircraft.

New-generation fighters in the Russian inventory include:

Mikoyan Flogger variable-geometry single-place aircraft. Of 1965 design vintage, the Flogger has a maximum speed of Mach 2.3 when carrying external stores. The 28,000-lb. gross weight aircraft apparently is scheduled to become the Soviet front-line tactical fighter. The Russians currently have 16 Floggers in the air force inventory and are producing additional aircraft at the rate of five a month. It can operate at altitudes up to 50,000 ft. and has a combat radius of 600 mi.

Sukhoi Fitter B, a variable-geometry derivative of the Mach 1.7 Su-7 single-place attack aircraft. Apparently designed in a prototype runoff competition with the Flogger, the Fitter B nonetheless is being deployed in limited numbers. Approximately two dozen have been sighted at a Russian tactical fighter base near the Chinese border.

Mikoyan Fearless Mach 2.5 variable-geometry fighter.

Sukhoi Su-11 Flagon A delta-wing attack/fighter aircraft. An all-weather fighter, the 35,000-lb. gross weight single-place Flagon A has a maximum speed of Mach 2.3 with external stores, Mach 2.5 in a clean configuration and a combat radius of 450 mi. The aircraft attained an initial operational capability in 1967, and there currently are approximately 400 Flagon A's in the Soviet inventory. Production is continuing at the rate of 15 a month. It has replaced the earlier Mikoyan MiG-21 at a number of key Russian fighter bases, particularly those in the Moscow area, and has also been deployed to Egypt for the air defense of the Cairo area.

Mikoyan MiG-23 Foxbat, with a maximum design speed of more than Mach 3.5 at altitude. Designed primarily as a strategic interceptor to combat the potential threat of the USAF/North American Rockwell B-1 bomber now under development, Foxbat also is being configured to perform two tactical missions—air superiority and ground attack.

One experimental aircraft has been sighted with the 44-ft.-span delta wing extended by approximately 2 ft. on either side to provide room for additional wing stores. Standard Foxbat carries four advanced Atoll A-A-2-2 semiactive-homing air-to-air missiles with a maximum range of about 35 mi. Current production rate is three Foxbats a month. The Foxbat has been detected at Soviet air defense and tactical air bases as well as at weapon test centers.

The MiG-23 wing loading was optimized for maximum performance at a speed of Mach 2.8 at altitudes above 60,000 ft. But, it also has a creditable Mach 0.8 performance at lower altitudes. Units of Foxbats flown by Russian pilots have been observed in Egypt and Algeria. In Egypt, it has been engaging the MiG-21J in mock dogfights AW &ST Apr. 19, p. 14). It also is flying reconnaissance missions over Israel.

These fighters were first shown publicly at the 1967 Moscow air show, during which a total of 12 new Soviet aircraft designs were displayed (AW&ST July 17, 1967, p. 26). Meanwhile, Russian design teams have been busy developing a follow-on family of tactical aircraft.

One is a Mikoyan variable-geometry fighter known in the West as Fearless. Another is a delta-wing ground attack aircraft. Both are in the prototype flight-test stage.

Mach 2.5 Fearless, with an estimated combat radius of 300 naut. mi. and a gross weight of approximately 40,000 lb., is believed to have been designed specifically to counter the USAF/McDonnell Douglas F-15 and Navy/Grumman F-14 air-superiority fighters. The F-15 is under development. Three prototypes of the F-14 are now flying. Both programs are encountering congressional funding difficulties.

Soviet engine design bureaus also are developing a new line of turbofan powerplants. Western observers do not yet know what airframe designs some of them are scheduled to power. Overall, the Soloviev design team has four new turbofans under development, Ivchenko one and Kuznetsov two, including versions of the NK 144, which powers the Tupolev Tu-144 supersonic transport and the variable-geometry Backfire strategic bomber (AW&ST Sept. 13, p. 16).

In the past 15 years, the Russians have developed and built at least 20 different fighters, excluding Foxbat. Eight of these are now operational. Over the same period, the U.S. has built one completely new fighter, the USAF/General Dynamics F-111 variable-geometry interdiction aircraft.

While the U.S. has been slow in pursuing advancements in the state of the art in the V/STOL flight regime, the Russians are gaining flight experience with military aircraft employing various modes of lift, including direct lift, deflected lift and deflected thrust.

New Russian aircraft also reflect a growing technological capability in both airframe and engine designs. Particularly large strides have been made in the latter area in the past 10 years. Today, the technology evident in the new-generation Soviet aircraft generally is on a par with that of the U.S.

Thrust-to-weight ratio for the Flagon A is estimated at approximately 0.85 at Mach 2.5. At Mach 2.8, the thrust-to-weight ratio for the MiG-23 is at about the same level, declining slightly at speeds above Mach 3. By contrast, the thrust-to-weight ratio for the Fearless is believed to be in the 1.1-1.5 category, roughly the same as that envisioned for the F-14.

There also has been a technical-political shift in Russian design philosophy since the initial MiG-21 was laid down in the early 1950s as an uncluttered Mach 2 home-defense day fighter. Most of the newer aircraft have an all-weather capability and longer ranges to permit deep penetration strikes, although the combat radius of the Fearless is about the same as that for the MiG-21. Increased emphasis also has been placed on crew survivability, with the installation of ejection seats and armor plating.

In the past, Soviet designers generally have resisted the trend towards higher winger loadings as fighter speeds have increased. Those for the Su-9 and MiG-21, for example, are lower than those of their Western counterparts except for the Dassault Mirage 3C. Wing loadings for the Flagon A and Foxbat are high, however, although both have displayed good maneuverability.

Wing loading for the MiG-23 at Mach 3.4 is approximately 110 psf.; for the Flagon A at Mach 2.5 it is about 120 psf. Faithless wing loading at Mach 2.5 is approximately 95 psf.

Of current aircraft in the Soviet inventory, the Foxbat clearly poses the most vexing problem for U.S. airpower. No currently-available American weapon system can begin to cope with it while it remains in its natural high-altitude environment.

The Foxbat, with twin powerplants delivering 24,200 lb. thrust each at sea level, is unreachable at altitude, either by current U.S. aircraft or their associated air-to-air missiles. It also is uncatchable—if the situation required, if could maintain a maximum speed of Mach 3.8 for a period of 10 min. And, in addition to its four external wing stations, it also may incorporate an internal weapons bay in the fuselage.

The financially starved USAF Aerospace Defense Command has been conducting studies on a possible follow-on to the aging General Dynamics/Convair F-106 interceptor as a counter to both the MIG-23 and the new Tupolev Backfire variable-geometry intercontinental strategic bomber. Recent studies have centered primarily on modified versions of the F-14 and F-15.

Both probably could handle the Foxbat effectively at altitudes below 50,000 ft. Late-model McDonnell Douglas F-4s also should be capable of dogfighting the MiG-23 at lower altitudes. But, in a hostile air environment, the Soviet aircraft might simply remain at a safe altitude, relying upon its air-to-air missiles to accomplish the task at hand.

If so, the F-15, with a maximum search and homing radar capability in the range of about 50 mi., admittedly could not challenge the Foxbat. On the other hand, its proponents do not believe that a MiG-23 at altitude would be a menace to the F-15. The wide turning radius of the Foxbat, they believe, would permit the USAF fighter to take sufficient evasive action to prevent the Soviet missiles from locking onto their target.

Proponents of the F-14 variously rate its combat potential against a MiG-23 flying near its maximum altitude from marginal to exceptional. The F-14 weapon system does have two advantages over the Foxbat despite its lower speed and altitude capabilities. Its search and track radar range of over 100 mi. is twice that of the Foxbat's. Similarly, the range of the Hughes AIM-54A Phoenix air-to-air missile is twice that of the MiG-23's A-A-2-2.

[From Aviation Week & Space Technology, Oct. 25, 1971]

THE GROWING THREAT—4: SOVIETS CLOSING GAP IN AVIONICS, COMPUTER SCIENCE MILITARY DEVELOPMENT

Pace of Soviet Union's progress in developing advanced military avionics equipment and systems is believed to be surpassing that of the United States, but the Russians still lag this country by a wide margin in a few critical areas, such as data processing.

The Soviets apparently are channeling their more limited avionics resources into fields of highest military priority, such as ballistic missile offense/defense, satellite interception and air defense, at the expense of other military endeavors.

But Russian success in satellite interception (AW&ST Nov. 2, 1970, p. 20; Nov. 9, 1970, p. 21) is clear evidence of mastery of precision guidance techniques so essential in military control of space. Their demonstrated satellite intercept capability challenges this nation's free access to satellite reconnaissance and early warning information.

The Soviet Union, like the United States, is carefully trying to squeeze the geodetic and geophysical uncertainties from ballistic missile targeting, an indication that the accuracy of their ballistic missile guidance systems is sufficiently honed to make these small anomalies a significant factor in miss distance (AW&ST Oct. 23, 1967, p. 108). And reducing the miss distance, or circular error probability as it is statistically expressed, is a primary objective in minimizing the number of weapons needed for any given strategic option.

The Russians are deriving accurate geodetic information about potential targets in the Western Hemisphere by optically tracking their own satellites from embassies in Washington, Havana and Santiago (AW&ST June 14, p. 11). By locating potential targets or references in the Western Hemisphere with respect to specific satellites, precisely tracked and positioned from surveyed locations within Russia, the Soviets can refine targeting data.

In the overall area of data processing, which is becoming increasingly fundamental in modern military technology, the Russians probably are seven years behind the United States, according to Barry W. Boehm, a Rand Corp. computer systems analyst who toured research institutes in the Soviet Union late last year as a guest of the Soviet Academy of Sciences. In high priority special purpose computers, the gap is only about five years, Boehm estimates.

The best Soviet scientific general purpose computer, Boehm points out, is capable of performing about 500,000 operations/sec., while the most compact spaceflight machine of which he is aware has a speed of about 100,000 operations/sec. By contrast, the best ground-based U.S. computer can perform 25 million operations/sec., and an airborne counterpart can do about 1 million/sec.

The smaller spread between the ground-based and airborne capabilities in the USSR suggests, Boehm says, that the Russians more quickly translate ground computer capability into air-borne hardware. It also suggests that estimates of Russian airborne or military computing power, based on simple analogies between U.S. and Russian scientific computing capabilities, could be deceptive.

In 1972, the Russians will be bringing on line their RYAD series of general purpose computers, analogous to the IBM 360 series, approximately seven years after the IBM machines. Their software also is about seven years behind U.S. equivalents, he notes. Drum memories are less than seven, but discs are more than seven years behind.

As in other technological fields, the Russians extract maximum utilization from their equipment, keeping older hardware in service years after it might be retired in the U.S. Often the equipment is modified or updated, extending its usefulness. Boehm reports seeing BESM-3 computers, developed in the 1950s, operating at facilities he visited.

The Russians appear to be concentrating data processing talents in selected spots (AW&ST Feb. 15, p. 15), such as ballistic missile defense, where there is evidence of much sophistication and achievement, in contrast

with absence of computer finesse in other areas.

Some of the better computer and sensor work has been noted in connection with ballistic missile tracking and anti-ballistic missile (ABM) programs. Several large phased array radars are highly respected in Western military circles.

The Dog House radar, located near Moscow and operational since 1969, is believed capable of tracking U.S. missiles at ranges in excess of 1,500 naut. mi., sorting warheads from decoys and selecting targets for ABMs. Dog House operates at unusually low frequencies, in the VHF range, possibly reflecting the relatively late development in the Soviet Union of higher frequency (microwave) techniques and components common in Western radars.

The main drawback to lower frequency radar—the difficulty in focusing energy into narrow beams—is overcome in the large installations characteristic of Soviet ABM sites by making the effective radiating apertures very large, yielding the desired high ratio of aperture to radiating wavelength.

The use of longer wavelengths in Dog House has surprising benefits. It facilitates detection of the reduced radar cross section re-entry systems to which the U.S. has resorted in recent years to minimize radar signatures of missile payloads. It also complicates the U.S. task of decoying Russian ABMs since chaff must be cut into longer strips to match the longer Dog House wavelengths (about 300 cm. at the 100 mc. Dog House operating frequency). Large quantities of these fine long strands of chaff are not easy to dispense uniformly.

Dog House is capable of radiating upwards of 20 megawatts peak power. Its low pulse repetition rate of 50 pulses/sec. apparently is intended for long-range tracking.

Other ABM search and track radars operate in the VHF and UHF ranges, while some like Hen Egg, stretch into S-band (now designated E-band). Hen Egg's high average power and large radiating/receiving aperture give it, like other Hen series Russian radars, longer search and track ranges than earlier Russian radars. Hen Egg can probe with a pulse structure that varies from about five to 15 microsec. in length at rates up to 300 pulses/sec.

Hen House, another phased array ABM tracking system, ranks with some of the best operational American tracking radars, providing a possible maximum unambiguous missile search and track range of about 3,200 naut. mi., roughly comparable in performance to USAF's Ballistic Missile Early Warning FPS-50 detection radars. Hen House radars are reported to be operational at a number of locations with sites near Irkutsk on the Angara River, not far from the Mongolian border; in northwest Russia near the Barents Sea, and in Latvia, not far from the Baltic Sea.

Physically, Hen House resembles the Bendix FPS-85 radar at Eglin AFB, measuring nearly 1,000 ft. in length with its 50 ft. high billboard-like array inclined from the horizontal about 45 deg. Hen House has track-while-scan capability that enables it to track a number of targets while searching for others, which it subsequently can hand off to the Dog House radar.

Operating at about 150 mc., it uses several pulse repetition frequencies (PRF) from 25 to 100 microsec. and has pulses of varying widths, presumably for adjusting resolution at varying ranges. Its maximum output power also varies above and below the one megawatt level. It generates a complicated beam scan pattern with two beams scanning in azimuth, two in elevation and one in a clockwise direction. It also uses pulse compression techniques.

Like their counterparts in the U.S., the Russians do a good deal of experimenting that frequently results in one-of-a-kind radars that may or may not materialize as operational systems. The family of Hen series radars is extensive. It also includes Hen Roost, a five-megawatt peak power radar, operating as low as 500 mc. but possibly considerably higher. It generates 2 by 2 deg. beams. Another system, designated Beer Can, has been observed.

In public statements, Soviet military leaders stress the importance of electronic warfare in modern military doctrine, a concern reflected in the improved ability of recent Russian radars to perform in an electronic countermeasures (ECM) environment. The ABM radars, as well as later SAM guidance and control radars (AW&ST Feb. 15, p. 14; Feb. 22, p. 42) exhibit greater tracking ranges in the presence of noise as a consequence of the steady trend toward higher effective radiated power levels.

The Soviets equip their aircraft with an ample quantity of ECM equipment, including deception ECM (DECM) repeaters, noise and spot noise jammers. Their bombers carry a full range of jammers for different classes of threats.

They have I-band noise jammers capable of generating about a kilowatt of peak power against U.S. missile fire control radars and much lower power DECM repeaters directed at the same targets.

Their E and F band DECMs and noise jammers are for use against acquisition radars while another set of jammers is intended for use against D-band early warning radars They also are outfitted with other DECMs and noise jammers for use against VHF/UHF communications sets.

The Cross Up, Top Hat and Mound Brick identification, friend or foe (IFF) transponders assure RF identification of friendly aircraft.

Russian bombers have radar protection against tail attack in the form of radar tail warning sets that alert crews to aircraft or missile threats from the rear, a capability provided in a limited way in some U.S. tactical aircraft by infrared and passive radar warning sets. The Tu–22 Blinder has a several hundred kw. maximum power I-band radar, designated by NATO as Bee Hind, which searches with a 4-deg. wide beam for tail threats through a 90-deg. solid angle centered at the aircraft fuselage centerline. Like a similar set on the M–4 Bison C, this tail warner is believed to be derived from earlier Bee Hind equipment on such aircraft as the Tu–16 Badger A, B and C, Tu–95 Bear A, B and C, Il–28 and Bison A and B.

Typically, these sets have variable PRFs with pulse widths of about ½ microsec. Their 7.5-deg. beamwidths are scanned horizontally in raster sector scans at rates of about 30 cps. and are conically scanned in the vertical plane. Power output is about 50-kw. peak.

The Be–10 Mallow reconnaissance aircraft has a rotating polarization warning radar in I-band while the Antonov An–8 Camp assault transport and An–12 Cub rear-load version of the An–10 have Gamma A radar warning sets in their tail turrets. The Gamma A generates wide beamwidth low-power D-band signals that scan through a broad cone.

Although the Russians are believed to be narrowing the lead of the U.S. military airborne radars over their own previously clumsy and comparatively crude radars (AW&ST Feb. 15, p. 16), little is known about any Russian equivalents to the automatic terrain following/terrain avoidance radars in such U.S. aircraft as the USAF/General Dynamics F–111 series, LTV Aerospace A–7D, Lockheed C–130 AWADS and Martin B–57G. Without this capability, the low-level penetration performance of Russian aircraft might be constrained, particularly at night and under adverse weather conditions. It's unclear whether the USSR has this capability, which is difficult to detect electronically because the distinguishing characteristics of interferometric techniques are manifested after signal receipt.

So far as is known, the Russians do not have any operational airborne phased-array radars (AW&ST June 22, 1970, p. 169).

The Soviets are believed on the verge of introducing pulse Doppler radar for interceptors which would enhance their ability to detect and track low-altitude penetrators around ground and sea clutter.

TRACK RANGES

Track ranges of Russian forward-looking airborne intercept radars for missile-armed interceptors are surprisingly short compared with aerodynamic ranges of semi-active radar guided missiles. The intention of using these weapons for shoot-down tail attack might explain this because such engagements would impose a longer range requirement on the missile. In this situation, the missile's transit distance would exceed the interceptor-to-fleeing-target range.

Frequency agility, frequency diversity and other advanced techniques are incorporated in Russian airborne radars. Earlier S-band airborne radars are being supplanted by X-band sensors, in some instances by K-band (now called J-band) equipment.

The current push by U.S. military services to incorporate J-band (up to 15 gc.) capability in existing and upcoming aircraft threat warning receivers, tactical noise jammers and DECM is in apparent recognition of potential ground-based and airborne threats at these high frequencies.

The Russian Short Horn 14-to-15 gc. bomb/navigation radar has been in operation for some time on aircraft such as the TU-95 Bear, M–4 Bison, Yak–28 Brewer and Tu-16 Badger A bombers and Yak Mandrake high-altitude reconnaissance aircraft.

Navigation functions for the Il-28 and Il-62, Mallow and An-24 are provided by Toad Stool, a 40-kw. peak power I-band navigation radar that radiates cosecant squared theta and penciled beams. Another I-band radar, Mushroom H, serves as navigation and possibly a bombing aid for helicopters, probably derived from earlier Mushroom series radars on fixed-wing aircraft.

Target acquisition for air-to-surface missiles, such as the Kennel AS–1, is provided by Komet 3, an I-band radar with 600 to 625 pulse/sec. PRF for search and double that for tracking. Kipper AS–2 missile asquisition uses still another I-band radar.

The Soviets are placing heavy reliance on optical and electro-optical devices in many strategic and tactical military applications. What could be domes for optical devices are visible on many aircraft, tanks and self-propelled weapons carriers.

Available Soviet scientific literature suggests extensive research on image translators (image intensifiers), necessary for direct view night vision devices, and fiber optics bundles, possibly for coupling intensifiers. The Russians have worked in every type of semiconductor compound, including those for detectors and emitters.

Their breadth of research activity along with observed devices suggests they have a full range of optical night devices, comparable to the U.S./NATO spread of infrared binoculars, infrared tank periscopes, crew-served night weapon sights, night-time passive rifle sights and individually-held infrared sensors.

The Soviets have been keeping abreast of U.S. progress in lasers since the late 1950s and at times have been ahead of military-sponsored work in the U.S. Their literature suggests laser rangefinding applications like those now so extensively being applied by West European nations and to a lesser degree by the U.S. The Soviets have cited the thermal weapons potentiality of high-energy car-

bon dioxide lasers which sparked much of the current work in the U.S.

The Russians are applying inertial navigation/guidance systems not only for space shots, but in aircraft, some land vehicles and probably submarines. Their systems are believed to be heavier, larger and less accurate, at least in the pure inertial mode, than their U.S. equivalents. Russian inertial instrument technology is thought to lag behind that of this country, but the gap may lie principally in the productive capacity.

LORAN OPERATIONS

The Soviets last year put a 100 kc. Loran ground transmitting chain into operation, giving them navigation and position fixing capability now becoming popular with the U.S. military services. The locations of the five stations, stretching from Petrozavodsk, near Lake Onega, not far from the Finnish border, to Simferopol on the Black Sea, indicates that Russian aircraft, presumably military, are now in the process of being fitted with Loran receivers.

Perhaps the most troublesome problem facing the Russians in their avionics equipment is poor reliability and maintainability as reported by many observers. In part, observers attribute this difficulty to the lack of incentives to design and produce for reliability.

The emphasis appears to be on meeting productive norms, not on assuring reliability and guaranteeing spares and support for the field. The Russian tendency to produce and field in great quantity could offset this lack of reliability.

Demonstrated reliability was not always available from U.S. military equipment. Its absence in Russian avionics hardware could reflect the same kinds of growing pains, experienced in this country, which await any nation attempting to reduce rapidly to operation the spectrum of the last 15 years of technological progress in avionics.

[From Aviation Week & Space Technology, Nov. 8, 1971]

THE GROWING THREAT—5: U.S.S.R. IMPROVES CRUISE MISSILE CAPABILITIES

Continuing improvement in surface-to-air and surface-to-surface missile armament of recent Russian warships is heightening credibility of the spreading Soviet naval presence, now stretching well beyond waters adjacent to the Soviet Union and its client states.

Latest Russian warships are outfitted with new search radar and fire control systems for surface-to-air missiles (SAM), providing greater effective range, better electronic counter-countermeasures performance and more enhanced close-in flexibility than the SA–N–1 Goa naval missile armament of earlier ships.

The recently observed Kresta 2 class of 6,000-ton guided-missile destroyers or light cruisers also appears to carry new surface-to-surface missiles, perhaps naval adaptations of ground tactical weapons, fired from two-tier, quadruple launchers on either side of the ship. The new launchers replace dual Shaddock launchers in armament on the earlier Kresta 1-class warships and the pair of quadruple side-by-side Shaddock launchers on Kynda-class guided missile destroyers. The E-band Scoop Pair surface acquisition/fire control radars, characteristic of Shaddock armed ships, are absent from the Kresta 2 class of warships.

By relying heavily on cruise missile technology, previously discarded by the U.S. Navy, the Russians are undermining the strong numerical superiority once enjoyed by the U.S. and West European navies.

They also are forcing the U.S. Navy to re-evaluate the role of surface firepower, largely ignored in the light of the overwhelming role of naval air power in the Pacific during World War 2.

Now small Russian-built Osa (Wasp) and Komar (Gnat or Mosquito) fast patrol boats, armed with Styx cruise missiles, have firepower range approaching that of large World War 2 warships.

The Soviets have at least 160 Osa/Komar class boats, with a total of over 500 launchers for the SS–N–2 Styx weapon. These small, maneuverable boats, deployed in "swarms," as their names imply, pose a massive threat of saturating shipboard defenses of high-valued American ships.

The Styx can outrange any current U.S. Navy ship-based gun, although the missile's warhead is relatively small. The larger SS–N–3 turbojet-powered Shaddock on Kresta 1- and Kynda-class surface ships and some submarines can range to 400 mi. over selectable flight profiles. The recent Nanuchka-class guided-missile gunboat armed with the new SS–N–9 cruise missile refines this evolution toward small ships with the firepower and range of larger more conventional warships.

Cruise missiles have become the weapon by which the Russians are eroding the dwindling U.S. naval advantage previously assured by naval aircraft and larger surface warships.

Cruise missiles enjoy several significant tactical advantages, although they are relatively slow, more tractable targets for defense to cope with. These are:

Low flight profile keeps them below defense radars of surface ships until they have closed range to a target, leaving intended victims with little time to react and imposing a crushing burden on shipboard defenses to rapidly detect, identify, acquire and respond to a threat. They can more easily be detected from the air by Doppler radar and are vulnerable to aerial attack, necessitating closely coordinated air cover.

Simplicity and flexibility are inherent in the concept of cruise missiles and the manner in which Soviets have chosen to deploy them. They do not need extensive fire control, permitting them to be launched from small ships equipped with simple surface search radars or by command from other friendly ships, aircraft, surfaced submarines or coastal positions. Typically, target bearing and rough range may be sufficient for launch with a missile-borne active radar and/or infrared terminal seeker generating necessary steering signals for closure in the terminal area. There are indications cruise missiles can be fitted quickly on any ship at dockside and missile stores replenished at sea.

The magnitude of the Soviet naval missile threat recently was cited by Adm. Thomas Moorer, chairman of the Joint Chiefs of Staff. He credited the Russians with five types of air-launched, anti-surface ship missiles (presumably Kennel, Kipper, Kangaroo, Kitchen and Kelt). The five missiles, Moorer noted, have ranges up to 150 mi. and are frequently equipped with terminal seekers for target closure.

"In addition," he noted, "advanced surface-to-surface guided missiles have been developed and are in service in Soviet forces. These weapons are accurate and lethal . . . and can be launched from submarines, ships and shore installations." Defense Dept. claims the Soviets introduced five new naval missiles, including at least two surface-to-surface systems—presumably the Kresta 2 and Nanunchka weapons—within the last two years.

Soviet helicopter carriers of the Moskva and Leningrad class, intended primarily as anti-submarine-warfare ships, can serve as offensive tactical command centers for cruise weapons, with their helicopters performing visual target acquisition and weapons direction for small cruise missile-launching boats.

The Moskva and Leningrad and about a dozen Kresta 2 guided-missile destroyers, major ships which began emerging from Russian coastal waters in 1967, are outfitted with identical, substantially more sophisticated and more advanced surface-to-air weapon systems than previously observed. The common anti-aircraft complement of these two different types of warships includes the following:

Top Sail multiple-element surveillance radar presumably using frequency scanning in elevation for long-range search and probably acquisition of aerial targets for missile guidance and control radars. On Kresta 2, Top Sail may also help acquire surface targets for surface-to-surface missiles.

Two twin groups of large G-band missile control radars with matched sets of antennas—two approximately 8-ft. circular mesh tracking paraboloids which scan in unison in azimuth and elevation and two smaller vertical sector dishes capable of scanning independently in azimuth and elevation. A single, smaller D-band antenna transmits guidance commands to the missiles after launch. The complete missile fire control set is designated Headlight, so-named for the physical resemblance to automobile headlights. All radio frequency power generating equipment is located on the same pedestals with the dishes to avoid excessive power losses in transferring high radar power to the antennas from below deck. This feature gives the fire control radar set striking physical prominence in the silhouette of a smaller ship like Kresta 2.

Dual surface-to-air missile launchers with cleaner lines than those on prior ships, like Kresta 1, Kynda, Kashin and Kanin class destroyers. Their slightly taller pedestals suggest that the ships' SAM missiles are of greater length than the 13-naut.-mi. range Goas, perhaps 22 ft. compared with Goa's 20 ft. The unusual Russian practice of trying to adapt weapons of one service to the other might indicate that the new SAM is a naval version or a derivative of a missile like the SA–4 Ganef army air defense weapon. As many as 200 SAMs may bestowed in below-deck magazines on Moskva/Leningrad ships.

LAUNCHING SAMS

The first as well as the second and third dual-rail, zero-length launcher in the forward section of the helicopter carriers is believed to be capable of firing SAM missiles, although the heavier pedestal of the first launcher could indicate other functions as well. The heavier support may facilitate swinging heavier weapons, such as cruise missiles or, as speculation and small loading hatches suggest, a rocket-propelled surface-to-surface missile. The heavy pedestal offers extra strength against damage from sea water when the desk is awash in heavy seas. The first launcher is ramp-loaded from the forecastle magazine.

Because of possible forecastle magazine flooding during loading operations or damage to missile fins in rough seas, the first launcher probably is of marginal value in high sea states characteristic of the North Atlantic and North Pacific. The degradation in ship performance that might result during service in these waters could suggest the vessel is principally intended for operations in Russian coastal waters, the Mediterranean and Red seas.

Each pair of launching rails of the remaining two Moskva SAM launchers is simultaneously loaded from two hatches on the port sides of the launcher pedestals. Missile loading from these fixed positions increase vulnerability of the ship to port side saturation air attack since launch rails must be swung around facing starboard, lowered into a vertical position, loaded, elevated and swung back again to the port side in defending against port side threats. This sequencing is believed to double the reload-launch time, thereby reducing the effective port side firepower of the ship.

Simultaneous reload capability of the launchers indicates the Russians, like their American naval counterparts, employ what is regarded as a rich nation combat philosophy of shoot-shoot-look, rather than the riskier, but more economical, poor nation shoot-look-shoot approach.

DIFFERENT APPROACHES

Shoot-shoot-look implies two quick salvo or rapid ripple shots against a single target to enhance likelihood of successful intercept, as opposed to shooting one missile and observing to verify chances of intercept before electing to fire a second missile round.

The shoot-look-shoot approach, which avoids possible needless waste of a second expensive shot, would need only a single reload capability for replacing the expended missile during the early fight phase of the fired weapon.

The Headlight guidance control radar group located on Moskva and Kresta 2-class ships is a significant step beyond its predecessor, the I-band Peel Group for Goa, and is functionally similar to Fan Song E, the most advanced SA–2 Guidance fire control radar.

HEADLIGHT OPERATION

Headlight operates at about 4.7 to 4.9 gc., providing high-resolution, low-altitude performance. The two large matched dishes probably are for the lobe-on-receive-only (LORO) capability found in Fan Song E (AW&ST Feb. 22, p. 48) that prevents target aircraft from using angle deception electronic countermeasures against the radar. Once a target is acquired, these dishes may operate passively, receiving returns of energy radiated by the small wide-beam vertical sector scanning dishes in the Headlight system.

The two independently-driven smaller paraboloids provide differential action with the guidance dish for commanding the SAM missiles on up-and-over trajectories, permitting tight control of the missiles during early flight stages. In this case, the large dishes track the target from returns of energy radiated by the broad-beamed small dishes. The guidance dish tracks the missile, possibly with the assistance of a beacon, employed previously in the SA–2 and SA–3 missiles.

By scissor-like action the missile is commanded to intercept when the smaller command dish is brought into coincidence with the tracking dish. A second missile fired from the same twin-rail launcher can be put on target by the same scissor-like action exercised by tracking and command dishes in the Headlight radar.

COUNTERMEASURES RECEIVERS

The large hemispherical-shaped bulges visible on the port side of the Moskva island as well as on the main superstructure of Kresta 1 (AW&ST Feb. 22, p. 43) probably house passive countermeasures receivers.

The absence of any apparent acquisition or fire control radar for the Kresta 2's pairs of quad-mounted surface-to-surface missile launchers, comparable to Scoop Pair on Kresta 1 warships, indicates this function might be handled by Headlight as well.

SOVIETS TESTING MACH 4 CRUISE MISSILE

Soviets have completed preliminary testing related to development of an air-breathing surface-to-surface cruise missile with a speed potential of Mach 4. In its initial configuration the weapon would be powered by a conventional low-bypass-ratio turbofan engine of the type used on supersonic fighters, but the powerplant would be designed to operate at high gas temperatures for an extremely short life.

Tumansky R–11 engine, also known as the R–37, the basic powerplant for the Mikoyan MiG–21 series, is believed capable of powering a cruise missile to Mach 4 or greater speeds on the basis of a 15-min. total engine life.

It is likely that experiments with semicryogenic fuel, such as liquid methane, are to be conducted as an approach toward keeping metal compressor parts cool while gaining additional thrust and/or engine life.

Basic tactical advantage of the high-speed cruise missile is its ability to evade radar acquisition and tracking because of relatively low-altitude flight and its ability to alter speed and direction to a great extent. For these reasons countermeasures would be greatly complicated.

Cruise missile would be capable of pulling up to 15 g during a tight maneuver. Range has not been determined on the basis of observed data but is believed to be 300–500 mi.

It is not known in the West whether the missile is destined for sea or land basing, or both.

The weapon is still in the earliest stages of development, with deployment not likely before 1976. Control system is believed to be still rudimentary.

TYPICAL SOVIET NAVAL RADARS

Code name	Frequency band	Function	Ship application
Top Bow	I	Target acquisition and fire control	Destroyers, light cruisers.
Scoop Pair	E	Acquisition and fire control for Shaddock	Light cruisers, destroyers.
Peel Group	I	Acquisition and fire control for SA–3 Goa	Guided-missile destroyers, guided-missile frigates.
Owl Screech	D	Acquisition and fire control for 3-in. AAA	Guided-missile frigates, destroyers.
Hawk Screech	I	Acquisition and fire control for AAA	Guided-missile frigates, destroyers, submarines, guided-missile destroyers.
Fan Song E	G	Acquisition and fire control for SA–2 guideline	Guided-missile cruiser.
Muff Cob	H	Acquisition and fire control for AAA guns	Patrol boats.
Square Tie	I	Early warning	Do.
Snoop Tray	I	Surveillance	Submarines.
Snoop Slab	I	do	Do.
Snoop Plate	I	do	Do.
Ship Globe	E	Missile tracking	Instrumentation ships.
Pot Head	I	Torpedo fire control	Torpedo boats.
Pot Drum	I	do	Do.
Horn Spoon	I	Navigation	Many.
Long Bow	I	Torpedo fire control	Destroyers.
Head Net A, B, C, D	E	Surface search	Guided-missile destroyers, destroyer escorts helicopter carriers.
Boat Sail	E	Surveillance	Submarines.
Drum Tilt	H	Acquisition and fire control for AAA	Torpedo boats.
Dead Duck	C	IFF	Many.
High Pole	C	IFF	Do.
Witch Five	C	IFF	Destroyers, light cruisers.
High Lune	E	Height finder	Guided-missile cruiser.
Top Sail	I	Suveillance	Helicopter carriers.
Half Bow	I	Torpedo fire control	Older destroyers.
Headlight	G	Acquisition and fire control for SA–N–4 antiaircraft missile and surface-to-surface cruise missiles.	Helicopter carriers, Kresta 2 guided-missile destroyers.

THE ALASKA PIPELINE ENVIRONMENTAL IMPACT STATEMENT IS VERY SCARCE

The SPEAKER. Under a previous order of the House, the gentleman from Wisconsin (Mr. ASPIN) is recognized for 10 minutes.

Mr. ASPIN. Mr. Speaker, I am very concerned that the environmental impact statement on the proposed trans-Alaska pipeline has been virtually hidden from public scrutiny. I am sure that many of my colleagues will be interested in knowing that only seven copies of this important impact statement are available for public inspection in the lower-48 States. In fact, there is not one impact statement publicly available for 3,000 miles. There is not one impact statement publicly available in New York, Chicago, Milwaukee, or Detroit. In fact, there is not one copy available between Washington, D.C. and San Francisco.

Not only that, but the Interior Department is charging $42.50 for the 9-volume environmental and economic study of the Alaska pipeline and its alternatives. And, even if you are willing and rich enough to be able to afford the $42.50 price tag, it may take almost 1 month to obtain a copy of the impact statement.

For instance, in one case, it took the lawyers for the three environmental groups who are suing to prevent construction of the Alaska pipeline, 28 days to obtain several copies of the impact statement. On March 24, these lawyers asked for the copies, but were told they were out of print and would not be available for another 2 weeks. Three weeks later, on April 14, they were told that the impact statements were still not ready. They finally received part of their order on April 21. Thus, it took these lawyers—who have been integrally involved in the Alaska pipeline issue for over a year and a half—almost a month to get hold of these copies, which they wanted to distribute to others for comment. It is quite relevant to note that Secretary of the Interior Rogers Morton stated when the impact statement was released that a decision might be made at the end of a 45-day period, which means that these lawyers spent almost two-thirds of that period futilely searching for some copies of the 3,550-page impact statement.

Saying that Interior's treatment of the public has been shabby in this case is being kind to the Department. First, Interior refuses to hold public hearings on the basis that hearings would constitute "a circus," in the words of Under Secretary William Pecora. Then the Interior Department announces that it is selling the impact statement for a mere $42.50, and delays the distribution of these copies for as long as 1 month in some cases. And, to top it all off, the Department only provides seven publicly available copies for over 200 million people.

If there were a conscious conspiracy to prevent public scrutiny of the impact

statement, it couldn't be accomplished much more effectively than this.

It is also important to note that the Council on Environmental Quality, to whom all comments on the impact statement are submitted, has so far received only five or six comments from private individuals on the Alaska pipeline impact statement. This is an unusually low number. I am just waiting for the Interior Department to say: "Aha, this shows that the public is satisfied with the impact statement." The real reason, of course, for the lack of public comment is that the Department has made the impact statement virtually invisible.

I believe very strongly that if the Interior Department is truly concerned with allowing the public a fair opportunity to comment on this vitally important environmental impact statement, it will agree to postpone its decision on the Alaska pipeline for at least 2 more months. In the interim it should, of course, make the impact statements much more available for public inspection and should also assure that those willing and able to buy the impact statement are able to get them much more quickly than is presently the case.

FIRE RESEARCH AND SAFETY ACT

The SPEAKER. Under a previous order of the House, the gentleman from California (Mr. MILLER) is recognized for 10 minutes.

Mr. MILLER of California. Mr. Speaker, each year fire has taken the lives of approximately 12,000 Americans, and caused uncounted injuries and billions of dollars in losses.

This bill gives impetus to needed research to reduce this tragic loss of life and staggering costs that our country undergoes each year as a result of unwanted fires.

This research is embodied in the Fire Research and Safety Act of 1968, which is an essential instrument for Federal work in this field.

Also included in the bill is authorization for the Standard Reference Data Act which was initiated by the Committee on Science and Astronautics. It, too, serves a needful purpose.

The work under this latter act results in the publication, in reference form, of the properties of various materials, compounds, and substances, that are widely used throughout our industry today.

The purpose of the standard data system is to make critically evaluated quantitative data on the physical and chemical properties of substances readily accessible to scientists and engineers throughout the country.

This includes, for example, measurements of the amount of energy released when chemical elements combine to form new compounds, or the ability of various substances to conduct electricity or heat under certain conditions.

It also shows how various metals or compounds react to different stresses and strains, or temperature changes.

This type of information is needed not only for the efficient conduct of our national research and development effort, but is required in the commercial sector of our economy as well.

It is used as basic reference data in such diverse fields as transportation, electronics, construction, and the manufacturing of commercial goods, medicines, and other products.

The raw data from which standard reference data are developed result from property measurements produced through research conducted by scientists and engineers throughout the world, and are published in the many thousands of scientific journals and reports.

Therefore, while these data theoretically are available to anyone who is prepared to search the literature to find them, it is quite often difficult to locate a specific number or value in the millions of pages of scientific literature.

Of equal importance is the fact that once the number or value is located, it is difficult to determine just how reliable such information is.

Only a specialist in the field can tell which number is most likely to be correct, and it is these specialists who, working with the National Bureau of Standards, select a single value or range of values as the best or "standard" value to be incorporated in the standard data system.

The data may then be used with confidence, and scientists and engineers may depend upon the reliability of the measurements without having to again conduct the experiments, often at substantial additional expense to the taxpayer.

The scope of the activity is almost boundless. It provides the basis for improving and producing practical things.

It will contribute to our environmental abatement programs relating to air pollution and antipollution equipment designs; nuclear power generation, chemical reactions and controls, and many others.

In spite of the importance of this work, the funding requirements are modest and in keeping with the role of the Bureau of Standards in supplying to the technical community the basic standards of measurements for which they were established.

I now want to talk about the fire research and safety work that is being emphasized.

Also, I would like to remind you that I am an advisory member from the House of Representatives to the President's National Commission on Fire Prevention and Control.

The Commission was activated last fall as authorized by the Fire Research and Safety Act of 1968.

This act directed the Commission to undertake a comprehensive study and investigation to determine practicable and effective measures for reducing the destructive effects of fire in our country.

This study will include an analysis of all facets of the problem, including fire prevention, equipment designs, methods of fighting fires, methods of reporting fires, standardization of equipments, capabilities of local fire departments, and a host of other problem areas.

The Commission has taken testimony from representatives of various groups that can be considered a cross section of organizations related with fire prevention and control.

I myself testified before this Commission. The current schedule is to present a report to the President and to the Congress in July 1973.

The bill before you, H.R. 13034, represents the major Government-sponsored research for fire prevention and control that affects the majority of our citizens. The military and AEC have highly specialized programs.

Although it has not utilized large sums in the past, and the Bureau of Standards received no appropriations for the work for 2 years, I am sure that more funds are required and that greater amounts will be needed in the future.

Obviously I am an enthusiastic supporter of this work. Also this is an area where a relatively small amount of money can produce large results when modern technology is applied.

Also, Mr. Speaker, the bill contains a number of amendments that are desirable to improve the operation of the Bureau of Standards.

I consider this an essential measure for insuring progress in our country. I earnestly solicit your support.

THE COASTAL ZONE MANAGEMENT ACT

The SPEAKER. Under a previous order of the House, the gentleman from New York (Mr. PODELL) is recognized for 10 minutes.

Mr. PODELL. Mr. Speaker, the bill I have introduced today, the Coastal Zone Management Act, has two main purposes not included in any other one bill before this Congress.

First, my bill would centralize coastal management. Second, it would direct special attention to beach erosion, one of the main problems of our coastal zone.

Each day's events dramatize anew the need for proper planning and adequate management of our coastal resources. Each day brings another huge waterfront building complex, another proposal for an oil rig, another industrial plant, another luxury apartment building, too often coupled with degeneration of our natural systems.

Each day new controversies throw the old dilemma between economic "progress" and the preservation of the "idle" shore back into the public arena. Each day surfaces another complaint about a piece of the coast "just sitting" when, if it were developed, it might provide jobs and tax revenue.

And who decides in most of our Coastal States, which of several alternatives will bring the greatest amount of good to the greatest number of people, in this generation and in the future? None.

Rarely is a conscious cost-benefit analysis done. Rarely is a conscious decision taken. Only rarely are these contests resolved by careful decisionmaking and planning. Whichever competitor yells loudest and brings the most political and economic pressure to bear usually wins for his brand of progress.

This bill, Mr. Speaker, would take coastal management out of the arena purview of chance and put it where it belongs—in the responsible hands of experts who, in light of the national policy articulated in sections 302 and 303 clarify the alternatives and consciously choose between them.

This bill would centralize those management functions and the implementation of national coastal policy in one agency in each State. This agency would design a coastal plan, coordinate the programs of all other Federal and State agencies to assure they conform to the management program, and resolve conflicts between various uses.

This bill would also encourage management programs to pay special attention to beach erosion. Recent press attention to this problem demonstrated the consequences of a helter-skelter attitude. Many of our beaches have been suffering worse erosion each year, with storms of various intensity and continued bureaucratic hassles and mixups over the division of responsibility.

This bill would place the responsibility squarely on the agency designated by the State to devise and implement its management program. This agency would coordinate all the various efforts by local, interstate, Federal, and private groups to restore the beaches and prevent their further decay. Continued decay of our natural resources is what this bill is designed to prevent. I hope it will have your support.

BORIS KOCHUBIYEVSKI—A HERO OF THE JEWISH PEOPLE

The SPEAKER. Under a previous order of the House, the gentleman from New York (Mr. KOCH) is recognized for 5 minutes.

Mr. KOCH. Mr. Speaker, yesterday you and I and other Members of Congress had the great pleasure and privilege of meeting Boris Kochubiyevski. For me it was a special emotional moment because of an incident which occurred about 2 years ago. In November 1969, I was asked to participate in a picket line in front of the Soviet mission in New York City protesting the persecution of Soviet Jews by the Soviet Government and in particular the imprisonment of 25 Jews for alleged anti-Soviet acts which consisted of their desire to emigrate to Israel. Along with other participants I picked up a poster bearing the name of one of the imprisoned men. It was simply chance that the poster I received bore the name of Boris Kochubiyevski. I was personally touched because of the similarity of our respective names—Koch-Kochubiyevski—and, of course, I never believed that I would meet the man whose name I carried in that picket line.

Boris Kockubiyevski, after his imprisonment in the U.S.S.R., was permitted to leave the Soviet Union. He was in Washington yesterday to tell Members of Congress of his prison experiences and of the persecution that his fellow Jews suffer in that country.

Boris Kochubiyevski was among the first, if not the first, to publically state his desire and that of hundreds of thousands of Jews in the U.S.S.R. to leave that country and emigrate to Israel. At this point I should like to place in the RECORD the short yet magnificent statement of conscience Boris Kochubiyevski issued in 1968:

NOVEMBER 28, 1968.

I am a Jew. I want to live in the Jewish state. This is my right, just as it is the right of a Ukranian to live in the Ukraine, the right of a Russian to live in Russia, the right of a Georgian to live in Georgia.

I want to live in Israel.

This is my dream, this is the goal not only of my life but also of the lives of hundreds of generations which preceded me, of my ancestors who were expelled from their land.

I want my children to study in a school in the Hebrew language. I want to read Jewish papers, I want to attend a Jewish theatre. What's wrong with that? What is my crime? Most of my relatives were shot by the fascists. My father perished and his parents were killed. Were they alive now, they would be standing at my side: Let me go!

I have repeatedly turned with this request to various authorities and have achieved only this: Dismissal from my job, my wife's expulsion from her Institute; and, to crown it all, a criminal charge of slandering Soviet reality.

What is this slander? Is it slander that in the multi-national Soviet State only the Jewish people cannot educate its children in Jewish schools? Is it slander that there is no Jewish theatre in the USSR? Is it slander that in the USSR there are no Jewish papers? Perhaps it is slander that for over a year I have not succeeded to obtain an exit permit for Israel? Or is it slander that there is nobody to complain to? Nobody reacts. But even this isn't the heart of the matter. I don't want to be involved in the national affairs of a state in which I consider myself an alien. I want to go away from here. I want to live in Israel. My wish does not contradict Soviet law.

I am not asking for mercy. Listen to the voice of reason:

Let me go!

KOCHUBIYEVSKII.

UNFAIR TAXATION MUST END

The SPEAKER. Under a previous order of the House, the gentleman from California (Mr. DANIELSON) is recognized for 10 minutes.

Mr. DANIELSON. Mr. Speaker, the other day I received a moving letter from two of my constituents in Los Angeles, which emphasizes the need for immediate action to reform the tax laws and to eliminate the inequities that most harshly affect those least able to afford them. My constituents' letter illustrates the self-evident fact that it is our duty to make government more responsive to the people.

I am including in the RECORD the letter, and an article that was enclosed with the letter, describing by income categories the nearly 15 million persons who paid no income taxes at all during 1970. The most blatant revelation—and the one arousing the most anger by the taxpaying citizens in my district—is in the upper income brackets where more than 400 people, with adjusted gross incomes of $100,000 or more, escaped paying any income taxes at all.

Tax loopholes are not limited to individual taxpayers. Recent press reports tell us that at least eight giant corporation in the United States paid no Federal income taxes in at least one of the last 2 years; namely, Westvaco Paper Co., Alcoa, Standard Oil of Ohio, United States Steel Corp., Allied Chemical, Republic Steel, National Steel, and Bethlehem Steel Corp.

While these favored few grow fat, with their untaxed earnings, Mr. and Mrs. Average American carry the taxload for the entire Nation and much of the rest of the world. This is the old story over and over again: The rich grow richer and the poor grow poorer. This shameful situation cannot go on forever; we must have tax reform. No one should have to pay more than his fair share of taxes, which means that everyone must pay his own fair share. That includes the rich and the powerful, the favored few who today enjoy the greatest benefits of our country but do not carry their share of the load.

It is absolutely necessary that we move quickly, and that we do our part in the Congress to pass laws which will close these loopholes—or chasms—which permit and perpetuate the injustice in our tax system.

The letter and article that I referred to follow:

Congressman DANIELSON: Inclosed is an article of how *unfair* our government is to *people* like us. This is only "ONE" very important tax that all you *Congressmen can* do something about *"NOW"*. Goes to show what a *bad* system we have. Our Homes are so taxed especially us old people who worked a lifetime to have a roof over our heads and *not go on* "Welfare". This is only a sample of our crazy *government*.

MR. AND MRS. A. ABRAM.

NEARLY 400 HAD $100,00 YEARLY INCOME—15 MILLION ESCAPE TAXES

WASHINGTON.—Nearly 400 persons who made $100,000 or more in 1970 paid no income tax, Rep. Henry S. Reuss, D-Wis., said Sunday. Three of them were millionaires.

Reuss said Treasury Department information he requested showed that nearly 15 million persons paid no income taxes during 1970, but 14.49 million of them earned less than $5,000.

He said 282 persons making between $100,000 and $199,999 paid no tax, nor did 90 persons making between $200,000 and $499,999, 19 making from $500,000 to $999,999 and three with tax returns showing an adjusted gross income of $1 million or more.

The three were among 624 returns with an adjusted gross income of over $1 million.

Reuss said 1,338 Americans with incomes of more than $50,000 escaped paying income taxes during that year.

"And this is just the tip of the iceberg," he said. Adjusted gross income doesn't include tax free interest from state and local bonds nor one-half of long-term capital gains. If these were included, he said, the number of wealthy persons who pay no taxes "would skyrocket".

He urged President Nixon to support legislation introduced in the House last week to reform taxes by closing loopholes said to cost the government an estimated $7.25 billion in taxes every year.

Reuss disclosed a table which showed that 427,060 persons making between $5,000 and $9,999 paid no taxes; 24,701 making $10,000 to $14,999; 6,508 making $15,000 to $19,999; 2,817 making $20,000 to $24,999; 1,766 making $25,000 to $29,999; 1,976 making $30,000 to $49,999; and 944 making $50,000 to $99,999.

THE PRESIDENT'S REPORT ON VIETNAM

(Mr. GERALD R. FORD asked and was given permission to extend his re-

marks at this point in the RECORD and to include extraneous matter.)

Mr. GERALD R. FORD. Mr. Speaker, last night the President of the United States spoke to the people of the United States with great candor and conviction about the challenge which confronts our Nation. I believe President Nixon articulated the hopes and the determination of all Americans who take pride in this great country and put America's interests not only above the enemy's, but also above their own. I cannot improve on his words, but I consider it an honor to place them in the RECORD at this point:

REMARKS OF THE PRESIDENT ON NATIONWIDE RADIO AND TELEVISION, APRIL 26, 1972

Good evening.

During the past three weeks you have been reading and hearing about the massive invasion of South Vietnam by the Communist armies of North Vietnam.

Tonight, I want to give you a first-hand report on the military situation in Vietnam, the decisions I have made with regard to the role of the United States in the conflict, and the efforts we are making to bring peace at the negotiating table.

Let me begin briefly by reviewing what the situation was when I took office, and what we have done since then to end American involvement in the war and to bring peace to the long-suffering people of Southeast Asia.

On January 20, 1969, the American troop ceiling in Vietnam was 549,000. Our casualties were running as high as 300 a week. Thirty thousand young Americans were being drafted every month.

Today, 39 months later, through our program of Vietnamization—helping the South Vietnamese develop the capability of defending themselves—the number of Americans in Vietnam by Monday, May 1, will have been reduced to 69,000. Our casualties—even during the present, all-out enemy offensive—have been reduced by 95 percent. And draft calls now average fewer than 5,000 men a month, and we expect to bring them to zero next year.

As I reported in my television address to the Nation on January 25, we have offered the most generous peace terms in both public and private negotiating sessions. Our most recent proposal provided for an immediate ceasefire; the exchange of all prisoners of war; the withdrawal of all forces within six months; and new elections in Vietnam, which would be internationally supervised, with all political elements including the Communists participating in and helping to run the elections. One month before such elections, President Thieu and Vice President Huong would resign.

Hanoi's contemptuous answer to this offer was a refusal even to discuss our proposals and, at the same time, a huge escalation of their military activities on the battlefield. Last October, the same month when we made this peace offer to Hanoi, our intelligence reports began to indicate that the enemy was building up for a major attack. Yet we deliberately refrained from responding militarily. Instead we patiently continued with the Paris talks, because we wanted to give the enemy every chance to reach a negotiated settlement at the bargaining table rather than to seek a military victory on the battlefield—a victory they cannot be allowed to win.

Finally, three weeks ago, on Easter weekend, they mounted their massive invasion of South Vietnam. Three North Vietnamese divisions swept across the Demilitarized Zone into South Vietnam—in violation of the treaties they had signed in 1954 and in violation of the understanding they had reached with President Johnson in 1968, when he stopped the bombing of North Vietnam in return for arrangements which included their pledge not to violate the DMZ. Shortly after the invasion across the DMZ, another three North Vietnamese divisions invaded South Vietnam farther south. As the offensive progressed, the enemy indiscriminately shelled civilian population centers in clear violation of the 1968 bombing halt understanding.

So the facts are clear. More than 120,000 North Vietnamese are now fighting in South Vietnam. There are no South Vietnamese troops anywhere in North Vietnam. Twelve of North Vietnam's thirteen regular combat divisions have now left their own soil in order to carry aggressive war onto the territory of their neighbors. Whatever pretext there was of a civil war in South Vietnam has now been stripped away.

What we are witnessing here—what is being brutally inflicted upon the Republic of Vietnam—is a clear case of naked and unprovoked aggression across an international border. There is only one word for it—invasion.

This attack has been resisted on the ground entirely by South Vietnamese forces, and in one area by South Korean forces. There are no United States ground troops involved. None will be involved. To support this defensive effort by the South Vietnamese, I have ordered attacks on enemy military targets in both North and South Vietnam by the air and naval forces of the United States.

I have here on my desk a report. I received it this morning from General Abrams. He gives the following evaluation of the situation:

The South Vietnamese are fighting courageously and well in their self-defense. They are inflicting very heavy casualties on the invading force, which has not gained the easy victory some predicted for it three weeks ago.

Our air strikes have been essential in protecting our own remaining forces and in assisting South Vietnam in their efforts to protect their homes and their country from a Communist takeover.

General Abrams predicts in this report that there will be several more weeks of very hard fighting. Some battles will be lost, he said, and others will be won by the South Vietnamese. But his conclusion is that if we continue to provide air and sea support, the enemy will fail in its desperate gamble to impose a Communist regime on South Vietnam, and the South Vietnamese will then have demonstrated their ability to defend themselves on the ground against future enemy attacks.

Based on this realistic assessment from General Abrams, and after consultation with President Thieu, Ambassador Bunker, Ambassador Porter, and my senior advisers in Washington, I have three decisions to announce tonight.

First, I have decided that Vietnamization has proved itself sufficiently that we can continue our program of withdrawing American forces without detriment to our overall goal of ensuring South Vietnam's survival as an independent country. Consequently, I am announcing tonight that over the next two months 20,000 more Americans will be brought home from Vietnam. This decision has the full approval of President Thieu and of General Abrams. It will bring our troop ceiling down to 49,000 by July 1—a reduction of half a million men since this Administration came into office.

Second, I have directed Ambassador Porter to return to the negotiating table in Paris tomorrow, but with one very specific purpose in mind. We are not resuming the Paris talks simply in order to hear more empty propaganda and bombast from the North Vietnamese and Viet Cong delegates, but to get on with the constructive business of making peace. We are resuming the Paris talks with the firm expectation that productive talks leading to rapid progress will follow through all available channels. As far as we are concerned, the first order of business will be to get the enemy to halt his invasion of South Vietnam, and to return the American prisoners of war.

Finally, I have ordered that our air and naval attacks on military installations in North Vietnam be continued until the North Vietnamese stop their offensive in South Veitnam.

I have flatly rejected the proposal that we stop the bombing of North Vietnam as a condition for returning to the negotiating table. They sold that package to the United States once before, in 1968, and we are not going to buy it again in 1972.

Now, let's look at the record. By July 1 we will have withdrawn over 90 percent of our forces that were in Vietnam by 1969. Before the enemy's invasion began, we had cut our air sorties in half. We have offered exceedingly generous terms for peace. The only thing we have refused to do is to accede to the enemy's demand to overthrow the lawfully constituted government of South Vietnam and to impose a Communist dictatorship in its place.

As you will recall, I have warned on a number of occasions over the past three years that if the enemy responded to our efforts to bring peace by stepping up the war I would act to meet that attack, for three good reasons: First, to protect our remaining American forces; second, to permit continuation of our withdrawal program, and third, to prevent the imposition of a Communist regime on the people of South Vietnam against their will, with the inevitable bloodbath that would follow for hundreds of thousands who have dared to oppose Communist aggression.

The air and naval strikes of recent weeks have been carried out to achieve these objectives. They have been directed only against military targets supporting the invasion of South Vietnam, and they will not stop until the invasion stops.

The Communists have failed in their efforts to win over the people of South Vietnam politically. General Abrams believes that they will fail in their efforts to conquer South Vietnam militarily. Their one remaining hope is to win in the Congress of the United States, and among the people of the United States the victory they cannot win among the people of South Vietnam or on the battlefield in South Vietnam.

The great question then is how we, the American people, will respond to this final challenge.

Let us look at what the stages are—not just for South Vietnam, but for the United States and for the cause of peace in the world. If one country, armed with the most modern weapons by major powers can invade another nation and succeed in conquering it, other countries will be encouraged to do exactly the same thing—in the Mideast, in Europe, and in other international danger spots. If the Communists win militarily in Vietnam, the risk of war in other parts of the world would be enormously increased. But if, on the other hand, Communist aggression fails in Vietnam, it will be discouraged elsewhere and the chance for peace will be increased.

We are not trying to conquer North Vietnam or any other country in this world. We want no territory. We seek no bases. We have offered the most generous peace terms—peace with honor for both sides—with South Vietnam and North Vietnam each respecting the other's independence.

But we will not be defeated; and we will never surrender our friends to Communist aggression.

We have come a long way in this conflict. The South Vietnamese have made great progress and they are now bearing the brunt of the battle. We can now see the day when no more Americans will be involved there at all.

But as we come to the end of this long and difficult struggle, we must be steadfast. And we must not falter. For all that we have risked and all that we have gained over the years now hangs in the balance during the coming weeks and months. If we now let down our friends we shall surely be letting down ourselves and our future as well. If we now persist, future generations will thank America for her courage and her vision in this time of testing.

That is why I say to you tonight, let us bring our men home from Vietnam. But let us end it in such a way that the younger brothers and the sons of the brave men who have fought in Vietnam will not have to fight again in some other Vietnam at some time in the future.

Any man who sits here in this office feels a profound sense of obligation to future generations. No man who sits here has the right to take any action which would abdicate America's great tradition of world leadership or weaken respect for the Office of the President of the United States.

Earlier this year I traveled to Peking on an historic journey for peace. Next month I shall travel to Moscow on what I hope will also be a journey for peace. In the 18 countries I have visited as President I have found great respect for the Office of the President of the United States. I have reason to expect, based on Dr. Kissinger's report, that I shall find that same respect for the office I hold when I visit Moscow.

I do not know who will be in this office in the years ahead. But I do know that future Presidents will travel to nations abroad as I have, on journeys for peace. If the United States betrays the millions of people who have relied on us in Vietnam, the President of the United States, whoever he is, will not deserve nor receive the respect which is essential if the United States is to continue to play the great role we are destined to play of helping to building a new structure of peace in the world. It would amount to a renunciation of our mortality, an abdication of our leadership among nations, and an invitation for the mighty to prey upon the weak all around the world. It would be to deny peace the chance peace deserves to have. This we shall never do.

My fellow Americans, let us therefore unite as a nation in a firm and wise policy of real peace—not the peace of surrender, but peace with honor—not just peace in our time, but peace for generations to come.

Thank you, and good night.

FORGET LIMITED WAR, COME HOME

(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, one of the outstanding publishers of the world is the Honorable John S. Knight of the Knight Newspapers. Mr. Knight has had distinguished service in the Armed Forces of our country and in civic leadership as well as in the realm of editor and publisher. He has had a long and intimate contact with Indochina and the war there. Mr. Knight is, I believe therefore, one of the best qualified men in our country to speak about that problem and to make recommendations as to what our country should do to terminate our engagement in this tragic conflict.

On April 16 in his highly esteemed column which runs regularly in the Miami Herald, Mr. Knight wrote on the subject of the war in Indochina under the heading, "Forget 'Limited War.' It Is Time To Come Home." I believe my colleagues and my fellow countrymen will profit from reading with particular care what Mr. Knight has said upon this critical subject. I include, therefore, Mr. Speaker, John S. Knight's Notebook following my remarks in the body of the RECORD:

JOHN S. KNIGHT'S NOTEBOOK: FORGET "LIMITED WAR," IT'S TIME TO COME HOME

Anthony Lewis of The New York Times recalls a statement by President Nixon in 1971 to the effect that Vietnam will not be an issue in the campaign . . . because we will have brought the American involvement to an end.

And indeed, that was the President's objective. Discerning politician that he is, Mr. Nixon said in the 1968 campaign that he had a plan to end the war. Yet the plan was never unveiled. Early in his administration, the President addressed the nation on Vietnam in these words: "I pledged to end this war in a way that would increase our chances to win true and lasting peace in Vietnam, in the Pacific and the world. I am determined to keep that pledge. If I fail to do so, I expect the American people to hold me accountable for that failure."

Now, three years later, American air and naval power are still directing massive strikes against the enemy in North and South Vietnam, Laos and Cambodia. The recent enemy offensive has brought the war back to the front pages and the television tube, a development which the President did not foresee in his confident prediction of 1971.

WHAT WENT WRONG?

So what went wrong? Where did the President's calculations fail? Why is the war once again turning up as a campaign issue even as Mr. Nixon's program of troop withdrawal has met with widespreac approval from the American people?

As I see it, there were two major miscalculations:

1—The Vietnamization program, which in reality was the President's game plan to end the war, has been only partially successful and certainly not effective enough to enable the South Vietnamese to stand on their own.

2—The President's failure to grasp and comprehend the lessons of history which have enabled wiser men to understand why the North Vietnamese are dedicated to a cause while the South Vietnamese flounder about in a morass of instability and corruption without purpose or motivation.

The Nixon administration still clings to the John Foster Dulles doctrine of containment and the Johnson-Rusk policies which fostered the belief that the United States must fulfill the "sacred commitments" of SEATO and use the military muscle sanctioned by Congress in the now defunct Tonkin Gulf Resolution.

The Southeast Asia Treaty Organization (SEATO), formed in 1954 at our behest to provide for collective defense, has long been a paper tiger. Its members—including Australia, France, New Zealand, Pakistan, the Philippines, Thailand and the United Kingdom—have either totally abdicated their responsibilities or provided only token forces on the field of battle.

President Johnson's Tonkin Gulf Resolution gave the President power "to take all necessary measures to repel armed attack against the forces of the United States and to prevent further aggression." Congress approved the resolution on August 7, 1964, following alleged attacks upon U.S. destroyers by North Vietnamese torpedo boats.

Although these attacks were later to lack documentation, the words "and to prevent further aggression" legitimatized President Johnson's authority to escalate the war and encourage his troops "to bring back the coonskin." In 1971, Congress shamefacedly backtracked on the Tonkin Gulf fraud and President Nixon signed the bill of repeal.

HOW IT STARTED

What Presidents Johnson or Nixon were never able to learn is that Hanoi regards Vietnam as one country only temporarily divided by a "provisional military demarcation line" in accordance with a 1954 cease-fire accord signed in Geneva providing for French withdrawal from the North and elections to determine the country's future.

Vietnam has been fighting its enemies ever since the 13th century. The French and Portuguese first came in the late 16th century. Piecemeal conquest by the French began in 1858 and ended in 1884 with acceptance of a French protectorate. By 1940 Vietnam was occupied by Japan, during which time a number of nationalist groups formed the Vietminh headed by the late Ho Chi Minh, Communist guerrilla leader.

At war's end, France sought to reestablish her colonial domination—a move vigorously opposed by President Franklin D. Roosevelt. Following a long struggle, Ho Chi Minh's Communist and nationalist forces finally defeated the French in 1954 at Dienbienphu.

Meanwhile, the former emperor of Annam, Bao Dai, who had headed a short-lived regime sponsored by Japan, formed a State of Vietnam at Saigon with French approval. Bao Dai was later ousted by Ngo Dinh Diem who became South Vietnam's first president. Eight other regimes were to follow until President Nguyen Van Thieu and Vice President Ky were elected in 1967.

HANOI WON'T QUIT

Ever since 1954, the United States has supported the Saigon government while Communist China and Russia gave their assistance to North Vietnam. From the time of President Harry Truman, our Presidents have been striving to "contain communism," as if a foreign government could shoot down either communism or a strongly ingrained nationalism with military assistance and later with more than half a million American servicemen.

And herein lies the basic misconception. The French, long a colonial power, had the good sense to pull out. Our SEATO allies have forsaken us. But the North Vietnamese continue to fight on against a greater number of South Vietnamese, escalation of the war by President Johnson with U.S. troops and now our massive bombing attacks.

To use President Nixon's phrase, it should now be clear that North Vietnam—though severely hurt by our bombing—has no intention of capitulating either on the battlefield or at the peace table in Paris.

So, some say, why not destroy Hanoi itself and the port of Haiphong? My answer is that while such a military operation is feasible, it has several negatives. First, it would scuttle President Nixon's endeavors to improve relations with China and Russia. Second, this course would in the end solve nothing permanently.

For the nationalists, or Communists if you prefer that term, will still be there and fight as they have for so many years against "the forces of imperialism." In their minds, the Americans have only replaced their ancient enemies, the French.

Furthermore, and if you accept that premise, the United States would be compelled to garrison Vietnam for all time to come if South Vietnam is to survive as an independent entity.

A third reason is that President Nixon would have to concede the failure of his beloved Vietnamization policy, something he would prefer to avoid doing in this election year.

VIETNAM'S PROBLEM

Time is running on the side of the enemy. To quote correspondent Denis Warner who had lived in Asia since long before our in-

volvement, "Both Peking and Hanoi believe the United States is attempting to negotiate from a position not only of weakness, but also of hopelessness. Nothing, they believe, can put an end to the U.S. policy of disengagement as pressures build up in the United States for reductions in air support and eventually in materiel support."

While we can all understand President Nixon's desire to extricate the United States from a difficult dilemma, a better comprehension of Vietnam's political realities was required when he first assumed office.

We cannot impose our will or dictate terms for settlement of the Indochina war. These questions must ultimately be resolved internally within Vietnam.

To prolong this war on the Nixon-Kissinger theory that might will prevail is to betray the "limited war for limited objectives" doctrine so successfully sold for a time to the American people by Mr. Nixon's predecessor.

It is time to come home, and bring our involvement to an end.

DISCLOSURE OF FUNDS

(Mr. GUDE asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. GUDE. Mr. Speaker, the House Committee on Standards of Official Conduct requires a partial public disclosure of the financial holdings of the Members to be filed by April 30. In my opinion, citizens are entitled to a more comprehensive financial statement from public officials. Such a statement provides another measure whereby citizens can assure themselves that officials are not subject to conflicts of interest which would prevent or deter them from performing their official duties in an objective manner.

I insert in the RECORD at this point a statement of my wife's and my financial holdings. The only substantial change in our holdings since the filing of our last statement has been the acquisition of additional ownership in A. Gude Sons Co., Inc. by inheritance. Taxable income in 1971 was $53,860. All income exclusive of that from the U.S. Government was from sources limited under assets.

The statement follows:

Financial statement of Gilbert Gude and Jane Callaghan Gude, his wife, April 27, 1972

ASSETS

Cash, checking and savings accounts	$16,006
First National Bank of Maryland (stock—100 shares)	3,975
American Finance System Debenture	3,000
A.T.T	3,000
Part ownership of A. Gude Sons Co., Inc. (family landscape nursery and florist firm)	1,509,390
Residence	70,000
Life insurance, cash value	8,555
Household furnishings, personal belongings	28,000
Two automobiles	3,000
Total	1,644,926

LIABILITIES

Accounts payable	300
Mortgage, residence	18,393
Personal note	15,000
Life insurance, loan	500
Note, automobile	1,952
Total	36,145
Net worth	1,608,781

LEGISLATION TO SAVE AND PROTECT TOPSOIL

(Mr. SMITH of Iowa asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. SMITH of Iowa. Mr. Speaker, I have introduced a bill which is H.R. 14659 requiring the protection and preservation of topsoil. I think it is a bill of great importance and is undoubtedly the most far reaching and important bill dealing with the environment that has ever been proposed in the U.S. Congress.

Topsoil is the most important resource that any country can have. It represents millions of plants and animals and even human beings that have been here on earth before us. It is the residue of those plants and animals that have preceded us over the thousands of years. Their remains contribute small amounts to the topsoil and that topsoil then is capable in the future for producing more plant life and in turn animal life; and human beings depend upon both. Man transfers various kinds of energy through different forms but is incapable of creating new energy. It is through topsoil that new energy is created. In spite of the fact that this is the most valuable resource in the United States, we have treated it as if it were an inexhaustible resource. We have wasted it, we have let it erode and run down the rivers, we have buried it on construction projects and have intermingled it with toxic portions of the earth and simply made it inaccessible not only for present use but also for the use of future generations.

There has recently been some attention given to stopping the waste and burial of topsoil on strip mining projects. I visited strip mining projects in Tennessee, Iowa, and other places. I concur that the waste of topsoil in these cases must be stopped. However, this is only one of the many examples of terrible waste of topsoil.

Perhaps one of the greatest examples of the waste of topsoil is with regard to highway construction. When highways are cut through hills, very often the topsoil is buried beneath the road bed and intermingled with the foundation of the road. Later a bank of subsoil is exposed. Even if the highway department puts some fertilizer on the bank and gets a start of some kind of vegetation started, it still does not have but a small fraction of the productive capacity that it would have had the topsoil been saved and placed over the exposed bank. If a highway or any other construction is not valuable enough to our generation to pay for stockpiling and replace topsoil then it is not valuable enough to be undertaken at this time. On most of these projects topsoil could be stockpiled where it would be easily and economically accessible for a use at a later time and to the extent needed used to cover any exposed areas on the completed project.

Recently a lot of people have become more cognizant of the importance of protecting our environment. To many people this merely means protecting trees and existing vegetation. While existing vegetation is important to our present generation, it does not have anywhere near as much the importance to future generations as the saving of topsoil. With topsoil, rain, and sun, existing vegetation can be replaced in a relatively short period of time but without topsoil it would either never happen or it would take thousands of years. This is the reason that the saving of topsoil is of far more importance than all the other environmental bills that have thus far been proposed.

This bill, H.R. 14659, would establish minimum standards to be followed on construction projects. It would apply to both federally assisted and private projects where the topsoil to be moved exceeds an area of 2 acres. On such projects, 12 inches of topsoil would be stockpiled and that soil would be used to cover exposed areas on the completed project. Any excess not needed to cover the exposed area to a minimum of 12 inches in depth would have to be permanently placed where it would improve plant production or be easily and economically accessible for use at a later time. It could not be intermingled with toxic soils or destroyed.

Under the bill, a National Land Resources Protection Commission would be established. Those who propose a project would submit to the Commission a plan showing that they will meet minimum requirements and that the project will not cause pollution of existing streams, landslides, flooding, or substantially change the volume of water to be carried by natural waterways on land adjoining the immediate construction area except where such change is consistent with an approved State or Federal water resource policy or law.

The Commission could delegate its authority to State commissions including State soil conservation commissions but would be required to monitor their operation to make sure that at least the Federal standards would be met.

Mr. Speaker, I realize that this is a far-reaching bill and I do not have any illusions about quick passage of the bill. I realize that with an idea which has not really been considered in this country, it will take time to sell it. I do not pretend that this bill is perfect, but it will provide a vehicle for a discussion that is badly needed, and I am convinced that some time we will pass a law which prevents us in this country from wasting our most valuable resource; namely, topsoil. The sooner we take a more realistic approach to this problem, the better.

WHOEVER HEARD OF REDUCING GOVERNMENT SPENDING?

(Mr. DEVINE asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. DEVINE. Mr. Speaker, a recent editorial in the Columbus, Ohio, Dispatch is worthy of the attention of all persons in positions of public trust.

The boys who vote to spend and spend and then increase the public debt to pay for their excesses could take a lesson from the workers who recognize our survival depends on maintenance of a balance between income and outgo.

The editorial follows:

WORKERS RECOGNIZE REALITY WHICH ELUDES GOVERNMENTS

Federal legislators and government managers would do well to consider a recognition being made by an increasing number of their constituents—the source of income has a saturation point.

It is a matter of survival for the average American worker who expresses a willingness to forego a wage increase when it becomes apparent his employer could not otherwise remain operative.

By the same token, it should be apparent a nation cannot long remain viable unless its own economic house is in order.

Even so, this lesson has not yet been learned in Washington for each year Americans see more legislation passed which assures the spending of more money—far more than the amount of income.

Rather than cut down spending or at least match it with anticipated revenue, the practice now is to raise the federal debt limit. No president since Herbert Hoover has failed to follow this route.

Meanwhile, the worker back home cannot follow this line of thinking with regard to his own personal finances. Nor can his employer.

There is an increasing number of instances wherein workers, advised by their union leaders, recognize their survival depends on maintenance of a balance between income and outgo.

Pay boosts averaging 44 cents an hour were given up by employes of Dayton's Standard Register Co. to preserve jobs and increase the firm's competitiveness. Dayton's Frigidaire people also have traded off increases for jobs. Firestone tire workers have gone on an eight-hour day, rather than six, to help cut costs.

But what is government doing? Tax Foundation, a private research group, says that in the period of 1962–72 all government taxes increased by 77.5 per cent while spending climbed by 93 per cent.

Reduced to the average man's level, this means that while governments were to tax the average household $4,530 in fiscal 1972, they had committed themselves to spend $6,231 per family.

The average American is showing signs of being ready to call a halt to such fiscal irresponsibility in government.

APOLOGY, AMNESTY, ABORTION, AND POT

(Mr. CLANCY asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. CLANCY. Mr. Speaker, the politically ambitious South Dakota apologist for the Communists has made an outrageous response to last evening's address by President Nixon. The news media said he accused President Nixon of having caused the death of 20,000 Americans.

However, the majority of American people approve of the President's steadfast position with regard to our continued withdrawal from Vietnam and our firm position in not permitting the Communists to take over a country by means of unprovoked and naked aggression.

The political campaigning of the apologist has extended into my home State of Ohio. The people there are well aware that he stands for surrender in Vietnam but they are not aware that he is also for amnesty, abortion, and pot. They do not know how he stands on aid for schools. They would like to know how construction of needed schools can be financed without a tax exemption to purchasers of bonds which must be sold for the schools. The South Dakota apologist, we understand, would eliminate this exemption. What else, we would like to know, would he eliminate from America.

President Nixon gave a well-reasoned speech last night, outlining a policy which every American can accept. He will—as he has promised and as Americans want—continue to extricate our Nation from this war. At the same time, our Air Force and Navy will provide military support to the fighting South Vietnamese troops with a minimum of danger to our own men.

And, around the world, we are negotiating for peace which, as President Nixon said, "Is a peace with honor for both sides, with South Vietnam and North Vietnam each respecting the other's independence."

President Nixon also said:

The Communists have failed in their efforts to win over the people of South Vietnam politically. . . . Their one remaining hope is to win in the Congress of the United States and among the people of the United States the victory they cannot win among the people of South Vietnam or on the battlefield in South Vietnam.

It would appear that the Communists have won some of those people in the United States—or else some Americans are speaking rashly in their political fervor to win election to higher office.

On the other hand, despite the political activity generated in this election year, our President speaks calmly and rationally, continues to wind down the war effort in a sance and deliberate manner, and is bringing our men home. He deserves the respect of all Americans. More than ever before, the American people know that the perpetrators of aggression are the Communists of North Vietnam.

STATEMENT OF POSITION

(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, the April 20 action of the Democratic Caucus relating to the prosecution of the war in Vietanam raises problems for those of us who attended the caucus, voted for the resolution, and are also members of the Committee on Foreign Affairs.

I did not support the original resolution but supported the amendments which eliminated the mandate to approve a specific bill and added the language which condemned the aggression of the North Vietnamese. I also opposed the introductory language of the O'Neill resolution and I had serious reservations about the principle of sending a directive with specific orders to the Democratic members of the Committee on Foreign Affairs, a sovereign committee of the House.

In the final analysis, however, I voted for the resolution in the caucus because it did constitute a firm expression of determination to terminate the war and an opposition to further escalation.

A few days' reflection has strengthened my belief that the form of the reference was ill-advised and I find it increasingly difficult to see how a committee of the Congress can fashion a prescription for the executive to follow in prosecuting the objective which all of us seek.

In view of the position in which I now find myself, as a member of the Committee on Foreign Affairs, I feel that I must treat this whole matter de novo and not be bound by any particular language or approach contained in the resolution of the caucus. I hope that the committee will be able to express the predominant opinion of the caucus within the existing constitutional framework, but this obviously will be a difficult task to perform.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Mr. SCHMITZ) to revise and extend their remarks and include extraneous material:)

Mr. HALPERN, for 5 minutes, today.
Mr. TALCOTT, for 3 minutes, today.
Mr. KEMP, for 15 minutes, today.

(The following Members (at the request of Mr. LINK) to revise and extend their remarks and include extraneous material:)

Mr. GONZALEZ, for 10 minutes, today.
Mr. ASPIN, for 10 minutes, today.
Mr. MILLER of California, for 10 minutes, today.
Mr. PODELL, for 10 minutes, today.
Mr. KOCH, for 5 minutes, today.
Mr. DANIELSON, for 10 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. SCHMITZ) and to include extraneous material:)

Mr. MCCLOSKEY.
Mr. GUDE.
Mr. MIZELL in five instances.
Mr. DEVINE.
Mr. HALPERN in three instances.
Mr. WYMAN in two instances.
Mr. GUBSER.
Mr. CEDERBERG.
Mr. MICHEL.
Mr. GOODLING.
Mr. EDWARDS of Alabama.
Mr. STEIGER of Wisconsin.
Mr. BUCHANAN.
Mr. BRAY in two instances.
Mr. BAKER.
Mr. BYRNES of Wisconsin.
Mr. TALCOTT in three instances.

Mr. KEMP in two instances.
Mr. DERWINSKI.
Mr. DELLENBACK.
Mr. WYLIE.
Mr. CRANE in five instances.
Mr. ZION.
Mr. HOSMER in two instances.
Mr. LATTA.
Mr. ANDERSON of Illinois.
Mr. HORTON.

(The following Members (at the request of Mr. LINK) and to include extraneous material:)

Mrs. HICKS of Massachusetts in two instances.
Mr. GONZALEZ in three instances.
Mr. RARICK in five instances.
Mr. HAGAN in three instances.
Mr. ROGERS in five instances.
Mr. ASPIN in five instances.
Mr. KLUCZYNSKI in two instances.
Mr. HUNGATE in three instances.
Mr. VANIK in two instances.
Mr. JAMES V. STANTON in two instances.
Mr. BIAGGI in 10 instances.
Mr. ANDERSON of California in two instances.
Mr. BEGICH in three instances.
Mr. FLOOD in two instances.
Mr. ALBERT.
Mr. HOLIFIELD in two instances.
Mr. HATHAWAY in two instances.
Mr. CELLER.
Mr. JOHNSON of California in five instances.
Mr. JACOBS.
Mr. GALIFIANAKIS.
Mr. TEAGUE of Texas in five instances.
Mr. SISK.
Mr. ST GERMAIN in two instances.
Mr. SIKES in five instances.
Mr. DOW in three instances.
Mr. TIERNAN.
Mr. CHAPPELL.

ADJOURNMENT

Mr. LINK. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 3 o'clock and 48 minutes p.m.), the House adjourned until tomorrow, Friday, April 28, 1972, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1907. A letter from the Director, District of Columbia Unemployment Compensation Board, transmitting the annual report of the Board for fiscal year 1971, pursuant to title 46, section 313(c) of the District of Columbia Code; to the Committee on the District of Columbia.

1908. A letter from the Special Assistant for Legislative Affairs, Office of the Secretary of Labor, transmitting a copy of "Compliance, Enforcement, and Reporting in 1971 Under the Labor-Management Reporting and Disclosure Act"; to the Committee on Education and Labor.

1909. A letter from the Assistant to the President, American Academy of Arts and Letters, and Assistant Secretary, National Institute of Arts and Letters, transmitting the annual reports of the two organizations for 1971, pursuant to section 4 of their charters; to the Committee on House Administration.

1910. A letter from the Acting Secretary of Transportation, transmitting the annual report on the financial condition of the Penn Central Transportation Co. as of April 26, 1972, pursuant to section 10 of the Emergency Rail Services Act of 1970; to the Committee on Interstate and Foreign Commerce.

RECEIVED FROM THE COMPTROLLER GENERAL

1911. A letter from the Comptroller General of the United States, transmitting a report on the impact of a computerized job bank on employment security operations in Baltimore, Md., under a program administered by the Department of Labor; to the Committee on Government Operations.

1912. A letter from the Comptroller General of the United States, transmitting a report on the Department of the Interior's opportunity to improve Indian education in schools operated by the Bureau of Indian Affairs; to the Committee on Government Operations.

1913. A letter from the Deputy Comptroller General of the United States, transmitting a report of a followup review on assistance to war victims in Vietnam by the Agency for International Development, Department of State, and Department of Defense; to the Committee on Government Operations.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. STAGGERS: Committee on Interstate and Foreign Commerce. H.R. 14424. A bill to amend the Public Health Service Act to provide for the establishment of a National Institute of Aging, and for other purposes (Rept. No. 92–1026). Referred to the Committee of the Whole House on the state of the Union.

Mr. PRICE of Illinois: Joint Committee on Atomic Energy. H.R. 14655. A bill to amend the Atomic Energy Act of 1954, as amended, to authorize the Commission to issue temporary operating licenses for nuclear power reactors under certain circumstances, and for other purposes (Rept. No. 92–1027). Referred to the Committee of the Whole House on the state of the Union.

Mr. EDMONDSON: Committee on Interior and Insular Affairs. H.R. 6788. A bill to establish mining and mineral research centers, to promote a more adequate national program of mining and minerals research, to supplement the act of December 31, 1970, and for other purposes; with amendments (Rept. No. 92–1028). Referred to the Committee of the Whole House on the state of the Union.

Mr. NEDZI: Committee on House Administration. House Joint Resolution 812. Joint resolution to authorize the Secretary of the Interior to participate in the planning and design of a national memorial to Franklin Delano Roosevelt, and for other purposes (Rept. No. 92–1029). Referred to the Committee of the Whole House on the state of the Union.

Mr. NEDZI: Committee on House Administration. H.R. 10595. A bill to restore to the Custis-Lee Mansion located in the Arlington National Cemetery, Arlington, Va., its original historical name, followed by the explanatory memorial phrase, so that it shall be known as Arlington House—The Robert E. Lee Memorial; with amendments (Rept. No. 92–1030). Referred to the House Calendar.

Mr. THOMPSON of New Jersey: Committee on House Administration. House Resolution 948. Resolution to provide funds for expenses incurred by the Select Committee on the House Restaurant (Rept. No. 92–1031). Referred to the House Calendar.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. ANDERSON of Illinois (for himself, Mr. BINGHAM, Mr. BROYHILL of North Carolina, Mr. COLLINS of Illinois, Mr. CONTE, Mr. DANIELSON, Mr. DERWINSKI, Mr. DOW, Mr. FRENZEL, Mr. GALLAGHER, Mr. GARMATZ, Mr. GROVER, Mr. HALPERN, Mr. HAMMERSCHMIDT, Mrs. HICKS of Massachusetts, Mr. HOSMER, Mr. KING, Mr. LEGGETT, Mr. MCCORMACK, Mr. MATHIS of Georgia, Mr. MIKVA, Mr. MOSS, Mr. QUILLEN, Mr. RANDALL, and Mr. ROBINSON of Virginia):

H.R. 14665. A bill to amend the Internal Revenue Code of 1954 to provide that employees receiving lump sums from tax-free pension or annuity plans on account of separation from employment shall not be taxed at the time of distribution to the extent that an equivalent amount is reinvested in another such plan; to the Committee on Ways and Means.

By Mr. ANDERSON of Illinois (for himself, Mr. SCOTT, Mr. SMITH of New York, Mr. J. WILLIAM STANTON, Mr. SYMINGTON, Mr. THONE, Mr. HORTON, and Mr. GUDE):

H.R. 14666. A bill to amend the Internal Revenue Code of 1954 to provide that employees receiving lump sums from tax-free pension or annuity plans on account of separation from employment shall not be taxed at the time of distribution to the extent that an equivalent amount is reinvested in another such plan; to the Committee on Ways and Means.

By Mr. BROYHILL of North Carolina:

H.R. 14667. A bill to establish a national land use policy; to authorize the Secretary of the Interior to make grants to encourage and assist the States to prepare and implement land use programs for the protection of areas of critical environmental concern and the control and direction of growth and development of more than local significance; and for other purposes; to the Committee on Interior and Insular Affairs.

H.R. 14668. A bill to strengthen and improve the private retirement system by establishing minimum standards for participation in and for vesting of benefits under pension and profit-sharing retirement plans, by allowing deductions to individuals for personal savings for retirement, and by increasing contribution limitations for self-employed individuals and shareholder-employees of electing small business corporations; to the Committee on Ways and Means.

By Mr. BYRNES of Wisconsin:

H.R. 14669. A bill to amend the Internal Revenue Code of 1954 to encourage the preservation of coastal wetlands, open space and historic buildings and to encourage the preservation and rehabilitation of all structures, and for other purposes; to the Committee on Ways and Means.

By Mr. CLEVELAND:

H.R. 14670. A bill to enhance the environment and to create and preserve economic opportunity in disadvantaged areas; to the Committee on Public Works.

By Mr. CLEVELAND (for himself and Mr. WYMAN):

H.R. 14671. A bill to provide for the repayment of certain Federal-aid funds expended in connection with the construction of Route 101 in the State of New Hampshire; to the Committee on Public Works.

By Mr. CONYERS:

H.R. 14672. A bill to amend the Public Health Service Act to increase the fiscal year 1973 authorizations for project grants for health services development and for project grants and contracts for family planning

services; to the Committee on Interstate and Foreign Commerce.

By Mr. DAVIS of South Carolina:

H.R. 14673. A bill to require that certain textile products bear a label containing cleaning instructions; to the Committee on Interstate and Foreign Commerce.

By Mr. FRASER:

H.R. 14674. A bill to amend the District of Columbia Teachers' Salary Act of 1955, as amended; to the Committee on District of Columbia.

By Mr. GUDE:

H.R. 14675. A bill to amend title 5 of the United States Code to provide that supergrade employees (and certain other Federal employees) whose pay is subject to a special statutory limitation shall be credited, for civil service retirement purposes, with the full amount of the basic pay they would be entitled to receive in the absence of such limitation; to the Committee on Post Office and Civil Service.

By Mr. HALPERN:

H.R. 14676. A bill to establish National, Regional, and Local Awareness Advisory Councils in order to facilitate communication between the President and the people of the United States, and for other purposes; to the Committee on Government Operations.

By Mrs. HECKLER of Massachusetts (for herself, Mr. BIESTER, Mr. BURKE of Massachusetts, Mr. CONTE, Mr. DRINAN, Mr. DONOHUE, Mr. GALIFIANAKIS, Mr. HARRINGTON, Mr. KEITH, Mr. MATSUNAGA, Mr. MORSE, Mr. NELSEN, Mr. O'NEILL, Mr. PEPPER, and Mr. THOMPSON of New Jersey):

H.R. 14677. A bill establishing a commission to develop a realistic plan leading to the conquest of multiple sclerosis at the earliest possible date; to the Committee on Interstate and Foreign Commerce.

By Mr. KEMP:

H.R. 14678. A bill to impose a statutory limit on expenditures and net lending during fiscal year 1973; to the Committee on Government Operations.

By Mr. KOCH (for himself, Mr. FISHER, Mr. HILLIS, Mr. RYAN, and Mr. BOB WILSON):

H.R. 14679. A bill to extend to all unmarried individuals the full tax benefits of income splitting now enjoyed by married individuals filing joint returns; and to remove rate inequities for married persons where both are employed; to the Committee on Ways and Means.

By Mr. MILLS of Arkansas:

H.R. 14680. A bill to permit officers and employees of the Federal Government to elect coverage under the old-age, survivors, and disability insurance system; to the Committee on Ways and Means.

By Mr. MILLER of Ohio:

H.R. 14681. A bill to authorize the Secretary of the Army to investigate, plan, and construct projects for the control of streambank erosion; to the Committee on Public Works.

By Mr. MINISH:

H.R. 14682. A bill to amend the Public Health Service Act to enlarge the authority of the National Heart and Lung Institute in order to advance the national attack against diseases of the heart and blood vessels, the lungs, and blood, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. NIX:

H.R. 14683. A bill to provide for the cessation of bombing in Indochina and for the withdrawal of U.S. military personnel from the Republic of Vietnam, Cambodia, and Laos; to the Committee on Foreign Affairs.

By Mr. PIKE:

H.R. 14684. A bill to amend the Public Health Service Act to provide for the prevention of Cooley's anemia; to the Committee on Interstate and Foreign Commerce.

By Mr. PODELL:

H.R. 14685. A bill to establish a national policy and to provide for the effective management, beneficial use, protection, and development of the land and water resources of the Nation's coastal zones, and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. RODINO:

H.R. 14686. A bill to amend the Public Health Service Act to enlarge the authority of the National Heart and Lung Institute in order to advance the national attack against diseases of the heart and blood vessels, the lungs, and blood, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. SCOTT:

H.R. 14687. A bill to authorize equalization of the retired or retainer pay of certain members and former members of the uniformed services; to the Committee on Armed Services.

By Mr. STEPHENS:

H.R. 14688. A bill to amend the Occupational Safety and Health Act of 1970 to exempt any nonmanufacturing business, or any business having 25 or less employees, in States having laws regulating safety in such businesses, from the Federal standards created under such act; to the Committee on Education and Labor.

By Mr. THOMPSON of New Jersey:

H.R. 14689. A bill to provide for the establishment of an Office for the Aging in the Executive Office of the President, for fulfillment of the purposes of the Older Americans Act, for enlarging the scope of that act, and for other purposes; to the Committee on Education and Labor.

H.R. 14690. A bill establishing a commission to develop a realistic plan leading to the conquest of multiple sclerosis at the earliest possible date; to the Committee on Interstate and Foreign Commerce.

By Mr. VANIK:

H.R. 14691. A bill to provide for the regulation of the mining of oil shale, for the conservation and reclamation of the oil shale lands, and for other purposes; to the Committee on Ways and Means.

By Mr. WALDIE:

H.R. 14692. A bill to amend the Omnibus Crime Control and Safe Streets Act of 1968 to provide a system for the redress of law enforcement officers' grievances and to establish a law enforcement officers' bill of rights in each of the several States, and for other purposes; to the Committee on the Judiciary.

By Mr. CHAMBERLAIN:

H.J. Res. 1180. Joint resolution proposing an amendment to the Constitution of the United States relating to the nomination of individuals for election to the offices of the President and Vice President of the United States; to the Committee on the Judiciary.

By Mr. CONTE (for himself, Mrs. ABZUG, Mrs. CHISHOLM, Mr. DONOHUE, Mrs. GRASSO, Mr. HALPERN, Mr. HARRINGTON, and Mr. WARE):

H.J. Res. 1181. Joint resolution proposing an amendment to the Constitution of the United States relating to the nomination of individuals for election to the offices of the President and Vice President of the United States; to the Committee on the Judiciary.

By Mr. HALPERN:

H.J. Res. 1182. Joint resolution urging municipalities and other appropriate local government units to adopt regulations assuring the safety of high-rise buildings against the hazard of fire; to the Committee on Banking and Currency.

By Mr. ROBINSON of Virginia:

H.J. Res. 1183. Joint resolution requesting the President of the United States to declare the week beginning August 6, 1972, "National Junior Classical League Week"; to the Committee on the Judiciary.

By Mr. NIX:

H. Con. Res. 596. Concurrent resolution to stop the bombing of North Vietnam; to the Committee on Foreign Affairs.

By Mr. CHARLES H. WILSON:

H. Con. Res. 597. Concurrent resolution; policies and procedures to end the war in Indochina; to the Committee on Foreign Affairs.

MEMORIALS

Under clause 4 of rule XXII,

380. The SPEAKER presented a memorial of the Senate of the State of Oklahoma, relative to price controls on food; to the Committee on Banking and Currency.

PETITIONS, ETC.

Under clause 1 of rule XXII,

221. Mr. ARENDS presented petition of Barracks No. 698, Veterans of World War I, Aurora, Ill., urging that Congress declare November 11 to again be known as Armistice Day and a national holiday; to the Committee on the Judiciary.

SENATE—*Thursday, April 27, 1972*

The Senate met at 9:30 a.m., on the expiration of the recess, and was called to order by the Honorable DAVID H. GAMBRELL, a Senator from the State of Georgia.

PRAYER

The Reverend Father James J. Kortendick, S.S., Ph. D., chairman, Graduate Department of Library Science, Catholic University of America, Washington, D.C., offered the following prayer:

Almighty and eternal Father of all, let us here and now be aware of Your presence and concern for us. Inspire our leaders in Government to seek Your will, wisdom, and strength in the fulfillment of their offices. Let them always be ready to listen to divine guidance and to hear and interpret Your voice through the voice of their colleagues and of all the people.

Bless these men and women who bear the burden of decision for destiny that they may vigorously seek the common good of mankind in peace, justice, security, and the alleviation of suffering and deprivation in all its forms among men.

Grant our leaders the grace of faith, hope, and love, of personal integrity, and good health to support them in facing the awesome responsibilities entrusted to them by You, and in prayerful confidence by us. Through Jesus Christ our Lord. Amen.